



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: October 24, 2019
Time: 12:30 pm
Location: Saturna Island Community Hall
105 East Point Road, Saturna Island, BC

		Pages
1.	CALL TO ORDER	12:30 PM - 1:00 PM
2.	APPROVAL OF AGENDA	
3.	TRUSTEE REPORT	
4.	CHAIR'S REPORT	
5.	TOWN HALL AND QUESTIONS	
6.	COMMUNITY INFORMATION MEETING	
	none	
7.	PUBLIC HEARING	
	none	
8.	MINUTES	1:00 PM - 1:15 PM
8.1	Local Trust Committee Adopted Minutes Dated July 18 & August 15, 2019 (for Information)	4 - 17
8.1.1	<u>Public Hearing Record Dated July 18, 2019 (for Receipt)</u>	18 - 20
8.2	Section 26 Resolutions-without-meeting Report Dated October, 2019	21 - 21
8.3	Advisory Planning Commission Minutes	
	none	
9.	BUSINESS ARISING FROM THE MINUTES	
9.1	Follow-up Action List Dated October, 2019	22 - 23

10.	DELEGATIONS	1:15 PM - 1:40 PM	24 - 43
	Southern Gulf Islands Community Economic Sustainability Commission - CRD Representative Re: Connectivity		
11.	CORRESPONDENCE		
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		
	none		
12.	APPLICATIONS AND REFERRALS	1:40 PM - 2:00 PM	
	12.1	SA-ALR-2019.1 (Money Family Projects) - Staff Report (attached)	44 - 87
13.	LOCAL TRUST COMMITTEE PROJECTS		
	none		
14.	REPORTS	2:00 PM - 2:30 PM	
	14.1	Work Program Reports (attached)	
	14.1.1	<u>Top Priorities Report dated October, 2019</u>	88 - 88
	14.1.2	<u>Projects List Report Dated October, 2019</u>	89 - 89
	14.2	Applications Report Dated October, 2019 (attached)	90 - 92
	14.3	Trustee and Local Expense Report Dated August 2019 (attached)	93 - 93
	14.4	Adopted Policies and Standing Resolutions (attached)	94 - 96
	14.5	Local Trust Committee Webpage	
	14.6	Islands Trust Conservancy Report	
	none		
15.	NEW BUSINESS	2:30 PM - 3:00 PM	
	15.1	Cell Tower Model - Staff Briefing (attached)	97 - 98
	David Marlor may attend via phone		
	15.2	Saturna Island Local Trust Committee BEN Bylaw No. 128 - Staff Report (attached)	99 - 112
	for further consideration		
	15.3	Climate Change Adaptation and Mitigation Strategies - Staff Memo (attached)	113 - 131

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Proposed for February 14, 2020, (location to be determined) on Saturna Island

16.2 Proposed Annual LTC Meeting Schedule (for adoption)

132 - 132

17. TOWN HALL

3:00 PM - 3:15 PM

18. CLOSED MEETING (Distributed Under Separate Cover)

18.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a & d) for the purpose of considering:

- *Adoption of In-Camera Meeting Minutes Dated July 18, 2019*
- *APC Memberships*

AND that the recorder and staff attend the meeting.

18.2 Recall to Order

18.3 Rise and Report

19. ADJOURNMENT

3:15 PM - 3:15 PM

ADOPTED



Saturna Island Local Trust Committee

Minutes of Regular Meeting

Date: July 18, 2019
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

Members Present: Laura Patrick, Chair
Paul Brent, Local Trustee
Lee Middleton, Local Trustee

Staff Present: Gary Richardson, Island Planner
Warren Dingman, Bylaw Enforcement Officer (BEO)
Ruth Daber, Recorder

Public: There were approximately (25) members of the public present.

1. CALL TO ORDER

Chair Patrick called the meeting to order at 1:02 p.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

She introduced herself, staff and the Local Trustees and explained the opportunities for the public to speak.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Under New Business: 15.6 Consultation Strategy for Islands Trust Policy Review

By general consent the agenda was adopted as amended.

3. TRUSTEE REPORT

The Trustees indicated that they preferred to speak at the end of the Local Trust Committee (LTC) business meeting.

4. CHAIR'S REPORT

None

5. TOWN HALL AND QUESTIONS

Chair Patrick invited public comments and questions.

The following issues were brought up by the public:

- Concern about the watershed (i.e logging) and ways to preserve it;
- Processes of Islands Trust to publicise the Public Hearing;
- Mapping of proposal regarding the Money Lake watershed;
- First Nations relationship building progress regarding a 60-page report by Fiona MacRaid;
- Hope for relationship building progress with new Tsawout Chief;
- IR7 replanting plans and logging debris issues in winter and fire hazard in dry season; and
- Contact information to ask permission to enter Reserve Land.

6. COMMUNITY INFORMATION MEETING

6.1 Saturna Island Local Trust Committee Bylaw No. 127

Planner Richardson gave background information on proposed Bylaw 127:

There was discussion on issues arising with previous non-enforcement guidelines which put a shared water supply at risk.

Chair Patrick invited questions from the public.

The following points were made during discussion:

- Use the word “should” rather than “shall” in the guidelines as it’s not descriptive enough;
- Lack of stating “subject to approval”;
- The chosen wording for guidelines allow flexibility considering unique cases;
- Under previous policy only if advertised enforcement was possible;
- Concerns about private wells and water issues;
- Awareness of ground water limitations;
- Clarification of higher water usage of visitors compared with residents;
- Uncertain water quantity availability;
- Water issues should not be complaint driven;
- TUP as an interim measure;
- Advise how to stop Commercial Vacation Rentals (CVR) by not advertising online and using small well;
- Septic responsibilities;
- Up to 30 days considered as temporary visit;
- Island Health Authority (VIHA) not accepting catchment for commercial use;
- Accommodation taxes;
- Signage for Airbnb rentals;
- Water and garbage guide in terms of agreement with visitors;
- Language of guidelines not adequate protection of ground water;
- Dropping water levels;
- Water usage and its impact over time;
- The province can withdraw a license mid season and limit occupancy for days of use;
- Positive impacts of Short Term Vacation Rental (STVR) like income to residents and accommodations to visitors;
- If rainwater catchment could be made a requirement; and
- Whether camping can be under a TUP.

7. PUBLIC HEARING

7.1 Recess for Public Hearing

At 2:40 p.m. Chair Patrick closed the Regular Meeting to open a Public Hearing for the Saturna Local Trust Committee.

A brief break was taken between 2:40 p.m. to 2:50 p.m.

7.1.1 Saturna Island Local Trust Committee Bylaw No. 127

Public Hearing record under separate cover.

7.2 Recall to Order

Chair Patrick recalled the meeting to order at 3:41 pm.

8. MINUTES

8.1 Local Trust Committee Minutes Dated May 9, 2019 (for information)

Received for information.

8.1.1 Public Hearing Record Dated May 9, 2019 (for receipt)

By general consent the public hearing recorded dated May 9, 2019 was received.

8.2 Section 26 Resolutions-without-meeting Report Dated July 2019

No questions or comments.

8.3 Advisory Planning Commission Minutes

None

9. BUSINESS ARISING FROM THE MINUTES

9.1 Follow-up Action List Dated July 2019

No questions or comments.

10. DELEGATIONS

None

11. CORRESPONDENCE

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

None

12. APPLICATIONS AND REFERRALS

None

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Commercial Vacation Rental Implementation - Bylaw No. 127 - Staff Memo

Planner Richardson invited the LTC to comment/make amendments.

Discussions ensued and the following points were raised:

- TUPs require all other required approvals to be obtained for lawful running, i.e. VIHA
- The Ministry's awareness of saline issues with water sources, like East Point area;
- Catchment being ruled out as STVR water source by VIHA;
- TUPs are temporary with a maximum of three years; and
- The guidelines can be amended.

SA-2019-040

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 127 cited as "Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019" be read a Second time.

During discussion it was noted that overall the guidelines were satisfactory. :

The question on the motion was then called.

CARRIED

SA-2019-041

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 127 cited as "Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019" be read a Third time.

CARRIED

SA-2019-042

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 127 cited as "Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019" be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

SA-2019-043

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 127 cited as "Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019" be forwarded to the Minister of Municipal Affairs and Housing.

CARRIED

Chair Patrick clarified the next processes of what will happen with bylaw 127.

13.2 First Nations Relationship Building - Project Charter

Planner Richardson gave background information.

Trustee Brent expressed appreciation for the work by Lisa Wilcox.

SA-2019-044

It was Moved and Seconded,

that Saturna Island Local Trust Committee endorse the project charter, dated July 10, 2019, regarding the preparation of OCP amendments to reflect First Nations presence on Saturna Island.

During discussion the following points were raised:

- The careful preparation work and satisfaction with the approach.
- The Islands Trust's recent reconciliation declaration and the passed action plan with a steady process was noted. Lisa Wilcox is assisting with this.

The question on the motion was then called.

CARRIED

13.3 Land Use Bylaw Technical Amendments re: Density Transfer - Bylaw 126 - Staff Memo

Planner Richardson gave some background information.

SA-2019-045

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 126 cited as "Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2019" be adopted.

CARRIED

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report dated July 2019

Planner Richardson confirmed that the report would be updated after the meeting, with all items remaining active.

14.1.2 Projects List Report Dated July 2019

No comments were made.

14.2 Applications Report Dated July 2019

Trustee Brent enquired about the Money Lake application and asked staff to look at development permit areas for all watershed areas.

Planner Richardson indicated that the applicant had not yet responded to a request for further information.

SA-2019-046

It was Moved and Seconded,

that Saturna Island Local Trust Committee place on the projects list to review establishing development permit areas (DPAs) for watersheds on Saturna Island.

CARRIED

14.3 Trustee and Local Expense Report Dated May 2019

For information.

14.4 Adopted Policies and Standing Resolutions

The Trustees discussed the following points:

- The policy regarding STVRs. Once Bylaw 127 is approved, the other policies would be removed.
- A brief background was given on the Southern Resident Killer Whale (SRKW) Conservation Agreement and add it as a standing resolution.

Be it resolved that in the waters of the Saturna Local Trust Area we support large commercial vessel speed reduction initiatives as part of the Southern Resident Killer Whale 2019 Conservation agreement signed between Canada and shipping industry stakeholders. We acknowledge voluntary speed reduction efforts in the Local Trust Waters and view the requirement to reduce transit speeds in support of SRKW recovery to be the equivalent of a voluntary bylaw in the Saturna Local Trust Area.

SA-2019-047

It was Moved and Seconded,

that Saturna Island Local Trust Committee add Southern Resident Killer Whale (SRKW) Conservation Agreement as Standing Resolution.

Trustee Middleton provided additional information and distinguished the Standing Resolution from the SRKW Sanctuary. He also mentioned an upcoming information session with Department of Fisheries and Oceans (DFO) regarding the SRKW Sanctuary and suggested to have Parks Canada and the Islands Trust involved.

The question on the motion was then called.

CARRIED

14.5 Local Trust Committee Webpage

14.5.1 Islands Trust Policy Statement Review Engagement – Discussion

The LTC mentioned the Islands Trust want to organize an open house and a world café on September 5th.

Further discussion included the following points:

- To narrow the scope of the project;
- Against the use of staff time and funds toward the project; and

- Use the Recycle Centre and have a follow-up conversation with the staff by email.

14.6 Islands Trust Conservancy Report Dated May 2019

Chair Patrick mentioned more information is needed for further discussion.

15. NEW BUSINESS

15.1 Saturna Island LTC BEN Bylaw No. 128 - Staff Report

Planner Richardson mentioned there will be discussion on Bylaw 128 at the LTC meeting on October 24th.

15.2 Cell Tower Model - Briefing

By general consent it was agreed to defer this item on the LTC meeting agenda for October 24th.

15.3 Southern Resident Killer Whale Recovery Strategy (for discussion)

No further discussion was held.

15.4 Secondary Suites - Potable Water Source (for discussion)

No further discussion was held.

15.5 LTC Standards for Quality and Quantity of Drinking Water / Subdivision Approval (discussion)

Trustee Middleton suggested to add the item to the project list.

SA-2019-048

It was Moved and Seconded,

that Saturna Island Local Trust Committee add “develop standards for quality and quantity for potable water for Saturna Island local trust area” to the project list.

CARRIED

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for October 24, 2019, at the Community Hall, Saturna Island

17. TOWN HALL

Dan Thachuk enquired if any of the watershed area was available for logging.

Planner Richardson responded that most areas on Saturna could be logged.

Priscilla Ewbank expressed interest in information on clear-cut logging on private land and asked about the two years’ efforts on First Nations relationship building.

The LTC explained that Fiona MacRaid’s report was foundational and well researched.

18. CLOSED MEETING (Distributed Under Separate Cover)

18.1 Motion to Close the Meeting

SA-2019-049

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3 s. 90(1) (a & d) for the purpose of considering:

- Adoption of In-Camera Meeting Minutes Dated March 7, 2019
- Advisory Planning Commission
- Bylaw Enforcement Update

AND that the recorder and staff attend the meeting.

CARRIED

18.2 Recall to Order

Chair Patrick recalled the meeting to order at 4:33 p.m.

18.3 Rise and Report

It was reported that the Islands Trust will advertise for an Expression of Interest for members of the Saturna Advisory Planning Commission and that the Minutes of March 7, 2019 were adopted.

19. ADJOURNMENT

By general consent the meeting was adjourned at 4:34 p.m.

Laura Patrick, Chair

Certified Correct:

Ruth Daber, Recorder

ADOPTED



Saturna Island Local Trust Committee

Minutes of Special Meeting

Date: August 15, 2019
Location: Saturna Island Community Hall
105 East Point Road, Saturna Island, BC

Members Present: Paul Brent, Local Trustee
Lee Middleton, Local Trustee

Regrets: Laura Patrick, Chair

Staff Present: Ruth Daber, Recorder

Guests: Department of Fisheries and Oceans (DFO):
Nicole Stamnes, DFO, Ocean Protection Plan Coordinator (Support)
Lee Harber, DFO, Marine Mammal Coordinator (Support)
Elly Chmelnitsky, DFO, Senior Marine Environmental Quality
Advisor (Speaker)
Mandy Ludlow, DFO, Fishery Officer, Detachment Supervisor for Georgia
Basin South and the Whale Protection Unit
Willi Jansen, DFO, Fishery Officer, Whale Protection Unit (Speaker)
Jeffrey Quigley, DFO, Fishery Officer, Whale Protection Unit
Jordan Bromwich, DFO, Fishery Officer, Whale Protection Unit

Parks Canada (PC):
Richard Lamy, PC, Parks Warden
Craig Bolton, PC, Parks Warden
Athena George, PC, Parks Interpreter

Transport Canada (TC):
Sonja Henneman, TC, Clean Water Policy Manager
Michelle Sanders, TC, Clean Water Policy Director (Speaker)

Public: There were approximately (55) members of the public present.

1. CALL TO ORDER

Trustee Middleton was assigned as the Acting Chair and opened the Special Meeting at 6:41 p.m. He introduced himself and Trustee Brent. He explained that the Islands Trust was facilitating the meeting.

Department of Fisheries and Oceans, Parks Canada and Transport Canada were represented as listed above to provide information and answer questions.

The panel introduced themselves (marked as “speaker” or “support”).

Trustee Middleton acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations with the Islands Trust area going out to the US border.

2. APPROVAL OF AGENDA

The Trustees explained that Elly Chmelnitsky and Nicole Stamnes would coordinate the information session and Trustee Brent would facilitate the question and answer sections.

3. SOUTHERN RESIDENT ORCA RECOVERY PLAN

3.1 Presentations

3.1.1 Information Sharing re: Objectives Plans for Enforcement of the Sanctuary Zone Around Saturna Island

A slide show was presented with the title:

Information Session: 2019 Management Measures to Support the Recovery of Southern Resident Killer Whales (SRKW). Hosted by Fisheries and Oceans Canada, Transport Canada, and Parks Canada.

Nicole Stamnes presented meeting objectives and ground rules followed by an agenda to the information session:

- Overview of 2019 Measures;
- Short Question Period;
- Outreach & Education;
- Monitoring Effectiveness;
- Compliance & Enforcement;
- Observe, Record & Report;
- Short Question Period;
- Whale Tracking Network;
- Community Perspective and Views; and
- Questions.

The following points were covered throughout the slide show:

- Overview of 2019 Measures;
- Recent recovery efforts & initiatives;
- Consultation and engagement;

- A video was played demonstrating the 2019 measures regarding boating around killer whales;
- General vessel measures and commercial vessel measures;
- Details about the types of zones: SRKW Critical Habitat, Enhanced Management Areas and Interim Sanctuary Zones;
- Transport Canada, DFO and Parks Canada roles; and
- Exemptions in Interim Zone.

Note: “Q” is questions/comments from the members of the public. “A” means answers/comments from the members on the guest panel.

Q: How many times has enforcement happened and with what consequences and is there a clearer map or chart?

A: Enforcement related questions will be held until the end. Information and maps are available online; it’s not possible to change marine charts.

Q: What enforcement is happening actively? There is concern that minimum distances to SRKWs after October 31st will go back to 200 metres.

A: There is some flexibility with the time frame.

Q: Identifying areas is complicated. Why have different standoff distances for different whales?

A: Distances are based on scientific studies and the approach will be reviewed. Interim measures and complicated factors determined them. I.e. Transient killer whales face different threats.

Q: Why is the sanctuary zone so small?

A: There are restricting factors like safe navigations of the area. We will review at the end of the season.

Trustee Brent requested to hold further questions and comments from the public till the end.

The slide show included information on the following topics:

- Outreach & Education;
- Monitoring Effectiveness (short- and long-term performance);
- Compliance and Enforcement;
- Fisheries and Oceans in partnership with Transport Canada, Parks Canada and the Royal Canadian Mounted Police (RCMP);
- Reporting number for violations;
- A video demonstrated 100 m distance (up to 400 m distances are applicable);
- Saturna Island had 25 reported violations;
- 2019 issues of fines: 215 written warnings, 625 pending, none have been fined. This year is all about education, unless there is repeat offence;
- Differentiation between Marine Mammal Act and the 2019 Measures for SRKWs Recovery; and

- Community Perspective and Views (see Agenda Item 3.2).

3.2 Question and Answer Session

The following points were raised during discussion:

- The high seal population is responsible for the decline of Chinook salmon by 75%.
- There will be a look at short and long-term measures. 2019 measures focus on food availability. Further work is being done to look at enhancement of forage fish for species like herring.

The members of the public made the following points:

- Only 10-12 members of the public showed up at the Salt Spring Island information meeting. The speaker assumed lack of promoting;
- Urgency to act to stop SRKWs starving;
- The sanctuary is too small;
- There are only 73 SRKWs left;
- Matriarchs are dying;
- Stop herring and Chinook fishing;
- We appreciate enforcement people; and
- The maps don't provide enough detail.

Q: Marine safety issues arise when forcing kayaks, canoes, rowboats and stand-up paddleboards to go outside the reef area. Why do you include such vessels?

A: The panel members have good science that any vessel present can be a disturbance; however we do want safety.

The members of the public made following points:

- Appreciation for talking with the Saturna Island community;
- Saturna residents have good understanding of SRKWs' challenges;
- There is no real science that non-motorized vessels disturb whales;
- Concern that Saturna's residents were not consulted;
- We like to see scientific base to the measures and zones;
- Will questions be answered in writing;
- We should regulate transportation at West Coast like East Coast;
- Saturna Islanders can help with whales;
- Show us science regarding non motorised vessels causing disturbance; and
- Fix the Fraser River for Chinook salmon and close Chinook fisheries.

The members of the panel raised the following points:

- We are working hard to find solutions and it's complicated;
- We need to include safety considerations and have limitations to what we can do;
- Regulations were updated, vessels over 8 metres that can carry passengers are required to carry an Automated Identification System (AIS); and

- There are technical challenges to identify each individual. We will do our best to respond to the questions in writing.

More following points were made during discussion:

- Kayakers that avoid the Sanctuary at Boiling Reef/East Point are put at risk;
 - Paddle Canada, national sea kayaking organisation, only announced today the 2019 Measures to protect the SRKWs. There is lack of communication and awareness;
 - Hire someone on land to take pictures;
 - Whale watching boats position themselves in path of whales that often travel with the current;
 - Why encourage motorised whale watching boats;
 - DFO and Parks Canada boats are among the loudest;
 - Kayakers make no noise; and
- Phone calls to report violations were not responded to.
Calls are important and the panel may not be able to respond right away; so please try calling again.
30-40 whale watch boats were reported and were considerably closer than 200 metres with little to no response.

Q: Concern for lack of prey and noise pollution. Why focus on distance and not other challenges like open fish farms that are affecting the whales, even though they are not located in the zones?

A: We are aware, finding solutions is on-going work.

Q: Orcas travel to boats at times. Be certain to not confuse such cases.

A: In such cases correct protocol is to shut your motor off, let the whales pass.
Photographs could be misleading.

The members of the public made the following points:

- Outer Island excursions were witnessed in SRKW Interim Sanctuary Zone, but an Automated Identification System (AIS) tracking app did not show them. There's concern that it was disabled.
- The residents want to be given the tools to identify and report from shore.
- Witnessed within an hour in Sanctuary zone: three kayaks, 1 sailboat and a fishing vessel.
- A resident mentioned an invitation to use his property in the Interim Zone for property monitoring.
- Observed better behaviour of vessels recently.

Q: Why not create a Marine Protected Area (MPA) like in Haida Gwaii?

A: "Sanctuary" is not a defined term. We look for long term options and, in the meantime, there are Interim measures.

Q: If people were fined on the spot, then extra regulations would not be needed, and less time spent investigating.

A: We had several vessel regulations. A 200 m distance once voluntary, became mandatory.

The members of the public made the following points:

- Tumbo Channel has little research of presence of SRKWs;
- Saturna's residents have made a lot of observations regarding the whales' behaviour;
- SRKWs have been far less in the Salish Sea;
- The only Parks Canada campgrounds around here are Narvaez Bay and Cabbage Island. They connect passing through the Interim Sanctuary Zone;
- Research was found on kayakers' impact on orcas is with the Northern Resident Killer Whales;
- Allowing small sized groups of non-motorised vessels should be considered; and

Q: What is the size of the education team?

A: We use as many resources as we can.

The members of the public made following points:

- There is an upcoming Saturna Island Marine Research and Education Society (SIMRES) event to help killer whales;
- They didn't hear much about rebuilding the wild salmon stocks; and
- Fish farms are on route of the migrating wild salmon.

A: There are some limitations in certain waters, i.e. international and shipping lanes. We appreciate feedback and questions.

The panel thanked the community for their comments, ideas and feedback, mentioned next steps and that data will be analysed with the aim to be more effective.

4. ADJOURNMENT

Trustee Brent thanked all the guests: DFO, PC and TC on behalf of the Saturna community.

By general consent the meeting was adjourned at 9:00 p.m.

Trustee Middleton, Acting Chair

Certified Correct:

Ruth Daber, Recorder

**Saturna Island Local Trust Committee
Record of a Public Hearing
Re: Proposed Bylaw No 127**

Date: July 18, 2019

Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

Members Present: Laura Patrick, Chair
Paul Brent, Local Trustee
Lee Middleton, Local Trustee

Staff Present: Gary Richardson, Island Planner
Warren Dingman, Bylaw Enforcement Officer
Ruth Daber, Recorder

Others Present: There were approximately (25) members of the public.

7.1.1 Saturna Island Local Trust Committee Bylaw No. 127

Chair Patrick, called the Public Hearing to order at 2:51 p.m. She read a formal statement outlining the content, purpose and process of the Public Hearing.

Planner Richardson explained the purpose of Bylaw 127.

He summarized communications received.

Chair Patrick invited the public to speak.

John Hutchinson, Boot Cove spoke in favour of Bylaw 127. He stated guidelines can be fine tuned over time and appreciates some regulation.

Janet Land, spoke in agreement with the temporary use process, but asked for tighter criteria like proving the well is not salty. She reminded that STVRs are not legal on Saturna and TUPs make them legal. She asked not to differentiate new operators from those prior 2016 and to require monitoring water issues through the duration of a TUP.

Cy Tordiffe, 413 East Point Road, Hawks Subdivision, spoke in favour of TUPs and the guideline approach. He spoke about the increase of water use with Airbnb renters in his

shared system. He reported starting a bylaw complaint process in November 2018 and that the Airbnb is still running without restriction.

Peter Dahl spoke in favour of Bylaw 127 as presented and considered it a valid tool and good first step. He spoke of water considerations and the positive effects of STVRs.

Ron Drane, Trevor Islet, spoke in favour of the Bylaw. He pointed out how STVRs contribute to employment and economy. He noticed efforts to make visiting Saturna easier and better. He offered to assist with his background as director of Habitat for Humanity Canada.

Bob Fitzgerald, Winter Cove, spoke in favour of Bylaw 127 and STVRs. He shared that he had 21 employees at Point Holdings and had challenging times making money, running a seasonal business full-time, and that short-term visitors are valuable and support the local economy.

Tonda Heidtke, 414 East Point Rd, spoke in support of STVRs, but criticized the guidelines as too strict. He expressed disagreement with different treatment of STVRs not requiring a TUP when landowner has a house and a cottage.

Trustee Brent clarified that STVRs on Saturna Island are legal in certain areas.

Priscilla Ewbank spoke in favour of the guidelines. She expressed concern about climate change, the water table diminishing and people not accustomed to wells and restricted water.

Joan Combes spoke against STVR in inappropriate areas, not in general. She referred to the Trust's Mandate to preserve and protect. She voiced concerns with shortage of long-term housing for young adults and STVRs only benefitting the landowner. She said that the ministry had identified areas with saline intrusion. She spoke of water catchment as a requirement and advocated STVRs regularly prove that conditions are met. She provided a written statement.

Dan Thachuk, Boot Cove, requested the Bylaw use more prescriptive language, like "must" and "shall" versus "should" and to bundle guidelines by priority and tighten them up. He expressed concern with the Lyall Harbour/Boot Cove water system and their obligation to supply water to their supply area. He suggested the Capital Regional District (CRD) help with enforcement.

Laura Swan suggested to request STVR operators use a site (like AirBnB) where complaints can be filed.

Ron Drane thanked Chair Patrick for how she ran the meeting.

Chair Patrick called three times for further comments; hearing none, she closed the Public Hearing at 3:40 p.m.

**I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS
RESPECTING THE MEETINGS HELD.**

RECORDER

DATE



Islands Trust

Saturna Island

Print Date: October 16, 2019

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2019-06	In Favour	THAT the Saturna Island Local Trust Committee schedule a Special Local Trust Committee Meeting on August 15, 2019.	29-Jul-2019
2019-07	In Favour	THAT_Saturna Island Local Trust Committee adopt the July 18, 2019, Draft Local Trust Committee Regular Meeting Minutes as amended; AND THAT_Saturna Island Local Trust Committee adopt the August 15, 2019, Draft Local Trust Committee Special Meeting Minutes as amended.	02-Oct-2019

Follow Up Action Report

Saturna Island

18-Jul-2019

Activity	Responsibility	Dates	Status
1 Bylaw 127 - proceeded as drafted. - Update showing 2nd and 3rd readings (done) - Forward to Executive Committee for approval (going to Sept. 4th EC) (done) - Forward to Minister of Municipal Affairs and Housing for approval(done)	Gary Richardson Sharon Lloyd-deRosario	Target: 25-Jul-2019	Completed
2 First Nations Relationship - Project Charter Project Charter endorsed as drafted. - update charter with endorsement date - place on LTC web-page	Gary Richardson Maple Hung	Target: 25-Jul-2019	Completed
3 Bylaw 126 - Density transfer amendment adopted as drafted - update bylaw show as adopted - consolidate in LUB and re-post LUB to the LTC web-page	Sharon Lloyd-deRosario	Target: 29-Jul-2019	Completed
4 Ben Bylaw 128 - place on October 24, 2019 LTC agenda for discussion	Sharon Lloyd-deRosario	Target: 24-Jul-2019	Completed
5 Cell Tower Model - place on October 24, 2019 LTC agenda for discussion	Sharon Lloyd-deRosario	Target: 24-Jul-2019	Completed
6 SKRW - recovery strategy standing resolution - add standing resolution to list of standing resolutions	Gary Richardson	Target: 24-Jul-2019	Completed



Follow Up Action Report

Saturna Island

18-Jul-2019

Activity	Responsibility	Dates	Status
7 Secondary Suites - Potable Water Source - place on projects list	Gary Richardson	Target: 22-Jul-2019	Completed
8 Trust Policy Statement Consultation policy Staff to contact Local Trustees to determine best strategy. The Saturday Market or Recycle Centre were recommended as possible time/locations to consult with islanders.	Gillian Nicol		Completed
9 Review of Drinking Water regulations - place on projects list	Gary Richardson	Target: 22-Jul-2019	Completed
10 APC - invite expired members to re-apply (done) - advertise for new members	Sharon Lloyd-deRosario	Target: 31-Jul-2019	Completed
11 In-camera minutes of March 7, 2019 adopted as drafted	Maple Hung		Completed
12 Add to Projects List: Consider establishing a DPA for Watershed Land	Gary Richardson	Target: 13-Sep-2019	Completed
13 Place Public Hearing record of July 18, 2019 on October 24, 2019 LTC agenda to be received by LTC.	Sharon Lloyd-deRosario		Completed

August 30, 2019

To: Saturna Island Local Trust Committee

Within the Southern Gulf Islands Electoral Area, the Community Economic Sustainability Commission (CESC) has given direction to pursue connectivity planning as a top priority for its work program. Improving broadband connection in SGI as a way to support sustainable economic development has been a long standing goal of the Electoral Area Director. We are undertaking community engagement to discover how greater connectivity can advance each island's common goals of sustainable economic development and community health and resilience. We are writing to keep you informed about this integrated connectivity planning process and invite you to participate in the conversation.

The region lags far behind the internet speeds identified by the Federal government as a minimum standard: broadband speeds of at least 50 Mbps download and 10 Mbps upload. The persisting digital divide between urban areas and the SGI affects quality and accessibility of healthcare and education, level of safety and security, access to government services, economic diversification and more. Improved connectivity will strengthen this region's potential, diversity, and sustainability. Not only are improvements to our internet service levels crucial for the realization of our economic development goals, improved connectivity will support us in working together to reduce our carbon footprint – from alternative transportation to tele-health and distance education.

Provincial and Federal granting agencies that support infrastructure investment, including last mile connectivity, are now requesting community connectivity plans to support applications. Connectivity planning ensures infrastructure investments are coordinated, scalable, provide value for money, and achieve priority objectives for the region. Our approach is to develop a community based connectivity plan that can guide Internet Service Providers in their investment decisions.

The CRD is currently undertaking Phase 1 of this program: we are working with Network BC and the Ministry of Citizen Services Connected Communities program to develop a "Digital Roadmap," for the SGI. The Digital Roadmap is a framework tool and presents a strategic approach to address the needs, benefits and trade-offs of greater connectivity. We will engage different sectors in each island community on the potential for increased connectivity to support the social, economic, and sustainability goals of the Southern Gulf Islands. By focusing on how better connectivity can help the SGI meet its needs and objectives, we will offer a new way to approach community conversations about the impacts and benefits of increased broadband, cell service, and wifi.

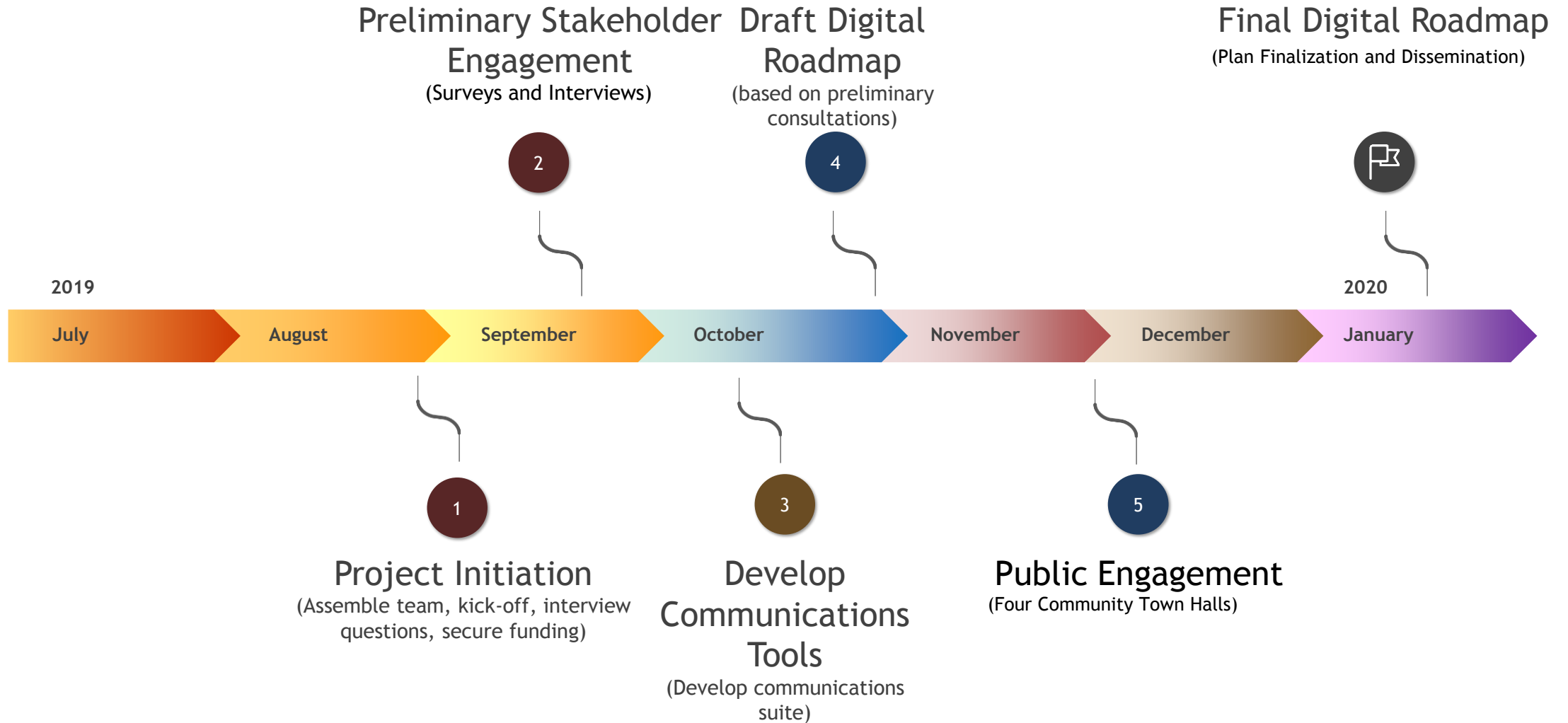
Phase 2 of the project will engage qualified professionals to develop a "Southern Gulf Islands Connectivity Design Strategy." It will consider how the community goals identified in phase 1 can be advanced through infrastructure design. It will take into account existing service hubs and will present the region with options for infrastructure and technology to advance our communities' own connectivity goals, as identified in Phase 1.

We look forward to any comments or feedback the LTC may have on this work program and will be pleased to keep the LTC informed about community meetings and other opportunities for engagement.

Sincerely,

Deborah Goldman,
Chair, Southern Gulf Islands Economic Sustainability Commission

Connectivity Planning in the Southern Gulf Islands: The Timeline



Phase I: Develop and Finalize the Digital Roadmap

Connectivity and the Islands Trust

Islands Trust Council has formally requested that the appropriate agencies of Canada and the Province “take steps to facilitate and fund the safe and reliable improvement of internet connectivity throughout the Trust Area.” In particular, Trust Council encouraged “the provision of additional landing sites to service islands in the Trust Area that may request such service through the Connected Coast project”

(See http://www.islandstrust.bc.ca/media/347928/tc_2019-06_18-19-20_decisionhighlights_final.pdf).

Within the Southern Gulf Islands, each Local Trust Area has an Official Community Plan that addresses the issue of connectivity in slightly different ways and which guide the approach to connectivity planning for the region. This project will directly support the LTCs' objectives through the development of a community-based Southern Gulf Islands Connectivity Design Strategy.

Excerpts of each Local Trust Area's OCPs are attached. Sections of the OCPs that support the development of connectivity infrastructure include:

Saturna Island OCP BL 70: (Section F.6.6) and South Pender OCP BL 107 (Section 6.2.2): “providers of internet and other electronic communication services should be encouraged to expand and improve the delivery of services to, and the development of infrastructure for, the local community”

South Pender OCP BL 107: “advancements in electronic communication...[allow for] increased opportunities to engage in economic activities from residences [and enhance] the island residents' economic capacity” (Section 3.1.2).

Galiano Island OCP BL 108: “in order to enhance the social, economic, educational, environmental, and cultural aspects of life on the island...the LTC will support efforts to expand electronic communications and infrastructure within the community provided it can be demonstrated that there are no harmful health or environmental effects” (Section 4.1.1.g).

North Pender Island OCP BL 171: “The North Pender Island LTC should support and encourage efforts to expand or improve the electronic communications on the island in order to reduce the need to travel” (Section 2.3.6).

Mayne Island OCP BL 144: the Mayne Island LTC “should support and encourage efforts to expand or improve the digital infrastructure on the island in order to reduce the need to travel” (Section 2.6.1.10).



SOUTH PENDER ISLAND

OFFICIAL COMMUNITY PLAN

BYLAW NO. 107, 2011

AS AMENDED BY SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW(S) NO. 113 and 115

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plan are available from the Islands Trust Office, Suite 200 – 1627 Fort Street, Victoria BC V8R 1H8

ii) Other allowed uses on Rural Residential designated lands are to be compatible, both in type and scale, with small lot rural residential living. Land use regulatory bylaws are to make provision for the following uses customarily associated with small lot rural living: short-term rental of a single family dwelling; home occupations; horticulture, including small-scale greenhouse and nursery uses; the keeping of poultry for domestic use; and the sale of produce originating on the lot, including the use of small roadside stands.

iii) The Local Trust Committee may consider implementing regulations that would permit outbuildings as a permitted principal use prior to construction of a residential dwelling on Rural Residential designated lands.

iv) Single family residential use is to be permitted on lots within the Agricultural (A), Forest (F), and Natural Resource (NR) Land Use Designations as a principal use.

3.1.2 (b) Number of Dwellings

i) One single family dwelling only is to be allowed on RR designated lots less than 0.8 hectares (2.0 acres) in area.

ii) One single family dwelling and one cottage are to be allowed on RR designated lots 0.8 hectares (2.0 acres) and larger in area.

iii) Two single family dwellings and two cottages are to be allowed on RR designated lots 4.0 hectares (9.88 acres) and larger in area.

iv) Additional single family dwellings and/or additional cottages on RR designated lots as an alternative to subdivision are to be subject to rezoning.

3.1.2 (c) Lot Area Requirements for Subdivision of Land

Land use regulations applicable for RR lands shall be developed with zoning classes to permit, except where otherwise stated, the minimum lot area requirements for subdivision to be:

- 0.4 hectares (1.0 acre) for lots in the RR1 zone
- 0.8 hectare (2.0 acres) for lots in the RR2 zone
- 4.0 hectare (9.9 acres) for lots in the RR3 zone

3.1.2 (d) Housing Policies for Affordable Housing, Rental Housing, and Special Needs Housing

Provision is to be made for affordable housing, rental housing, and special needs housing land uses and developments when justified by demand from the community.

3.1.2 (e) Residential-based Economic Activities

Background

Advancements in electronic communication and the use of home computers are allowing increased opportunities to engage in economic activities from residences, thereby enhancing island residents' economic capacity. Home occupations are economic enterprises operated on the premises by residents. On South Pender Island they include such activities as home offices, bed and breakfast accommodation, artist studios, and craftsperson workshops. Short-term rentals of dwellings provide economic return, offer the visitor an opportunity to experience rural island living, and are an alternative form of accommodation to bed and breakfast or commercial resorts.

3.1.2 (e)(i) Home Occupations

- Home occupations are to be allowed as an accessory use on every lot where there is residential use of a single family dwelling.
- Land use regulations applicable to home occupations are to be developed with the perspective of land use compatibility, as contained in the General Policies of this OCP. Their primary purpose is to minimize adverse effects on both the adjacent lots and the subject lot. Measures to be addressed are to include: types of home occupation; where, to what extent, and under what conditions these activities are to be conducted; the number of employees permitted; residential requirements; exterior storage of materials and necessary screening; and provisions for off-street parking.
- Lots having more than one cottage are limited to using not more than one cottage for short-term rental at any one time.

3.1.2 (e)(ii) Short-term Rental of Single Family Dwellings

- On lots where a single family dwelling is allowed as a principal use, short-term rental of those dwellings may be allowed, subject to regulation. A single family dwelling is not to be used for short-term rental during the time when a cottage is being used for this purpose. Lots having more than one single family dwelling are to be limited to using not more than one for short-term rental at any one time.
- Land use regulations applicable to short-term single family dwelling rentals are to be developed with the perspective of land use compatibility, as contained in the General Policies of this OCP. Their primary purpose is to minimize adverse effects on adjacent lots and on the community in general.

3.2 Commercial Land Use and Development

Background

Commercial development on South Pender Island presently consists of the visitor accommodation facilities and associated retail and service facilities of the resort and marina development at Bedwell Harbour. The commercial retail and service development of North Pender Island is readily accessible to the South Pender Island community.

Poets Cove Resort at Bedwell Harbour is a destination resort for both land and marine based visitors with visitor accommodation facilities. Existing commercial retail and service facilities on the island are the small store, pub, licensed retail liquor store and the restaurant operating as an accessory use to the resort at Bedwell Harbour. Historically the majority of commercial needs for South Pender Island residents have been met on North Pender Island or regionally, and this pattern is expected to continue into the future.

Lands for commercial development are designated Commercial (C) in Schedule "B".

3.2.1 Commercial Objectives

- a) To ensure all future on-island commercial land use and development occurs in response to the needs of the community, is compatible with its immediate surroundings, and is in keeping with the island's rural character.

regarding aircraft noise and flight routes within and over the South Pender Island Local Trust Area.

ii) Land based aircraft facilities are to be limited to those necessary for emergency helicopter evacuations.

iii) Floatplane facilities only allowed in foreshore and marine water areas designated Marine Commercial on Schedule "B".

6.2 Communication and Utilities Services

Background

Private sector companies provide telephone and electronic communication services to the island via fixed link or electronic transmission. Electrical power is provided by BC Hydro, a provincial Crown corporation. Both federal and provincial regulatory agencies are involved in the provision of these services. The advent of increased telecommunication services and electronic forms of communication is gradually making it more feasible for people to live on-island and work from home.

6.2.1 Communications and Utilities Objectives

- a) To ensure communication and utilities services land use and development on South Pender Island is primarily for the needs of its community.
- b) To support cooperation with and between the communication and utilities service providers serving the needs of the community, as a means of efficiently providing services.

6.2.2 Communication and Utilities Policies

- a) Communication and utilities land use and development whose primary purposes are for meeting the needs of the community are to be recognized and provided for in the regulatory bylaws implementing this OCP. No such provision is to be given for those whose primary purpose does not serve the community's needs.
- b) Locations for additional communication and utilities service development, excluding electrical, telephone, and cablevision distribution lines, are only to be considered on a site-specific basis upon application and consultation with the community.

Advocacy Policies

- c) Providers of communication and utilities services involving overhead or underground transmission wires, cables, or piping are encouraged to use existing public rights-of-ways and common corridor routings wherever practical.
- d) Providers of internet and other electronic communications services are encouraged to expand and improve the delivery of services to, and the development of infrastructure for, the community.
- e) Industry Canada and its agents are requested to ensure adequate community consultation occurs prior to approval of new communications towers.

6.3 Water Supply Services

Background

Freshwater supplies on South Pender Island are obtained almost exclusively from groundwater sources, primarily from aquifers located in fractured bedrock. An exception is the water taken under licence from Greenburn Lake.

6.3.1 Water Supply Objectives

- a) To maintain self-sufficiency as a fundamental principle of the island's freshwater supply servicing.
- b) To protect adequate freshwater supplies for current and future land use and development.
- c) To encourage conservation of freshwater supplies.
- d) To ensure adequate supplies of water are available for fire protection purposes.

6.3.2 Water Supply Policies

- a) The supply of freshwater for South Pender Island is only to be from on-island sources, except for direct deliveries by tanker truck in circumstances where the regular source of freshwater becomes temporarily inadequate. Facility use and development for off-island sourced bulk water supplies is to be prohibited by zoning regulations.
- b) The Local Trust Committee is to help protect supplies of freshwater for current and future land use and development by taking into consideration the possible effects of increased freshwater supply services and use associated with major new developments.
- c) Conservation of freshwater supplies is to be encouraged; supportive measures may include but are not limited to:
 - i) the use of drought tolerant plants for landscaping purposes.
 - ii) information programs to increase awareness of:
 - water conservation practices;
 - new technologies for water purification; and
 - potential impacts from the practice of well hydrofracturing.
 - iii) installation of water saving plumbing fixtures and appliances;
 - iii) collection, storage, and use of rainwater as an alternative to groundwater by means of:
 - ponds to increase freshwater supplies available for non-domestic uses such as irrigation, lawn and garden watering, and fire suppression; and
 - cisterns for domestic use where the collected rainwater supply is kept and treated in a manner conforming to standards meeting the requirements of the Medical Health Officer, Vancouver Island Health Authority.
- d) The Local Trust Committee will permit and promote rainwater catchment systems for fire protection, irrigation, and as an alternate source of potable water for domestic use.
- e) The Local Trust Committee may consider implementing regulatory provisions to address groundwater protection, such as:
 - i) requiring rainwater catchment systems for new construction;
 - ii) limiting the extent of impermeable surfaces on a lot;



Islands Trust

GALIANO ISLAND LOCAL TRUST COMMITTEE

OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

AS AMENDED BY GALIANO ISLAND LOCAL TRUST COMMITTEE

BYLAWS NO: 124, 138, 141, 169, 171, 179, 203, 204, 206, 207, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 235, 242, 244, 246, 248, 252, 253, 254, 259 AND 233

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document

Certified copies of the Official Community Plan are available from the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B. C. V8R 1H8

Consolidated: August 16, 2017

- | | | |
|-------|----|---|
| BL215 | n) | Landowners are encouraged to protect the natural systems, biological sustainability, ecological services, and natural aesthetics of forest lands. |
| BL215 | o) | Landowners are encouraged to protect riparian areas, marine shoreline areas, sensitive ecosystems, endangered habitat, soils, watersheds, biodiversity, old or large individual trees, and old growth stands. |
| BL215 | p) | Landowners are encouraged to protect culturally modified trees and other heritage features. |
| BL215 | q) | The LTC should advocate the mitigation of climate change through :
i) encouraging the provincial government to provide tax incentives and reforestation programs;
ii) local education programs; and
iii) encouraging well-coordinated management practices to maintain the health of the forest, to promote carbon sequestration in the forest and soil, and to reduce the risk of stand-destroying wildfires. |
| BL215 | r) | The Local Trust Committee encourages local economic opportunities for small-scale sustainable forestry through supporting:
i) the establishment of a non-profit community-owned forest that is consistent with ecosystem-based sustainable forest practices, and the lands so acquired are preserved for forestry use in perpetuity for future generations;
ii) the development of co-operative ecosystem-based sustainable forest management and value-added ventures;
iii) initiatives to provide tax incentives for maintaining ecosystem-based sustainable forest management activities;
iv) appropriate small scale forest related activities such as the sustainable gathering of non-timber forest products, food crops, hiking, bird watching and wildlife viewing, education and value added industry. |

4. Community Facilities and Utilities

4.1 Community Facilities

BL215 Galiano's community facilities for social and cultural services currently include a recycling centre, fire halls, ambulance station, a health care centre, a church, a school, a cemetery, community halls.

Community Facilities Objective

The objective of this subsection is:

- | | | |
|-------|----|--|
| BL215 | 1) | to promote the establishment of community facilities that enhance the social, economic, educational, environmental and cultural aspects of life on the island and in a manner that minimizes impacts on the natural environment. |
|-------|----|--|

Community Facilities Policies

- BL215 a) The principal use shall be community facilities.
- BL215 b) Community facility zones shall be developed for such uses as community orchards, nurseries, gardens and woodlots, farmers markets, arts facilities recycling centre, ambulance station, R.C.M.P. facilities, emergency evacuation services and fire halls.
- BL215 c) Zoning for a community facility shall be considered on a site specific basis.
- BL215 d) As a plan for a local trust area designated under the *Islands Trust Act* and placing priority on the preservation and protection of unique amenities and environment of the area, rezoning for new community facility uses should not be considered in advance of demonstrated need.

Community Facilities Advocacy Policies

- BL215 e) The delivery of services by local non-profit organizations shall be encouraged.
- f) Opportunities for creation and ownership of community facilities through vehicles such as a Community Land Trust, shall be encouraged.
- BL 207; 215 g) The Local Trust Committee will support efforts to expand electronic communications and infrastructure within the community provided it can be demonstrated that there are no harmful health or environmental effects.
- BL215 h) Green building techniques are encouraged in new construction.
- BL215 i) Green burials in cemeteries are encouraged.

4.2 Utilities

Utilities Objective

The objective of this subsection is:

- BL215 1) to ensure the delivery of utility services compatible with rural character in a way that minimizes impacts on the natural environment.

Utilities Policies

- BL215 a) Community or public utilities other than transmission lines and telephone or electricity services on an easement or registered right of way, shall be zoned on a site specific basis.



NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW No. 171, 2007

AS AMENDED BY NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW(S) NO. 182, 184, 197, 203, 207, 209, 211 and 216

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plan are available from the
Islands Trust Office, Suite 200 – 1627 Fort Street, Victoria BC V8R 1H8

Consolidated: December 10, 2018

2.3 COMMUNITY SERVICE LAND USES

Background

North Pender is well served by facilities for health care, education, public protection, and community and social services. Most facilities are provided through the voluntary initiatives of members of the community. Residents value maintaining a diverse community able to accommodate people of varying ages, income and abilities. In order to achieve this, the community may need to explore options for ensuring housing for working people, young families, seniors and those who have special needs. Currently, seniors housing is provided at Plumtree Court, which is owned and operated by the non-profit Pender Islands Seniors Housing Society.



Photo: Islands Trust

Community Service Objectives

- 2) To ensure that North Pender Island is a healthy community with residents working together to improve the quality of life.
- 3) To facilitate community services that meet the social and physical needs of the community.
- 4) To support community facilities through efforts of community members.
- 5) To ensure that all community service facilities are accessible to all members of the community.

- 6) To permit a range of housing options without detracting from the rural character of North Pender Island.

Community Service Policies

- 2.3.1 Preference shall be given to applications involving community service facilities that will be located close to the school and medical centre, the library, the Driftwood Centre and the fire stations.
- 2.3.2 Regulations shall require that adequate parking facilities be provided in any expansion of existing public facilities or in the development of new facilities.
- 2.3.3 Land acquired or dedicated for public service use may be zoned for public service use within any land use designation except the Agricultural designation or zone.

Community Service Advocacy Policies

- 2.3.4 Development of recreational and cultural facilities to serve the needs of all groups within the island community, including people with special needs, is encouraged.
- 2.3.5 Public service facilities shall be for the Pender Islands only.
- 2.3.6 The North Pender Island Local Trust Committee should support and encourage efforts to expand or improve the electronic communications on the island in order to reduce the need to travel.

BL 182

Seniors Housing Policies



Photo: Islands Trust



SATURNA ISLAND LOCAL TRUST COMMITTEE

OFFICIAL COMMUNITY PLAN

AS AMENDED BY SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAWS: 101, 109 and 117

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plan are available from the Islands Trust Office,
200 - 1627 Fort Street, Victoria, B.C. V8R 1H8

Consolidated April 26, 2018

F.4 AIR TRANSPORTATION

The objective of this section is to provide a balance between the need for air transportation and the quiet enjoyment of the island.

Air Transportation Advocacy Policies

- F.4.1** The Saturna Island Local Trust Committee shall support maintenance of the emergency landing facilities, including helicopter landing pads, at Winter Cove and East Point; and location of terminal facilities for regularly scheduled flights in conjunction with the public wharf.
- F.4.2** The Saturna Island Local Trust Committee should continue to make representations, as required, to Transport Canada regarding aircraft noise and routing that affect the Area.

F.5 WATER SUPPLY

The objective of this section is to ensure safe potable water supply for the residents and visitors of Saturna Island.

- F.5.1** The availability of potable water sufficient to support the proposed use while meeting environmental objectives should be a condition of subdivision approval.
- BL 101 **F.5.2** The Saturna Island Local Trust Committee in reviewing all development requirements, referrals, and approvals should consider or require developers provide a guarantee of the availability and sustainability of freshwater resources and will support the use of sources other than ground water including conservation, the collection and storage of rain water.
- F.5.3** The use of new technologies for water conservation, purification, desalinization, and efficient use of water may be permitted provided all by-products can be disposed of in a safe and environmentally acceptable manner.
- F.5.4** The Saturna Island Local Trust Committee will permit and promote rainwater cisterns and ponds for fire protection, irrigation, and to supplement or as an alternate source of potable water for households.
- F.5.5** The Saturna Island Local Trust Committee should create and maintain a data base of water well information through the subdivision referral process to supplement the information contained in the Groundwater report by Diane Allan 1998.
- F.5.6** Community water systems, the collection and storage of water, shared wells, and new technologies are to be encouraged and required as a condition of subdivision approval where groundwater sources are insufficient or endangered.

Water Supply Advocacy Policies

- F.5.7** The Ministry of Environment, Lands and Parks is requested to create a groundwater well registration system, including water quality and quantity information and site locations with a global positioning system.

F.5.8 Where a groundwater well produces a high salt content, it should be grouted to protect against the intrusion of salt into the fresh water table. Development approval by the Medical Health Officer should be refused when a proposed lot contains an ungrouted high salt-content well unless an impermeable lining in the water well is installed to protect the freshwater table.

F.5.9 The Saturna Island Local Trust Committee will request:

- a) the Ministry of Environment and Lands and Parks to undertake a full investigation of water sources, quality, use, and hydrogeology as the basis for a wetlands, water table recharge, and groundwater strategic plan to assist in future land use decisions;
- b) the Ministry of Environment, Lands and Parks to develop groundwater management legislation, including a groundwater licensing program that would protect existing wells from depletion;
- c) the Capital Health Region to permit the development and use of on-island sewage treatment methods that create re-circulated grey water for garden or other non-potable use and to require more water-efficient plumbing fixtures in its building bylaw; and
- d) the Capital Health Region to monitor the water quality of community water systems.

F.6 UTILITIES

The objective of this section is to provide services in a way that is sensitive to community needs.

F.6.1 The Saturna Island Local Trust Committee shall specifically zone public utilities, not located on public rights-of-way, in separate public service use zones and permit only the particular public service use that is required.

Utilities Advocacy Policies

F.6.2 Infrastructure construction and maintenance should conform to the guidelines contained in publications of the federal Department of Fisheries and Oceans, and the Ministry of Environment, Lands and Parks.

BL 101 **F.6.3** The Saturna Island Local Trust Committee encourages the use of renewable energy sources and non-polluting alternate methods of power generation. The Local Trust Committee may consider amending zoning regulations to permit or facilitate small-scale renewable energy production, such as solar collectors, wind turbines and geothermal heating.

F.6.4 The Saturna Island Local Trust Committee shall support classification of Saturna Island as a single rate area with respect to telephonic, electromagnetic, and light-based information infrastructure or similar transmission systems.

F.6.5 The Saturna Island Local Trust Committee encourages the maintenance of an on-island facility for automotive and marine fuel supply.

BL 101 **F.6.6** Providers of internet and other electronic communications services should be encouraged to expand and improve the delivery of services to, and the development of infrastructure for, the local community.



Islands Trust

MAYNE ISLAND LOCAL TRUST COMMITTEE

OFFICIAL COMMUNITY PLAN

Bylaw No. 144, 2007

AS AMENDED BY THE MAYNE ISLAND LOCAL TRUST COMMITTEE
BYLAWS: 147, 149, 150, 151, 152, 155, 159, 161, 165, 168 and 171

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Certified copies of the Official Community Plans are available from the Islands Trust Office, 200 - 1627 Fort St., Victoria, B.C. V8R 1H8

Consolidated: December 20, 2018

- 2.5.1.5 All goods, materials and equipment associated with or produced by an industrial operation must be stored in a manner that does not cause environmental damage.
- 2.5.1.6 The map does not identify sand and gravel deposits because they are small and dispersed around the island, processing shall be under a temporary use permit.
- 2.5.1.7 In reviewing any application for new industrial uses, or increased density in industrial zones, the LTC should consider potential climate change impacts.

2.6 PUBLIC USE AND PUBLIC SERVICES

2.6.1 Public Use, Services and Utilities

Background

These objectives and policies address the community's current and future needs for public services, public use facilities and utilities.

Objectives

The objectives of this section are:

- 1) to provide public services on a scale appropriate for the island,
- 2) to protect the health and safety of residents and visitors, and
- 3) to ensure that services and utilities are of a scale and cost appropriate for the island.

Policies

- 2.6.1.1 Multiple uses of public facilities and services shall be encouraged.
- 2.6.1.2 Off street parking, signage and lighting shall be regulated in keeping with the rural character of the island.
- 2.6.1.3 Locations for service depots such as Telus or B.C. Hydro shall be considered upon application for rezoning.
- 2.6.1.4 All goods, materials and equipment associated with a public use, service or utility must be stored in a manner that does not cause any environmental damage and be adequately screened from roads and neighbours.

Advocacy Policies

BL 151	2.6.1.5	The recycling depot shall be encouraged to consider expansion of recycling, composting and chipping services, while maintaining the highest environmental health standards and shall ensure that the storage of recyclable material be designed with special regard for the protection of groundwater.
	2.6.1.6	All public use facilities and services must meet the strictest interpretation of all health and environment standards.
	2.6.1.7	B.C. Hydro is encouraged to conduct an appropriate level of tree trimming to minimize downed power lines.
	2.6.1.8	The community is encouraged to implement Fire-smart practices in order to minimize the impact that a wildfire can have on the island.
BL 147	2.6.1.9	The Mayne Island Local Trust Committee recognizes the value of community policing and supports community policing initiatives by the RCMP.
BL 151	2.6.1.10	The Mayne Island Local Trust Committee should support and encourage efforts to expand or improve the digital infrastructure on the island in order to reduce the need to travel.

2.7 PARKS AND RECREATION

There are a number of parks of varying uses on Mayne Island most under the jurisdiction of the Capital Regional District through a local Parks Commission. There is a Regional Park, Mount Parke, situated in the centre of the island. There are areas of the Mayne Island Trust area that have recently become part of the Gulf Island National Park Reserve.

2.7.1 Regional Parks

Background

Mount Parke, a Regional Park is situated inland on the south western portion of the Island and includes approximately 40 hectares (100 acres) of land. A management plan for this park has been completed by the CRD Parks.

Objectives

The objectives of this section are:

- 1) to support education, aesthetics, recreation and spiritual values of the park system, and
- 2) to protect the natural system from degradation by public use of land.



File No.: SA-ALR-2019.1 (Money Family Projects Ltd.)

x-ref: SA-ALR-2015.1

DATE OF MEETING: October 24, 2019

TO: Saturna Island Local Trust Committee

FROM: Gary Richardson, Island Planner
Southern Team

SUBJECT: **Boundary Adjustment Subdivision Application in the Agricultural Land Reserve**
Applicant: John Money
Location: 105 Payne Road

RECOMMENDATION

1. **THAT the Saturna Island Local Trust Committee forward SA-ALR-2019.1 to the Provincial Agricultural Land Commission.**

REPORT SUMMARY

The purpose of this report is to review a proposal for a boundary adjustment subdivision of land that is mostly within in the Agricultural Land Reserve (ALR). Applications to subdivide ALR Land need to be considered by the Saturna Island Local Trust Committee (LTC) prior to being forwarded to the Agricultural Land Commission (ALC). The LTC also has the option of not forwarding the application to the ALC if it deems the proposal should not proceed.

This report reviews, policies in the Islands Trust Policy Statement (ITPS), the Saturna Island Official Community Plan (OCP), regulations in the Saturna Island Land Use Bylaw (LUB), and a report prepared by Madrone Environmental Services Ltd. to determine if this proposal is consistent or conflicts with relevant policies and regulations.

The above recommendation is supported as:

1. No conflicts with the OCP - The OCP does not designate the subject area as farmland. Both areas of the lots subject to the subdivision are designated as Rural (R) and Zoned Rural General (RG). When the OCP was drafted Lot A, even though much of it was in the ALR, was not deemed appropriate for the Farmland designation. This boundary adjustment subdivision complies with the RG zoning that applies to it.
2. Makes a tiny lot useable. The small lot (Lot 2) is currently only .02 ha (.05 acre) in area, this proposal increases it to 1.10 ha. (2.7 acres). To facilitate this the larger parent parcel (Lot A) is reduced in area from 28.2 ha (69.7 acres) to 27 ha. (66.7 acres).

3. Limited Quality ALR Land - A report prepared by Madrone Environmental for a previous proposal, requesting exclusion from the ALR on a portion of the land subject to this application, states that “Overall the area proposed for exclusion has significant limitations to agricultural production due to the climatic conditions in conjunction with the predominant soil conditions”. The area studied in the 2015 Madrone report was larger than the area subject to this application; however the areas overlapped so the study has been referred to for this application.
4. The ALC can better determine if the boundary adjustment subdivision of this ALR land is appropriate with respect to their policies and regulations. The Saturna OCP and LUB would allow this proposed subdivision.
5. Staff is recommending the proposal go to the ALC without a recommendation as it’s not clear if Lot A could be better utilized as farmland subdivided or un-subdivided. For example should Lot A remain as one large lot to be better be utilized for farming in the future.
6. Farm Use Still Permitted - The RG zone allows for “farm use” on lots larger than 1.0 ha. This proposal increases the small lot to 1.1 ha. This would increase the area (by .02 ha) farming can be permitted as lot 2 is presently too small for farm use to be permitted.

BACKGROUND

This application is for a boundary adjustment between two parcels, one is mostly within the ALR and second smaller lot that is not in the ALR.

An application to exclude a portion of the subject area from the ALR was made in 2015 (SA-ALR-2015.1). The application did not proceed to the LTC or the ALC for consideration. A “Land Capability Assessment Report” was prepared for the 2015 application by Madrone Environmental Services Ltd.

Section 34 of the *Agricultural Land Commission Act* requires an application for the subdivision of ALR land to be considered by Saturna Island Local Trust Committee (LTC) prior to be forwarded to the ALC.

Once the LTC has reviewed the application, it has the option of: 1) forwarding the application to the ALC together with or without comments and a recommendation; or 2) determine that the application not proceed to the ALC. If option 2 is chosen, the application will proceed no further.

There are two properties subject to this boundary adjustment:

Lot 2 – is a very small lot (.02 ha). The lot is not in the ALR. The lot is designated R in the OCP and zoned RG in the LUB. It is vacant land and not farmed.

Lot A – is a large lot (28.2 ha). Much of the lot is in the ALR. The lot is designated R the OCP and zoned RG in the LUB. It is vacant land and not farmed.

If Lot 2 is combined with Lot A as a result of this boundary adjustment as is proposed in this boundary adjustment subdivision there will be a 27 ha remainder, much of which is in the ALR.

If the LTC and ALC approve this proposed boundary adjustment subdivision a further application will need to be made to the Ministry of Transportation and Infrastructure, which would be referred to Islands Trust, and be approved by the Provincial Approving Officer.

Figure 1 – Proposed Plan of Subdivision

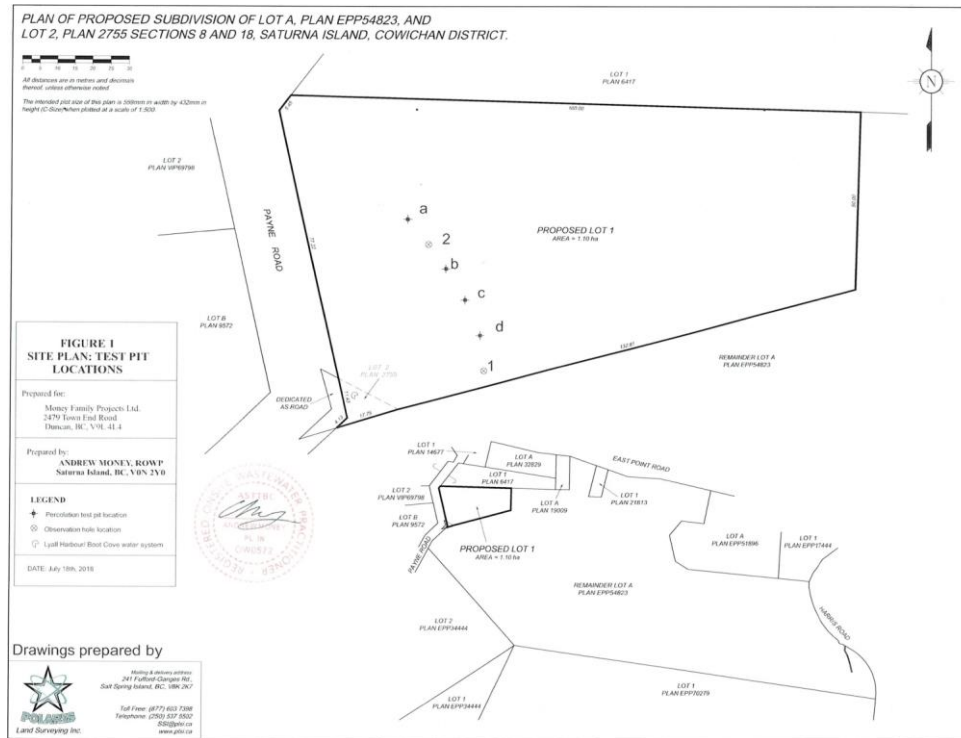


Figure 2 – Ortho Photo of Lot A

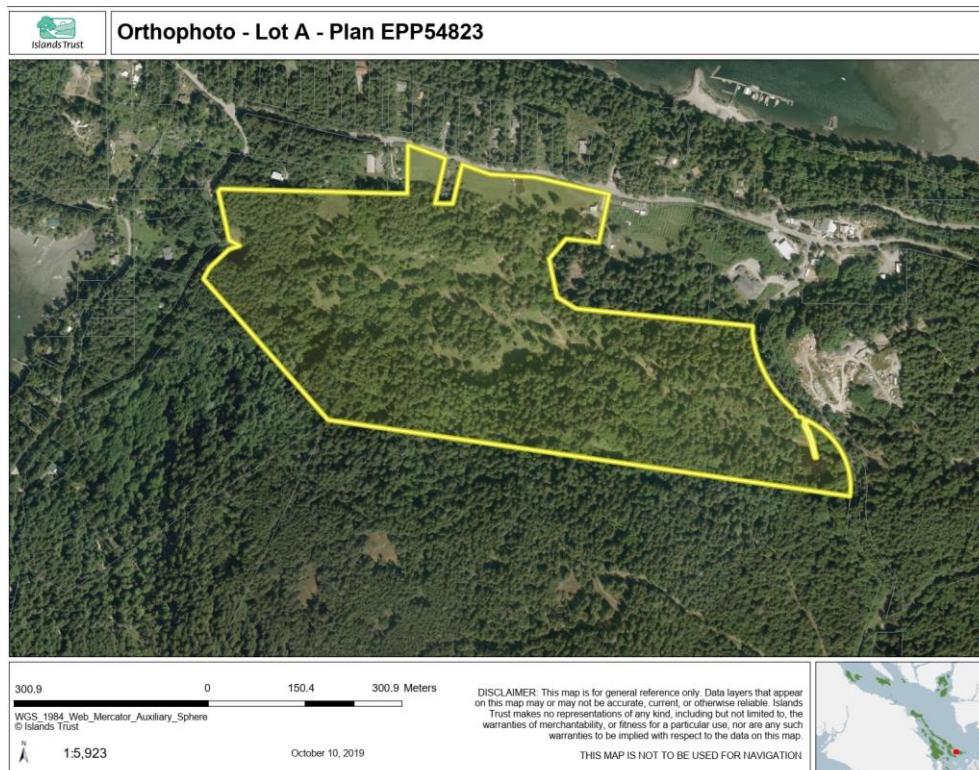
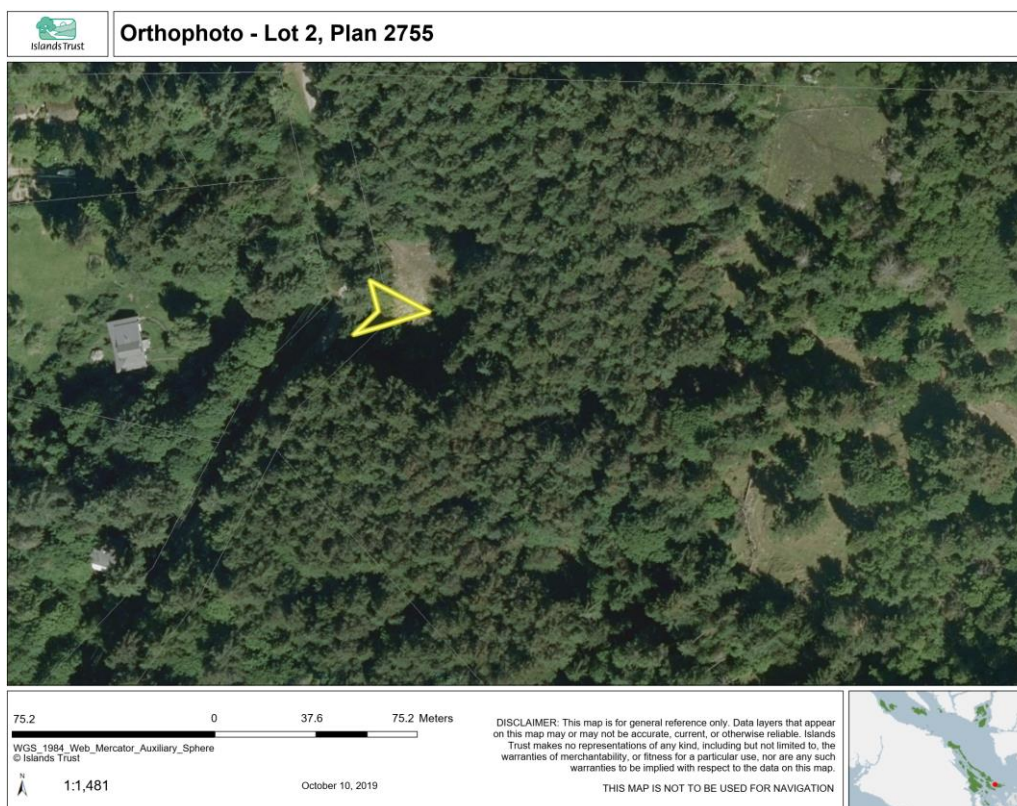


Figure 3 – Ortho Photo of Lot 2



ANALYSIS

Policy/Regulatory

Policy Statement

The following directive policies are relevant to this application:

- 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.*
- 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.*

Official Community Plan:

1. There is a Farmland Designation that applies to lands that the OCP deems that soil conditions and topography have created areas suitable for agriculture. The object of the Farmland designation is to support agriculture; enhance local food security, to preserve arable farmland and to prevent conversion of farmland to uses that may degrade or impair the long term agricultural potential or productivity; however, these two properties were not placed in the Farmland OCP designation. From this it can be inferred that at the time the OCP was prepared Lot A, even though much of it's in the ALR, was not deemed appropriate for the Farmland designation.

2. The properties subject to this proposal are both within the R designation which does not specifically address agricultural uses or land within the ALR. The OCP states that the R designation has been identified as an area where a wide variety of human use and development activities may be permitted. The Rural Designation states that 5 acres is an appropriate average lot size.

Agricultural Land Commission Act

As per Section 34 (1) of the *Agricultural Land Commission Act*, In order for the ALC to consider a subdivision application, it must be authorized by a resolution of the local government.

Land Use Bylaw

The Land Use Bylaw designates the subject property within the RG zone. Permitted principal uses in the RG zone are as follows:

- 4.2.1 In the **Rural General (RG) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.
 - 4.2.1(1) *residential*;
 - 4.2.1(2) *home occupations and home based industry*;
- 4.2.2 In addition to the uses permitted above, the following uses shall be permitted on *lots* having an area of 1.0 ha (2.5 acres) or larger:
 - 4.2.2(1) *farm use*;
 - 4.2.2(2) the harvesting of trees and the carrying out of all *silviculture* practices;
 - 4.2.2(3) portable *temporary* sawmills, chippers and other similar machinery used for the processing of logs harvested on the lot only.

Professional Report Madrone Environmental Services Ltd.

Madrone prepared a report titled “Land Capability Assessment” for a previous application to exclude a part of the area subject to this application in 2015. The report is not for the exact same area as this application, the report reviews a larger area which overlaps with the proposed new lot area in this application. The report does not review the whole of Lot A it reviews an area slightly larger than the area subject to this boundary adjustment application. The report was not commissioned for this proposal, it applies to a larger area and was prepared for an ALR exclusion application. A specific report for this proposal could be requested if the LTC and/or the ALC requires it in order to review this proposal.

The full report is attached as attachment 3.

The author of the report provided a synopsis as follows:

1. I assessed the Land Capability for Agriculture at the Class 4 level, with seasonal aridity limitation (A), Bedrock Outcropping and Depth to Bedrock (R), and Topography (T).
2. The property is within a 4A climatic capability for agriculture, meaning that there is seasonal (summer) water deficit, which influences the growing season.
3. With installation of drainage, we believe that the properties could be improved to Class 4RT. The limited level of improvement is due to the shallow soil above bedrock and spacing of bedrock exposures (R), as well as simple and complex topography (T) on the site.

4. I considered alternative agricultural use of the property, including rangeland and fruit tree options, and concluded that the portion of the site not under significant topographic or bedrock outcrop would limit the viability of these options. Additionally, these options would still require moderate to intensive management (irrigation, rotation grazing, etc.) that would further decrease the viability.

Issues and Opportunities

This application is for subdivision of land, most of which is in the ALR. Staff consider the following pertinent to this application:

- 1) Islands Trust Policy Statement – The policy statement policies are mainly centred on protecting and encouraging farming. It's not clear if this proposal would be a positive or negative development with respect to farm practises on this property. Generally, it is better to keep agricultural land in large unfragmented parcels. The application does not offer any measure of how this boundary adjustment would preserve agricultural land, other than suggesting that making the tiny lot (which is not in the ALR) larger will make the small lot a viable property where agriculture could take place and a farmer could live. The application also makes a large property which is mostly in the ALR 1 ha smaller.
- 2) OCP – The OCP has not placed the subject area in the Farmland designation; therefore the policies of the designation do not apply. The property is in the Rural designation which supports a diverse community structure with a range of lot areas and residential accommodation and to provide a range of zoning options for residential, commercial and industrial uses.
- 3) LUB – The property is zoned RG which permits farming on lots greater than 1.0 ha. This will ensure farming can continue if the subdivision is approved.
- 4) Subdivision Regulations -The applicant will be required to comply with the subdivision regulations in the LUB if this application is approved by the ALC. Conditions of subdivision will be issued once a referral from the Ministry of Transportation and Infrastructure (MOTI) is received. The proposed subdivision has not yet been fully evaluated for these conditions.
- 5) Madrone Report – The Madrone report suggests the property has limited agricultural capability. Land with a low capability is normally more suitable for subdivision than land with a high capability.
- 6) ALC – the ALC is best suited to carry out the final review of this proposal as they have specific expertise to evaluate the application and professional report.
- 7) There is a small portion of wetland identified on the sensitive ecosystem mapping (attachment 2) on the area subject to the boundary adjustment.
- 8) There are no high risk slopes in the area subject to the boundary adjustment (attachment 2).
- 9) The soils are evaluated, mapped and referenced in the Madrone report.

The LTC may consider the following alternatives to staff's recommendation on Page 1 of this report:

1. Forward the application with a recommendation.

The LTC can forward the application to the ALC with a recommendation. Recommended wording is as follows:

That the Saturna Island Local Trust Committee FORWARD application SA-ALR-2019.1 to the Agricultural Land Commission recommending:

2. Not forward the application.

If the LTC considers the application should not proceed, the LTC may choose to not forward the application and close the file. Recommended wording for the resolution is as follows:

That the Saturna Island Local Trust Committee NOT FORWARD application SA-ALR-2019.1 to the Agricultural Land Commission, for the following reasons:

3. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are further allocation of staff time and resources. Recommended wording for the resolution is as follows:

That the Saturna Island Local Trust Committee request the following information be provided prior to considering SA-ALR-2019.1:

NEXT STEPS

If the LTC concurs with the Staff recommendation, then the application will be forwarded to the Provincial Agricultural Land Commission for review.

Submitted By:	Gary Richardson Island Planner	October 18, 2019
Concurrence:	Robert Kojima Regional Planning Manager	October 18, 2018

ATTACHMENTS

1. Site Context
2. Maps and Plans
3. ALC Application
4. Madrone Report

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot A, Sections 18, Saturna Island, Cowichan District, Plan EPP54823 Lot 2, Section 8, Saturna Island, Cowichan District, Plan 2755
PID	Lot A - 029-750-881 Lot 2 – 000-503-975
Civic Address	Lot A – no civic address Lot 2 - 105 Payne Road

LAND USE

Current Land Use	Vacant land
Surrounding Land Use	North - Residential, Community Service (Church), Multi Family Residential South – Vacant Forest Land West – Residential East – Forest, Farmland and Recreation Centre

HISTORICAL ACTIVITY

File No.	Purpose
SA-ALR-2015.1	To exclude a port of Lot A, Plan EPP54823 from the ALR. File did not proceed to ALC.

POLICY/REGULATORY

Official Community Plan Designations	Both properties are designated as R – Rural in Saturna Island Official Community Plan No. 70, 2000 (OCP). There are no Development Permit Areas designated in the OCP for the subject property.
Land Use Bylaw	Both properties are in the Rural General (RG) Zone in the Saturna Island Land Use Bylaw No. 78, 2002.
Other Regulations	N/A
Covenants	There is an LTC covenant (EL15994) on Lot A which is limits subdivision capacity of the lot. There are numerous other covenants in favour of the CRD and Province for geotechnical issues, building, and protection of riparian habitat.
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Fund	This application has no considerations for the Islands Trust Conservancy
Regional Conservation Strategy	This application has no considerations for the Regional Conservation Plan.
Species at Risk	None identified

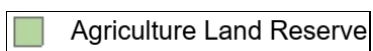
Sensitive Ecosystems	There is a small wetland shown on the northern boundary of the proposed new lot.
Hazard Areas	There is some Low Hazard and Moderate Hazard Slopes on the area of the proposed new lot.
Archaeological Sites	There are no archaeological sites listed in the Remote Access to Archaeological Data (RAAD) within the property or within 100 metres; however, there are areas of archeological potential shown. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	The elevation indicates that the impacts from anticipated or possible climate change induced hazards are not immediate.
Shoreline Classification	Not Applicable

ATTACHMENT 2 – MAPS, AND PLANS

2.1 ZONING



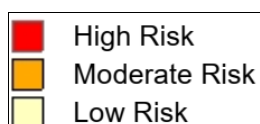
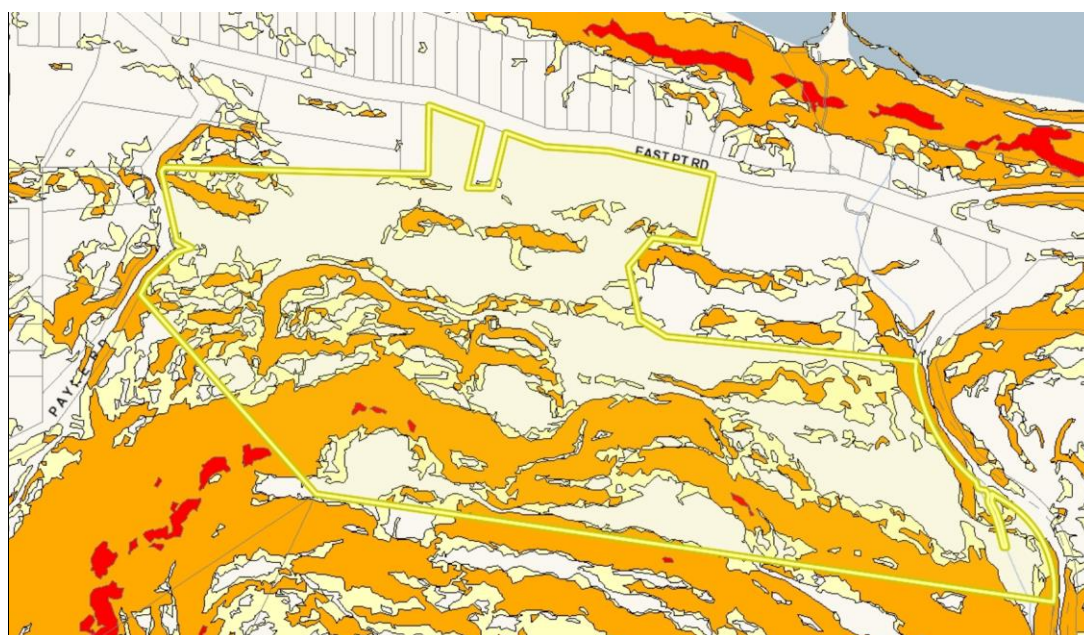
2.2 ALR MAPPING



2.3 SENSITIVE ECOSYSTEM MAPPING



2.4 STEEP SLOPE MAPPING





Provincial Agricultural Land Commission - Applicant Submission

Application ID: 59622

Application Status: Under LG Review

Applicant: John Money

Agent: John Money

Local Government: Islands Trust Regional District

Local Government Date of Receipt: 08/13/2019

ALC Date of Receipt: This application has not been submitted to ALC yet.

Proposal Type: Subdivision

Proposal: I am not making a new lot. I am doing a boundary change to make a tiny unusable lot usable by adding some land from my property adjacent to the east and south of this tiny lot.

Agent Information

Agent: John Money

Mailing Address:

2479 Townend Road

Duncan, BC

V9L 4L4

Canada

Primary Phone: (250) 340-9000

Mobile Phone: (250) 340-9000

Email: money.carol@gmail.com

Parcel Information

Parcel(s) Under Application

1. Ownership Type: Fee Simple

Parcel Identifier: 000-503-975

Legal Description: L 2 SEC 8 SATURNA IS COWICHAN PL 2755

Parcel Area: 0.2 ha

Civic Address: 105 Payne Road, Saturna Island, BC, V0N 2Y0

Date of Purchase: 07/15/2015

Farm Classification: Yes

Owners

1. Name: John Money

Address:

2479 Townend Road

Duncan, BC

V9L 4L4

Canada

Phone: (250) 599-0007
Cell: (250) 597-2975
Email: money.carol@gmail.com

2. Ownership Type: Fee Simple

Parcel Identifier: 029-750-881

Legal Description: LOT A SECTIONS 8 AND 18 SATURNA ISLAND COWICHAN DISTRICT
PLAN EPP54823

Parcel Area: 31.6 ha

Civic Address: No civic address

Date of Purchase: 01/01/1945

Farm Classification: Yes

Owners

1. Name: John Money

Address:

2479 Townend Road

Duncan, BC

V9L 4L4

Canada

Phone: (250) 599-0007

Cell: (250) 597-2975

Email: money.carol@gmail.com

Current Use of Parcels Under Application

1. Quantify and describe in detail all agriculture that currently takes place on the parcel(s).

There is no agriculture on this property as the site is too small. I want to do a boundary transfer to this tiny piece of property from the surrounding land also owned by Money Family Projects Ltd. to make this tiny piece of property viable. See subdivision application file # 2018-02483.

2. Quantify and describe in detail all agricultural improvements made to the parcel(s).

There are no agricultural improvements as the lot is too tiny. It is a sliver of land. At present time there is no agriculture on the surrounding land that is to be added to the tiny lot. This would make the tiny sliver of a lot over a hectare and would make it usable. I had Madrone Environmental do a Land Capability Assessment in 2015 of the land being added to the tiny sliver lot which I have attached.

3. Quantify and describe all non-agricultural uses that currently take place on the parcel(s).

The land is not being used and hasn't been used for many years. I am trying to make it a usable property by adding some land that is also owned by Money Family Projects Ltd.

Adjacent Land Uses

North

Land Use Type: Agricultural/Farm

Specify Activity: Rocky Residential - 1 House

East

Land Use Type: Agricultural/Farm

Specify Activity: About 1 km. away there is an orchard & greenhouse & cattle grazing

South

Land Use Type: Agricultural/Farm

Specify Activity: Residential in Forest

West

Land Use Type: Agricultural/Farm

Specify Activity: A Residential Lot with a House on it.

Proposal

1. Enter the total number of lots proposed for your property.

1 ha

30.8 ha

2. What is the purpose of the proposal?

I am not making a new lot. I am doing a boundary change to make a tiny unusable lot usable by adding some land from my property adjacent to the east and south of this tiny lot.

3. Why do you believe this parcel is suitable for subdivision?

It is unusable at is is now as it is too small for any activities to take place upon it. I would like this lot to be made usable by adding some land from the land I own next door to it. See Subdivision Application 2018-02483. I am not making a new lot only a boundary change.

4. Does the proposal support agriculture in the short or long term? Please explain.

Yes the proposal would take a small unusable lot and make it become a viable piece of property where agriculture could take place and where a farmer could live. See attached Land Capability Assessment by Madrone Environmental Services

5. Are you applying for subdivision pursuant to the ALC Homesite Severance Policy? If yes, please submit proof of property ownership prior to December 21, 1972 and proof of continued occupancy in the "Upload Attachments" section.

No

Applicant Attachments

- Agent Agreement - John Money
- Proposal Sketch - 59622
- Professional Report - 14.0372 Saturna Money Land Capability Assessment
- Professional Report - Part 2 Saturna Money Land Capability Assessment
- Certificate of Title - 000-503-975
- Certificate of Title - 029-750-881

ALC Attachments

None.

Decisions

None.

LAND CAPABILITY ASSESSMENT

Lot 3, Plan EPP34444 Saturna Island, BC

FOR:

**Mr. John Money
Money Family Projects Ltd.
Box 115
Saturna Island, BC V0N 2Y0**

BY

**Thomas R. Elliot, Ph.d., A.Ag.
and
Gordon Butt, M.Sc., P.Ag., P.Geo.
Madrone Environmental Services Ltd.**

February 6, 2015

MADRONE ENVIRONMENTAL SERVICES LTD.
202-2602 MT LEHMAN ROAD • ABBOTSFORD • BC • V4X 2N3
TEL 604.504.1972 • FAX 604.504.1912 • WWW.MADRONE.CA

DOSSIER: 14.0372

SYNOPSIS

- I assessed the Land Capability for Agriculture at the Class 4 level, with seasonal aridity limitation (A), Bedrock Outcropping and Depth to Bedrock (R), and Topography (T) limitations.
- The property is within a 4A climatic capability for agriculture, meaning that there is seasonal (summer) water deficit which influences the growing season.
- With installation of drainage, we believe that the properties could be improved to Class 4RT. The limited level of improvement is due to the shallow soil above bedrock and spacing of bedrock exposures (R), as well as simple and complex topography (T) of the site.
- I considered alternative agricultural use of the property, including rangeland and fruit tree options, and concluded that the portion of the site not under significant topographic or bedrock outcrop would limit the viability of these options. Additionally, these options would still require moderate to intensive management (irrigation, rotation grazing, etc.) that would further decrease the viability.

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5 SUMMARY 14

APPENDIX A 1

SITE MAPS AND FIGURES..... 1

APPENDIX B 1

LAND CAPABILITY FOR AGRICULTURE OVERVIEW 1

1 Introduction

Madrone Environmental Services Ltd. (Madrone) was retained by Mr. John Money to assess the Land Capability for Agriculture for a subset of Lot 3, Plan EPP34444, located on Saturna Island ('property'), BC. The property is zoned by the Capital Regional District as Agricultural Land (AG) and the northern third of Lot 3, Plan EPP34444 is located in the Agricultural Land Reserve (ALR).

The owners of the property intend to apply for exclusion of the property, a 3ha (7.4 acres) subset of Lot 3 Plan EPP34444, from the ALR for residential development, as the larger 31 ha (76.6 acres) lot already has the one allowable habitable structure.

Madrone's purpose in this report is to provide an accurate assessment of the agricultural land capability. The assessment that follows is limited to the inspected property, as a subset of Lot 3 Plan EPP34444.

In conducting this Land Capability Assessment we assessed the soils, land use and history of the site to determine the quality of the soil to grow crops or support livestock and to identify limitations that would restrict the range of agricultural options.

I visited the site on December 17th 2014, which was preceded by normal levels of seasonal rain. There were no excessive meteorological conditions preceding the site visit that would skew the assessment results. I spent two hours surveying the site and examined three soil pits and four push-rod tests.

2 Methods

2.1 Land Capability Assessment

The purpose of a land capability assessment (LCA) is to identify limitations of soils, climate, topography and other factors that could restrict the range and productivity of crops and/or livestock. To do this we conducted a field assessment and reviewed available information for the area.

Generally, a land capability assessment at a 1:5000 scale requires at least one soil profile description per hectare. In our field assessment, we excavated soil test pits in locations to best describe the variability of soils throughout the assessment area, while respecting the soil survey intensity requirements. Additional observations about soil were made when exposures (e.g., road cuts) exist at an assessment area.

At each soil pit we described the soil horizons (layers) in terms of coarse fragment content by volume, soil texture, colour, thickness, drainage and surficial material type. Additional features of interest were noted and photographs of the profile are taken.

Soil profiles were classified according to the Canadian System of Soil Classification, and were mapped to polygons representing the local soil types.

Once the soil map was completed, LCA ratings were assigned to each polygon, dependent upon soil and site conditions, according to specific criteria presented in “Land Capability Classification for Agriculture in British Columbia” (Kenk, 1983). The ratings describe the general suitability of the land for agriculture as seven classes for mineral soil and seven classes for organic soil. Agricultural capability classes are modified into subclasses when limitations to agriculture exist. There are twelve subclasses for mineral soils and nine subclasses for organic soils. Appendix A describes the LCA rating classes and subclasses in more detail.

3 Site Description

3.1 Lot 3, Plan EPP34444

The 31.57ha lot we assessed a subset of is located in the central-west part of Saturna Island, east of Payne Road and south of East Point Road (Figure 1). The lot extends from the bench, above the coastal bluffs, where East Point Road is situated. The lot continues southward from an elevation of 40m, up a series of ridge and bench landforms to a maximum elevation of 120m.

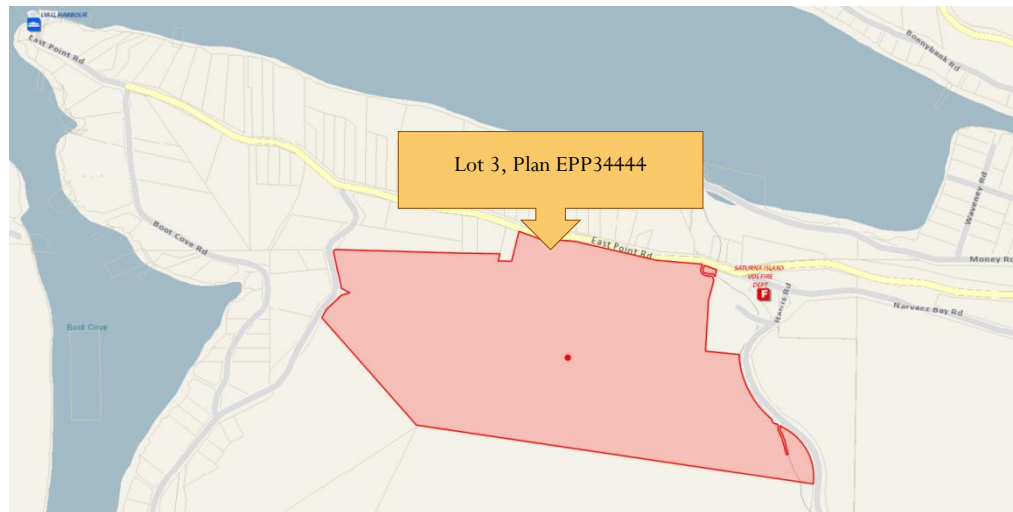
3.2 Lot 3, Plan EPP34444 Land Use

The Lot is currently used primarily for agricultural purposes where possible. On the bench immediately south of East Point Road there is a fruit-tree (apple) orchard that we observed standing water in between the mounded tree-rows during our site visit. Also on this bench there is one residential unit, two greenhouse structures, and a commercial farm-stall.

Above the orchard, on the next bench and extending up slope, there are grazing pastures for beef.

The northern third of the property is within the ALR, as seen in Figure 1 and 2, with an eastern portion of a neighbouring lot removed from the ALR since 1974 – as evidenced between the various ALR mapping units available. We retrieved details from the Capital Regional District that indicated Lot 3 Plan EPP34444 was granted a previous application to remove an eastern portion of the lot for use as a Saturna Island Fire Department Hall (location of which is indicated in Figure 1). Further details are summarized in Table 1.

A



B

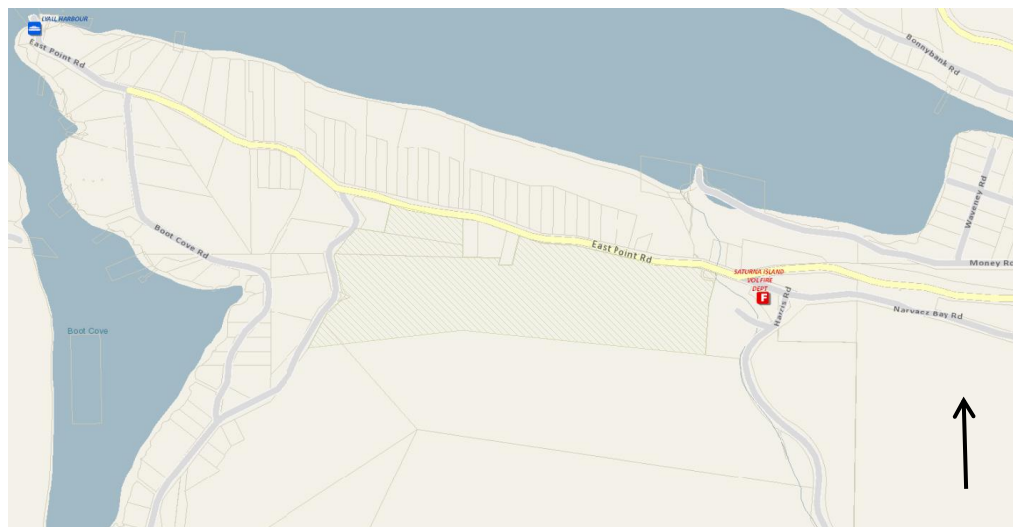


Figure 1. Location and ALR extent of the property along Payne Road, Saturna Island in a 1:5000 scale. The property is highlighted in red, and labelled in orange in Figure 1A. Meanwhile, in Figure 1B the lands within the ALR are overlain by a green slash-pattern. Image courtesy of Capital Regional District Interactive Mapping – Retrieved January 2015.

Table 1. Select Details of the Properties Assessed.

Property Detail	Lot 3, Plan EPP34444	The Property subset
Capital Regional District PID	029302552	
Zoning	AG	
Parcel Area	31.57 ha	2.93 ha
Environmentally Sensitive Area Type	No	
Parcel Ownership	Private	
Heritage	No	

3.3 Area of Interest – The Property as a subset of Lot 3, Plan EPP34444

As indicated on Figure 2, the subset of Lot 3 Plan EPP34444 consists of the western extent of the original lot. An area approximately 3 ha is under consideration for the Land Capability Assessment of this report.

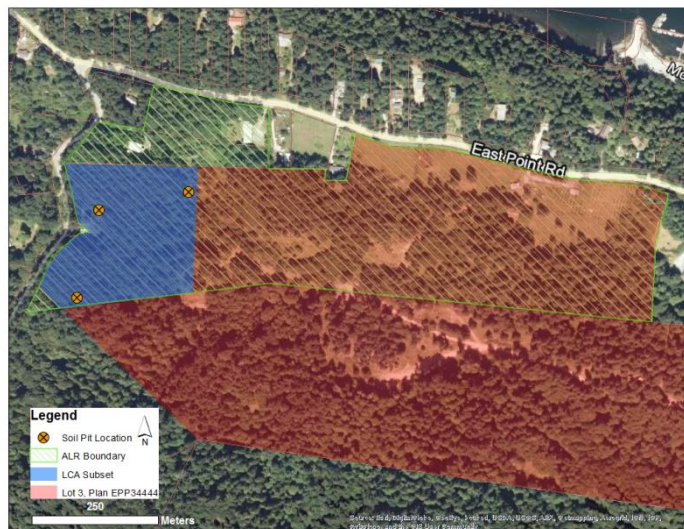


Figure 2. Polygon outline of property, ALR and subset that we conducted a Land Capability Assessment for. Lot 3 Plan EPP34444, as shown in context within Figure 1, is the red polygon (31.57 ha) whereas the blue portion (~3 ha) represents the subset under land capability assessment herein. The green hatch represents the existing ALR boundary in this area.

The property is located to the east of Payne road wherein it rises up a steep complex slope to a central plateau bordered by ridges to the north and gullies to the southwest, which lead to a rising slope to a local peak.

3.4 The Property Land Use

The property is not currently under any commercial or agricultural operation, nor does the property have historical evidence of use as agricultural fields.

Adjacent land to the north and west are residential property, and the area to the south is forest reserve land on the predominant mountain feature of the area. The area to the east is described in Section 3.2.

There is no business/residence presently on the property, however one abandoned residential structure occupies the small triangle of land – excluded from the ALR and the property – on the western side.

There is historic evidence of logging and a subsequent forest fire, with the mature trees on site being second-growth forest.

There is no other evidence of this land being used for any current or historic purpose.

3.5 The Property Geomorphic Location and Landform

The property is located on the shallow soil of a north-south sloping plateau above the coastal embankment of Lyall Harbour. With a range of elevation between 40 – 100m, the property exhibits a bedrock-controlled terrain, with ridges formed of harder conglomerate or sandstone, and the valleys eroded from softer shaly formations. The underlying Nanaimo group, a cretaceous bedrock formation (145 – 66million years ago) consisting of 11 intertonguing sandstone-shale formations typical of third-order stratigraphic cycles that are resultant from short to medium term (1 – 10million year) change in sea-level. The sequence of layers has been modified since deposition by minor compression and upheaval of the surficial sedimentary wedge at a subducting plate margin, resulting in a tilted strata that has eroded into cuesta – or ridge and bench formations – that trend NE – SW. This assessment corresponds to the compression force resulting from the subducting continental plate drift in the Saturna Island area, which is typically perpendicular to the cuesta formations – as it is observed to be here.

The property is located above the coastal embankment, which typically displays the alternating layers of conglomerates, sandstones and shales, and straddles a ridge-plateau-ridge cuesta series below the second most dominant peak on the island.

The topography is ridged and sloped to the North and West, save for a small plateau between two ridges at the north and southern property boundaries.

3.6 Climate

With over 230 frost free days (mean annual temperature of 10.3°C) each year, the property is located in an area that could be climatically ideal for agriculture. Furthermore, with Growing Degree Days ($> 5^{\circ}\text{C}$) reaching 2155, the thermal regime determines this area as a 1c Climatic Class.

An approximate 764 mm/year of precipitation falls on the property, however there is an uneven distribution of this precipitation throughout the year, with insufficient rainfall during the growing season. Thus the property is going to be limited with the aridity subclass designation A in the Climatic Capability for Agriculture scheme of Coligado, 1980. Climate class aridity limitations indicate drought or aridity between May 1 and September 30, resulting in moisture deficits which are limiting to plant growth and could require moderately intensive management.

By incorporating meteorologic data from 1981 – 2009, I calculated the cumulative moisture deficit (CMD) by taking the mean annual precipitation (reported above) and subtracting the evaporation potential (EP) of the area, which is a function of temperature, windspeed, and solar radiation (Wang *et al.* 2009). The EP for the area is 1080 mm/year, arriving at a CMD of 316 mm ($764 - 1080 = -316\text{mm}$). This CMD ranks the property in class 5A, which has the climatic moisture criteria of a 266 to 340mm deficit during the growing season, in the Climatic Capability for Agriculture scheme. As such, the absolute lowest possible ranking for climatic capability as 5A(1c) limitation class.¹ However, this annual average does not account for seasonal availability or soil water storage.

To corroborate and better refine the climatic capability, I examined the 1981 Climate Capability Map for Agriculture which depicts the property as 3A climatic capability rating, noted as having an estimated Seasonal Moisture Deficiency (SMD) of 116 – 190mm.

However, I arrive at a different value when calculating an average Available Water Holding Capacity (AWHC) based on the presence of loam (AWHC value of 1.7 mm/cm)

¹ <http://climatemodels.forestry.ubc.ca/climatewna/>

Accessed December 2014.

to clayey loam (AWHC value of 2.1 mm/cm) soils in the upper 50cm. When there was 50cm of soil above parent material present, I calculated the AWHC as shown in Table 2:

Table 2 – Soil profile characteristics used to calculate average available water storage capacity.

Soil Depth (cm)	AWHC Pit #1 (mm/cm)	AWHC Pit #2 (mm/cm)	AWHC Pit #3 (mm/cm)	Average AWHC (mm/cm)
0 – 15	2.0	1.7	1.7	1.8
15 – 30	2.1	1.7	2.0	1.9
30 – 50	-	1.7	2.1	1.3

From which I determined the AWHC to be used as $[15 \times 1.8 + 1.9 \times 15 + 1.3 \times 20]$ 82.5 mm, resulting in a SMD of $[CMD - AWHC = SMD]$ 233.5mm during the growing season, which institutes the moisture deficiency climatic restriction of a 4A limitation.

The difference in SMD ratings between the published map and our calculation may be a function of annual precipitation values; whereby the 1981 Map is based off of historic values prior to 1981, and our up-to-date calculation based on nearby weather station data employed via an industry-standard model of precipitation and CMD.

The Thermal class assigned in the same Climate Capability Map for Agriculture is 1, meaning there are no significant temperature limitations during the growing season. Our up to date climate records correspond to this value.

Overall, we determine the *Climatic Capability of Agriculture as a 4A(1c)* limitation wherein moderate to intensive irrigation would be required during the growing season to achieve the 1c rating.

3.7 Mapped Soil Units

The property is in an area that has been previously mapped for the Canadian System of Soils Classification. The property is classified as having an Orthic Dystric Brunisol at the 1:20000 scale, as per the Canadian System of Soil Classification, which included the locally identified Galiano and partially the Parksville – Tolmie soil series. The scale used for this

mapping is insufficient to classify the property for Land Capability for Agriculture at 1:5000 scale. However, it is useful to compare field observations to the mapped units. The Galiano soil series is a shaly loam to silty loam colluvial soil up to 1.0m thick, overlying shale or siltstone bedrock. The Galiano soil series is well to moderately well drained, and typically exist in undulating or sloped terrain, with thickness of 0.10m – 0.40m.

At the northern edge of the property, the Galiano soil series graded to a very shallow Parkville – Tolmie soil series, evidenced by a higher sand content in the profile. The Parkville – Tolmie soil series, dominantly identified as Orthic Humic Brunisol due to an increase organic content from the Orthic Dystric Brunisol, are characterized by a sandy loam horizon up to 0.30m thick overlying a weakly differentiated silty clay loam to silty clay marine layers. The Parkville – Tolmie soils are poorly drained and are typically found on depressions and swales on undulating terrain with thickness of 0.30m to 1.0m.

4 Field Investigation

4.1 Site Assessment

This section is the reporting of observations and classification of soil and landforms that were made during our site visit. Reference to pre-existing material or Land Capability for Agriculture classifications are made where appropriate to correlate or provide a professional assessment.

4.2 Landform

The site is undulating terrain with natural bedrock exposures. I classify the majority (over 60%) of the property having simple slopes of 7 to 10% which constitutes the central and eastern portion of the site. However, considerable areas in the north, south and west have complex slopes of 11 - 16%.

The simple slope geomorphic form results in a Topography limitation of 2T for roughly 40% of the property, however the presence of a series of moderate complex slopes results in the remaining 60% being subject to a 4T limitation.

I observed moderately well drained shallow soils with numerous bedrock protrusions spaced approximately 75 - 100m apart for the central plateau, with the north, south and west portions of the property having outcroppings spaced 25 – 50m apart. The presence of

bedrock outcrops in the simple-slope plateau (roughly 40% of total site area) incites the rockiness 2R limitation class, whereas the perimeter areas of the site receives a 4R limitation.

4.3 Soil Assessment

Within the property there were ample sites for test pits, with locations selected to be representative of the common terrain, slope, and aspect of the area. No test pits were dug on moderate slopes, or in obviously modified environments. As such, I dug three representative pits (shown in Appendix A, Figures 5 – 7) in the property, the locations of which are shown in Figure 2.

For each soil pit, I have provided an annotated figure and observations in the associated table – also available in Appendix A. The description of each soil pit is as follows:

Soil-pit #1 was dug as a representative for the central plateau of the site, which was consistently sloped to the west and north. There were minor hummocks in the terrain with swales and ridges on the perimeter of the plateau. Soil-pit #1 (Figure 4) was 40 cm in depth and exhibited two horizons consisting of a weakly differentiated (Bm1) very fine sand to silt (i.e. a silty loam texture) extending to a depth of 15cm, and one deeper horizon of fine to very fine sand with a minor silt component (i.e. a silt to sandy loam texture) that is differentiated from the underlying parent material by an altered structure of fine granular amalgamations and minor oxidative mottling (Bm2) ranging from 15 – 40cm, below which there is the friable parent material/shaly bedrock surface. I classified the soil present in this profile as an Orthic Dystric Brunisol. A summary of the site findings, Land Capability for Agriculture and predicted improvement can be found in Table 3.

Soil-pit #2 was dug to represent the near-ridge environment that extends along the eastern and northern portion of the property. Dense fibric material with frequent medium size roots were prevalent on this portion of the property. The water table was reached before hitting parent material. The presence of the water table at this site indicates a poor draining soil and low permeable parent material that retains water following precipitation events. Soil-pit #2 (Figure 5) was 60 cm in depth with a local water table at 50 cm from surface. The soil profile consisted of three visible horizons and one submerged (base/parent material horizon). Starting with the surficial humic eluviated horizon (Ae) that had a loamy texture, platy structure and loose consistency; proceeding to a ferrous-enriched medium granular structure silty loam loose consistency horizon (Bf, hue 7.5YR

3/3) that gets redder with depth; and one deeper fine granular structure, silt to loam texture with a friable consistency mottled horizon (Bg) with evidence of reduction and periodic excess water. I classified the soil present in this profile as an Eluviated Dystric Brunisol. A summary of the site findings, Land Capability and predicted improvement can be found in Table 4.

Soil-pit #3 was located at the base of the significant slope coming from the predominant peak south of the site. The area was a bench above (to the south) a series of gullies that traversed the southern portion of the central plateau. Soil-pit #3 (Figure 4) was 50 cm in depth and had an eluviated humic surface horizon (Ae) with a platy loam texture, underlain by an illuviated receptive horizon (Bt), and two deeper layers – the first being a strongly oxidized layer (Bm) with a platy, conglomerated sand-clay particle texture, and the second a gleyed weakly illuviated horizon (Bgtj). I classified the soil present in this profile as an Eluviated Dystric Brunisol. A summary of the site findings, Land Capability and predicted improvement can be found in Table 5.

4.4 Soil Classification and Land Capability

I classified the soil profiles observed in the soil pits as Eluviated and Orthic Dystric Brunisols – meaning that they are forest soils which are generally poorly developed from the parent material, with a weakly differentiated horizon directly overlying the parent material. The soils classification and limitations, as designate by the mapped polygons in Figure 3, and are summarized in the table below (Table 3).

These soil types are characteristic of an undulating, ridged and gullied topographic regime with a shallow surficial soil overlying a shaly and low-permeability bedrock/parent material under forested land. The contribution of organic matter from the forest is minimal, with limited development of an organic layer, as there was no apparent leaf forest litter.

The inherent restriction to agriculture for the Brunisol soil type is depth to bedrock/parent material (R), which is typified by shallow soils of 0.40 – 1.0m of depth. This limitation is present for Pit #1 & 3 as a 4R (25 – 50cm to bedrock) and for Pit #2 as a 3R (50 – 75cm to bedrock). No other inherent limitation exists for this soil type, with any further limitations being the result of local climate and topography.

Table 3. Summary of Site Soil Characteristics as Correlated to the Polygons Mapped in Appendix A, Figure 3.

Soil unit	Area (ha)	Description/soil series correlate	Soil classification	Limitations			Unimproved capability	Maximum Improved capability
1	1.86	Galiano soil series	Orthic Dystric Brunisol	A	R	T	4ART	4RT
2	0.72	Parksville-Tolmie soil series	Eluviated Dystric Brunisol	A	R	T	4A 3R 4T	3R 4T
3	0.31	Saturna soil series	Orthic Dystric Brunisol	A	R	T	4ART	4RT

The climatic limitation of soils on the property is a lack of water during the growing season, in part due to the AWHC of the soils present. Consequently, I rated the land capability for agriculture at a Class 4 Aridity level (Class 4A), which could be resolved through moderate to intensive irrigation and a very restricted crop selection.

As evidenced by the oxidation and gleyed mottling in the lower Bg or Bgj horizon of Soil-Pits #2 & #3 there is also periodic inundation that is limited to the time immediately following a significant rainfall during the growing season or for longer periods of time during the winter rainy season. The evidence in Pit #2 & #3 would result in the periodic excess water (W) limitation, wherein the primary occurrence would be during the rainy winter season and result in the 2W Class, which is otherwise masked by the more apparent limitations to agriculture.

The costly irrigation improvement to resolve the climatic 4A limitation, in my opinion, would resolve the aridity limitation completely (Class 1 soil) however there exist other – considerable – limitations to agriculture capability for the property.

The most pertinent limitation to agriculture for 100% of the property is the spacing of rock outcrops/depth of soil to bedrock (resulting in a predominantly 4R/4R limitation), and prevalence of complex topography in excess of 11% (resulting in a 4T limitation) for 38% of the property (Soil polygons 1 & 3 from Table 3) and simple and complex topography resulting in a 3T limitation for 62% of the property.

The site is unsuitable as forage land due to the terrain and soil depth limitations, which – in conjunction with the aridity limitation – results in a low-productivity hay or pasture land. Further to which, the complex topography (3 – 4T) would severely limit the forage land to the central simple-slope (2T) plateau, which only occupies 40 – 60% (excluding or including the complex topography at the western extent, respectively) of the 3ha property.

4.5 Correlation of Soil Assessment with Mapped Site Characteristics

The pit excavations were distributed throughout representative portions of the property, including areas where there was considerable (Pit #2) and little (Pit #1) depth to bedrock, and therefore I am confident this is a good representation of the ambient soil conditions, including the level of the local water table (also evident in Pit #2).

My assessment of the soil as Dystric Brunisols is also in line with previous indications of Canadian System of Soil Classification soil types; however, the prescribed clay content of the upper horizon for the Galiano soils in Pits #1 & 3 was diminished in my observations due to eluviation. The Parksville-Tolmie soil series best represents the soil profile in Pit #2, having poorly drained soil with a very fine sand to silt texture.

We did observe well drained sandy to sandy-loam soils above a ridge south of the property that correlated well to the Saturna Soil Series. However, the region where these soils were observed was outside of the area under assessment – with that in mind, we have assessed the area above the ridge to differentiate from the central Galiano plateau. By using climatic variables and the predominant AWHC of the soils in the area we arrive at the Aridity (A) limitation, whereas the Bedrock outcropping (R) limitation and Topography limitation (T) were observed on site for the area above the ridge. The summary of the Saturna soil series is presented in Table 3, and indicated on the soil classification polygon map.

Overall, I am able to confirm the general soil types and restrictions I observed on site are similar to those observed previously.

4.6 Cropping Options

The land, in its current condition, has seasonal aridity, topography, depth to bedrock and outcrop limitations, with secondary-growth forest predominant on site.

Intensive agriculture is not feasible due to the R and T limitations, while low-intensity grazing would result in a low-yield agricultural land that is still limited by topography.

Although, the use of fruit trees would suit the soil conditions if: the forest canopy and stumps were removed in the limited planting environment of the property's central plateau; and, presumably a moderate to intensive irrigation scheme was used to mitigate summer moisture stress. This strategy would provide a limited productivity agricultural parcel at an unreasonable cost.

5 Summary

Overall, the area proposed for exclusion has significant limitations to agricultural production due to the climatic conditions in conjunction with the predominant soil conditions. I believe the unimproved land capability of the soils to be Class 4A R and T.

This aridity limitation can be improved through the use of moderate to intensive management to – at best - Class 1 for aridity by the installation of irrigation lines to the limited arable land. The improvement of such a limited space would not warrant the cost of irrigation installation and continued operation, in my opinion.

While the issue of aridity could be resolved through the use of irrigation, considerable limitations due to soil depth to bedrock and spacing of bedrock exposures (R), as well as complex topography (T) also exist. I believe that, even with the aridity limitation addressed through irrigation, the property would be rated as a 4RT.

Alternative use of the property could include rangeland, but would encounter limitations due to the bedrock and complex topography. Other considered options included fruit-tree agriculture – which would have limited applicability to the central plateau of the property (1.5 – 1.8ha in area of the 3ha under consideration). It is my opinion that the alternative uses of the property do not provide enough yield to warrant investment in land clearing and/or irrigation.

Warranty

For the purposes of this report Madrone is an impartial consultant recounting landowner communication, and is reporting professional observations of site conditions, assessed land capability for agriculture and any inherent restrictions due to climatic, subsurface, or hydrologic conditions. Madrone's assessment is conducted with professional responsibility and holding to the BC Institute of Agrologists' Purpose and Standard of Excellence.

Prepared by:



Thomas R. Elliot, PhD, A.Ag

Reviewed by:



**This is a digitally signed duplicate of the official manually signed and sealed document.*

Gordon Butt, M.Sc., P. Geo., P.Ag.

MADRONE ENVIRONMENTAL SERVICES LTD

APPENDIX A

SITE MAPS AND FIGURES

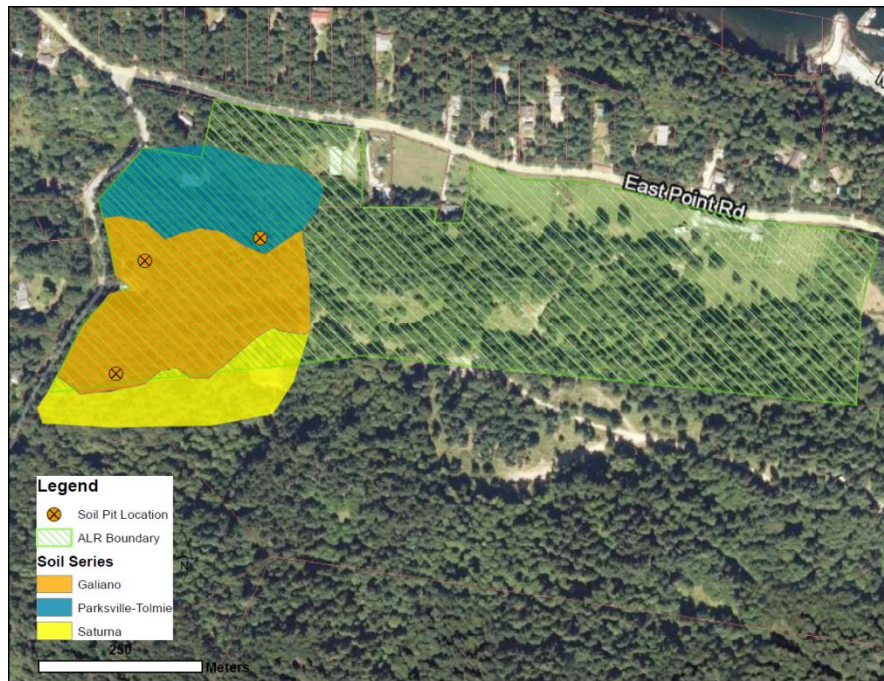


Figure 3. The polygon soil series as mapped out from field observations for the property. The central plateau of Galiano soil type is interspersed with gullies not indicated on the map. The Parksville-Tolmie series starts at the slope-base of a dominant ridge at the north of the property. The sandy Saturna soil type was observed up-slope of a noted ridge that ran the extent of the property.



Figure 4. Pit # 1 located in the central portion of a plateau south of the ridge which occupies the northern portion of the property. Two layers consisting of a weakly differentiated horizon (Bm1) with accumulated organic content extending to a depth of 15cm, and one deeper horizon with altered structure from the underlying parent material (Bm2) ranging from 15 – 40cm, after which there is the friable parent material/shaly bedrock surface (at bottom of pit in photo). The layers are differentiated by drawn-in red-lines. Photo credit: Madrone Environmental Services Ltd.

Table 4. Site Soil Conditions and Origin as Determined Through Pit Excavation.

Property	Value
Depth	0.40 m
# of soil horizons	2
Water table depth	Unknown
Soil type	Mineral
Overall classification	Orthic Dystric Brunisol
Parent material origin	Fluvial/Marine
Land Capability	4
<i>Special management and severely restrict the range of crops.</i>	
Restrictions	A
<i>Aridity due to lack of available moisture during the growing season.</i>	
Improved by	Irrigation
Improved Land Capability, with restrictions	4R
Other Limitations	4R, 2T
<i>Depth to solid bedrock (R) within 50cm of surface, with rock outcrops spaced 25 – 50m apart;</i>	
<i>Simple slopes (T) from 6 – 10%</i>	

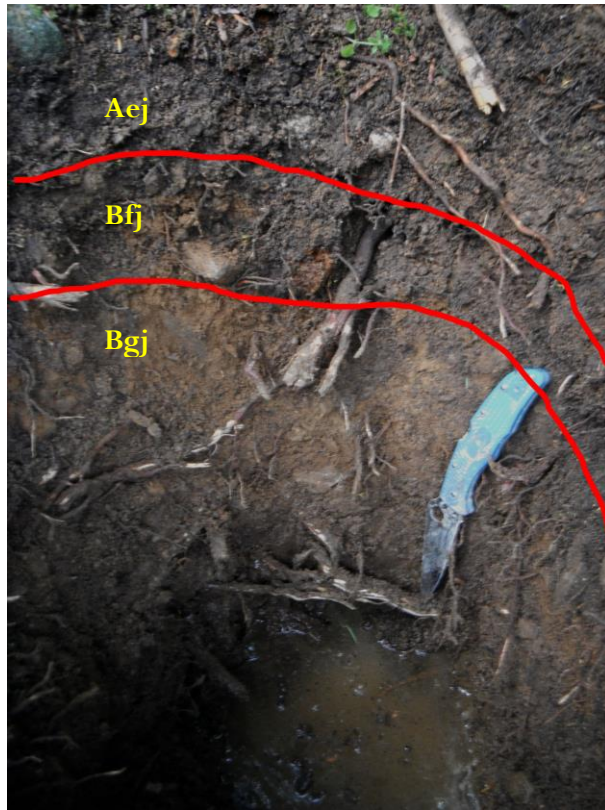


Figure 5. Pit # 2 located on the eastern portion of the plateau, just south of a ridge that extends the length of the property from east to west. There were four horizons present in this pit, although the parent material (C) horizon is masked by the water influx in the image above and as such was not denoted. The remaining three visible horizons consisted of a humic eluviated layer (Ae) that had a loamy texture and loose consistency, a weakly ferrous-enriched horizon (Bfj, hue 7.5YR 3/3) that gets redder with depth, and one deeper weakly mottled horizon (Bgj) with evidence of reduction/oxidation occurrence that indicates periods of inundation. The submerged horizon starts at or around the water table imaged and is a silty loam parent material with frequent medium roots amongst fibric material. The layers are differentiated by drawn-in red-lines. Photo credit: Madrone Environmental Services Ltd.

Table 5. Site Soil Conditions and Origin as Determined Through Pit Excavation.

Property	Value
Depth	0.60 m
# of soil horizons	4
Water table depth	0.50 m
Soil type	Mineral
Overall classification	Eluviated Dystric Brunisol
Parent material origin	Fluvial/Marine
Land Capability	3
<i>Special management and limited crop selection.</i>	
Restrictions	R
<i>Rock outcrops are 50 - 75m apart at this location.</i>	
Improved by	Significant fill
Improved Land Capability, with restrictions	4A, 2T
<i>Seasonal moisture deficiency (A) of 233mm; Simple slopes (T) from 6 - 10%</i>	

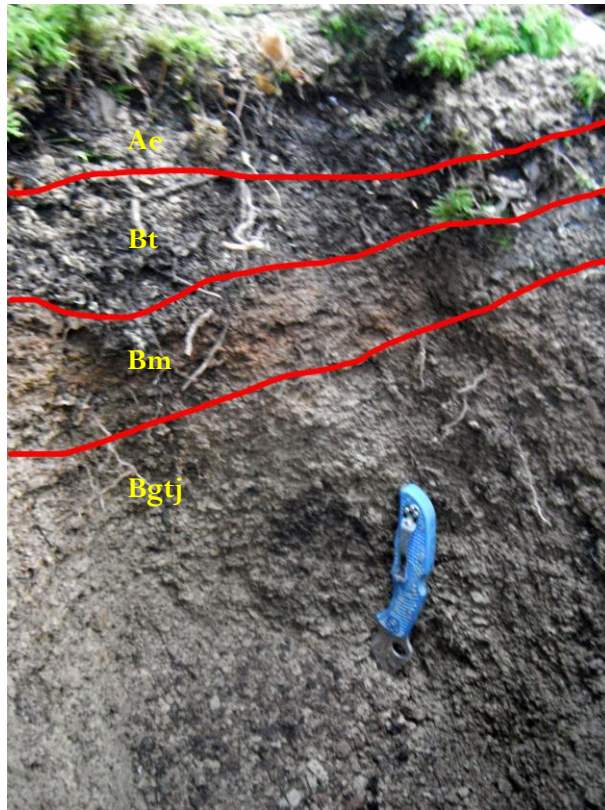


Figure 6. Pit # 3 located in the south west of the property above an access road at the base of a significant slope ramping to the nearby peak. Four horizons were present above a fifth parent material (C) horizon that is not evident in the pit photograph due to issues excavating the friable platy shale structure. The visible horizons consist of an eluviated humic horizon (Ae) with a platy loam texture, an illuviated receptive horizon (Bt), and two deeper layers – the first being a weakly differentiated and oxidized layer (Bm) and the second a weakly illuviated and gleyed horizon (Bgtj). The layers are differentiated by drawn-in red-lines. Photo credit: Madrone Environmental Services Ltd.

Table 6. Site Soil Conditions and Origin as Determined Through Pit Excavation.

Property	Value
Depth	0.50 m
# of soil horizons	5
Water table depth	unknown
Soil type	Mineral
Overall classification	Eluviated Dystric Brunisol
Parent material origin	Fluvial/Marine
Land Capability	4
<i>Special management and limited crop selection.</i>	
Restrictions	A
<i>Aridity due to lack of available moisture during the growing season.</i>	
Improved by	tile drainage
Improved Land Capability, with restrictions	4T, 3R
<i>Complex slopes (T) from 11 – 15%; Depth to solid bedrock (R) within 50 - 75cm of surface, with rock outcrops spaced 50 – 75m apart.</i>	

APPENDIX B

LAND CAPABILITY FOR AGRICULTURE OVERVIEW

Land Capability for Agriculture Overview

Land Capability for Agriculture (LCA) in BC is a classification system that groups agricultural land into classes² that reflect potential and limitations to agriculture. The classes are differentiated based on soil properties and climate conditions. The system considers the range of possible crops and the type and intensity of management practices required to maintain soil resources but it does not consider suitability of land for specific crops, crop productivity, specific management inputs or the feasibility of implementing improvements.

There are two land capability hierarchies, one for mineral soils and one for organic soils. Each hierarchy groups the land into seven classes that describe the range of suited crops and required management inputs. The range of suited crops decreases from Class 1 to Class 7 and/or the management inputs increase from Class 1 to Class 7. For example, Class 1 lands can support the broadest range of crops with minimal management units.

Lands in Classes 1 to 4 are considered capable of sustained agricultural production of common crops. Class 5 lands are considered good for perennial forage or specially-adapted crops. Class 6 lands are good for grazing livestock and Class 7 lands are not considered capable of supporting agricultural production.

LCA Classes are subdivided into subclasses based on the degree and kind of limitation to agriculture. Subclasses indicate the type and intensity of management input required to maintain sustained agricultural production and specify the limitation. For example, lands rated Class 2W have an excess water limitation that can be improved by managing water on the site.

Most lands are rated for unimproved and improved conditions. Unimproved ratings are calculated based on site conditions at the time of the assessments, without irrigation. Past improvements are assessed as part of the unimproved rating. Forested lands are assessed assuming they are cleared. Improved ratings are assigned assuming that existing limitations have been alleviated. Generally, improvement practices taken into account are drainage, irrigation, diking, stone removal, salinity alleviation, subsoiling, intensive fertilization, and adding soil amendments.

² LCA class criteria are defined in the MOE Manual 1: Land Capability Classification for Agriculture in British Columbia (Kenk, 1983).

LCA Classes

Table C1. Land Capability Assessment Characteristics

Class	Description	Characteristics
1	No or very slight limitations that restrict agricultural use.	• Level or nearly level. • Deep soils are well to imperfectly drained and hold moisture well. • Managed and cropped easily. • Productive.
2	Minor limitations that require ongoing management or slightly restrict the range of crops, or both.	• Require minor continuous management. • Have lower crop yields or support a slightly smaller range of crops than Class 1 lands. • Deep soils that hold moisture well. • Managed and cropped easily.
3	Limitations that require moderately intensive management practices or moderately restrict the range of crops, or both.	• More severe limitations than Class 2 land. • Management practices more difficult to apply and maintain. • Limitations may: • Restrict choice of suitable crops. • Affect timing and ease of tilling, planting or harvesting. • Affect methods of soil conservation.
4	Limitations that require special management practices or severely restrict the range of crops, or both.	• May be suitable for only a few crops or may have low yield or a high risk of crop failure. • Soil conditions are such that special development and management conditions are required. • Limitations may: • Affect timing and ease of tilling, planting or harvesting. • Affect methods of soil conservation.
5	Limitations that restrict capability to producing perennial forage crops or other specially adapted crops (e.g. cranberries).	• Can be cultivated, provided intensive management is employed or crop is adapted to particular conditions of the land. • Cultivated crops may be grown where adverse climate is the main limitation, crop failure can be expected under average conditions.
6	Not arable, but capable of producing native and/or uncultivated perennial forage crops.	• Provides sustained natural grazing for domestic livestock. • Not arable in present condition. • Limitations include severe climate, unsuitable terrain or poor soil. • Difficult to improve, although draining, dyking and/or irrigation can remove some limitations.
7	No capability for arable culture or sustained natural grazing.	• All lands not in Class 1 to 6. • Includes rockland, non-soil areas, small water-bodies.

LCA Subclasses for Mineral Soil

LCA Classes, except Class 1 which has no limitations, can be divided into subclasses depending upon the type and degree of limitation to agricultural use. There are twelve LCA subclasses to describe mineral soils (Table 2). Mineral soils contain less than 17% organic carbon; except for an organic surface layer (SCWG, 1998).

Table C2. LCA Subclasses for Mineral Soil

LCA Subclass	Map Symbol	Description	Improvement
Soil moisture deficiency	A	Used where crops are adversely affected by droughtiness, either through insufficient precipitation or low water holding capacity of the soil	Irrigation
Adverse climate	C	Used on a subregional or local basis, from climate maps, to indicate thermal limitations including freezing, insufficient heat units and/or extreme winter temperatures	N/A
Undesirable soil structure and/or low perviousness	D	Used for soils that are difficult to till, requiring special management for seedbed preparation and soils with trafficability problems includes soils with insufficient aeration, slow perviousness or have a root restriction not caused by bedrock, permafrost or a high watertable	Amelioration of soil texture, deep ploughing or blading to break up root restrictions cemented horizons cannot be improved
Erosion	E	Includes soils on which past damage from erosion limits erosion (e.g. gullies, lost productivity)	N/A
Fertility	F	Limited by lack of available nutrients, low cation exchange capacity or nutrient holding ability, high or low pH, high amount of carbonates, presence of toxic elements or high fixation of plant nutrients	Constant and careful use of fertilizers and/or other soil amendments
Inundation	I	Includes soils where flooding damages crops or restricts agricultural use	Diking
Salinity	N	Includes soils adversely affected by soluble salts that restrict crop growth or the range of crops	Specific to site and soil conditions
Stoniness	P	Applies to soils with sufficient coarse fragments, 2.5 cm diameter or larger, to significantly hinder tillage, planting and/or harvesting	Remove cobbles and stones
Depth to solid bedrock and/or rockiness	R	Used for soils in which bedrock near the surface restricts rooting depth and tillage and/or the presence of rock outcrops restricts agricultural use	N/A
Topography	T	Applies to soils where topography limits agricultural use, by slope steepness and/or complexity	N/A
Excess Water	W	Applies to soils for which excess free water limits agricultural use	Ditching, tilling, draining
Permafrost	Z	Applies to soils that have a cryic (permanently frozen) layer	N/A

Top Priorities Report

Saturna Island

1. Groundwater Sustainability Project

Phase 1: Mapping and data analysis

Gary Richardson
William Shulba

Rec'd: 09-May-2019
Target: 31-Mar-2020

2. Secondary Suite Review

To establish policies and regulations to permit secondary suites.
With the Minister of Municipal Affairs and Housing for approval.

Gary Richardson

Rec'd: 22-Nov-2017
Target: 30-Jun-2019

3. Commercial Vacation Rentals - TUP Guidelines

To establish guidelines for vacation rentals.
Revived 2nd and 3rd reading on July 18, 2019.
Forwarded to the Minister of Municipal Affairs and Housing for approval

Gary Richardson

Rec'd: 08-Jan-2019
Target: 30-Nov-2019

4. First Nations Relationship Building

Review of OCP to include references to First Nations.
Project Charter endorsed July 18, 2019
Letter Sent to First Nations as per Project Charter

Gary Richardson

Rec'd: 16-Sep-2016

Projects Report

Saturna Island

1. <i>Shoreline Review</i>	Responsible	Date Received
		17-Jun-2016
2. <i>Amenity Zoning and Accessible Housing Review</i>	Responsible	Date Received
		04-Oct-2018
3. <i>National Park Zoning</i>	Responsible	Date Received
		04-Oct-2018
4.	Responsible	Date Received
Review of drinking water regulations		18-Jul-2019
5.	Responsible	Date Received
Secondary suites - potable water source		18-Jul-2019
6. <i>Watershed Lands - DPA</i>	Responsible	Date Received
		18-Jul-2019



Islands Trust

Print Date: October 17, 2019

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SA-ALR-2019.1	Money, John	13-Aug-2019	Proposal to make a new lot and doing a boundary change to make a tiny unusable lot usable by adding land from his property.

Planner: Gary Richardson

Planning Status

Status Date: 17-Oct-2019

Staff report on October 24, 2019 LTC agenda for consideration.

Status Date: 22-Aug-2019

PTA received application, created file, Planner to be assigned

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2018.1	Ronald Hall & Saturna	15-Jan-2018	To amend zoning of two properties.
	Garage and Contracting		

Planner: Gary Richardson

Planning Status

Status Date: 18-Oct-2018

Adoption on hold pending direction from applicant to proceed with consideration

Status Date: 23-Sep-2018

Bylaws approved by executive committee.

Status Date: 23-Sep-2018

Bylaws forwarded to Minister Sept 25.

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2019.1	Money Family Projects	20-Mar-2019	Application for an OCP and LUB amendment to permit dwellings in Upland zone Ltd.

Planner: Gary Richardson

Applications

Planning Status

Status Date: 01-Jul-2019

Further information requested from the applicant in order to review application further.

Status Date: 29-Apr-2019

Staff report prepared for LTCs consideration at May 9, 2019 LTC meeting.

Status Date: 20-Mar-2019

PTA created file, fees received, LTC notified, given to Planner

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2017.1	RONALD H HALL	22-Nov-2017	Subdivision to create a new parcel.

Planner: Gary Richardson

Planning Status

Status Date: 06-Apr-2018

Staff sent response to MoTI March 12, 2018

Status Date: 04-Dec-2017

Fees received, LTC notified - new application/referral.

Status Date: 29-Nov-2017

Received application, sent subdivision fee request.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.1	RONALD HALL	01-Feb-2018	Create one lot with one remainder.

Planner: Gary Richardson

Planning Status

Status Date: 06-Apr-2018

Staff sent response to MoTI April 4, 2018.

Status Date: 15-Feb-2018

Fees received, notified LTC, gave file to Planner.

Applications

Status Date: 01-Feb-2018

opened file, sent fee request to applicant. RPM to assign planner.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.2	JORDAN ELLIOT LITKE c/o POLARIS LAND SURVEYING	06-Jun-2018	105 Payne Road - Proposed 2-lot conventional boundary adjustment subdivision with 187 East Point Road (see SA-SUB-2015.2)
Planner: Gary Richardson			

Planning Status

Status Date: 30-Oct-2018

Response sent to MOTI Oct 30, 2019.

Status Date: 23-Jul-2018

Emailed scanned letter, receipt and cheque to Applicant, mailed originals; emailed Subd Ref Review application to LTC cc Planner and MoTI. Gave folder to Planner.

Status Date: 15-Jun-2018

Prepared and emailed letter with Subdivision Referral Review form and application package to Applicant, cc LTC, Planner and MoTI; mailed original letter and application form.

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2019.1	Blake, Michelle	22-Feb-2019	subdivision plans for three lots on Saturna Island.
Planner: Gary Richardson			

Planning Status

Status Date: 07-May-2019

Referral response sent to MoTI.

Status Date: 05-Mar-2019

PTA received MoTi Ref and created Subdivision Ref App, fees received, given to Planner, sent to LTC

Islands Trust
LTC EXP SUMMARY REPORT F2020
Invoices posted to Month ending August 2019

660 Saturna	Invoices posted to Month ending August 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-660	LTC "Trustee Expenses"	251.00	0.00	251.00
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	2,410.00	1,786.36	623.64
65210-660	LTC - Local Exp - APC Meeting Expenses	411.00	0.00	411.00
65220-660	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-660	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>3,365.00</u>	<u>1,786.36</u>	<u>1,578.64</u>
Projects				
73001-660-4032	Saturna Secondary Suite Review	1,500.00	844.50	655.50
73001-660-4077	Saturna First Nations Relations	3,000.00	0.00	3,000.00
73001-660-4101	Saturna Short Term Vacation Rental (STVR) Review	2,500.00	868.65	1,631.35
TOTAL Project Expenses		<u>7,000.00</u>	<u>1,713.15</u>	<u>5,286.85</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. Notwithstanding 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.

No	Meeting Date	Resolution No.	Issue	Policy
2.	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.
3.	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.
4.	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 License 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
5.	October 4, 2018	SA-LTC-	Processing of Cannabis Retail License applications	- Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms

No	Meeting Date	Resolution No.	Issue	Policy
				○ The location of the proposed establishment and the subject site ○ The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application ○ How public comments may be submitted to the local trust committee.
6.	January 17, 2019	SA-LTC-2019-11	Enforcement on unlawful housing	It was Moved and Seconded, that the Saturna Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: There is a complaint from an immediate neighbour; or there is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. 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.
7.	May 9, 2019	SA-2019-036	Short Term Vacation Rentals	It was Moved and Seconded, that the Saturna Island Local Trust Committee only authorize enforcement against unlawful short term vacation rentals, unless one of the following circumstances exists: 1. There is more than one complainant from the immediate neighbourhood; 2. The complaint is made by a representative of an improvement district and it concerns overuse of water; 3. The complaint concerns use of a common driveway servicing at least two separate lots; 4. There is a written complaint by owners or residents in the immediate neighbourhood about bona fide nuisance issues such as noise or parking congestion related to the STVR.

BRIEFING

To:	Local Trust Committees	For the Meeting of:	Various
From:	David Marlor, Director, Local Planning Services	Date Prepared:	June 17, 2019
SUBJECT:	Model Radio Antenna Strategy		

PURPOSE: To provide the model radio antenna strategy to local trust committees for consideration of adoption.

BACKGROUND:

The federal Ministry of Innovation, Science and Economic Development Canada (ISED)(formerly Industry Canada),has jurisdiction over telecommunications uses such as radio broadcast towers and cellular telephone towers, which are licensed under the federal *Telecommunications Act*. ISED looks for the land use authority to issue a letter of concurrence or non-concurrence with the proposal put forward by telecommunications proponents and the consultation process they conduct. ISED recommends land use authorities establish a documented public consultation process to guide cell/radio tower proponents.

Within the Islands Trust, the consultation process on these types of applications was previously guided by the Letter of Understanding (LOU, signed October 30, 1996) that existed between ISED and the Islands Trust Council, on behalf of Local Trust Committees, for proposed towers of over 25m in height. Since ISED updated its Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03) in 2014 to include a Default Public Consultation Process, the Trust Council/ISED LOU was rescinded by ISED under the terms of the agreement.

When a land use authority does not have an established or documented public consultation process, proponents of radio towers must use the ISED default process outlined in the Radio communication and Broadcasting Antenna Systems Client Procedures Circular (CPC-2-0-03).

In March 2016, Trust Council passed the following resolution:

THAT the Islands Trust Council request the Local Planning Committee to make recommendations on policy that includes public consultation procedures and development guidelines for the siting and design of antenna systems, which may then be adapted and implemented by local trust committees.

The report, “Model Program for Antenna Systems,” dated May 3, 2018, (Attachment 1) was prepared by a consultant (James Van Hemert) under contract with Islands Trust. The report provides a model consultation program, land use siting criteria, and model official community plan policies. The report also presents a literature review and summary of background materials that were reviewed as part of the report’s creation.

The report was received by Trust Council the June 2018 Trust Council meeting and was requested to be forwarded to local trust committees. This is being forwarded to you now to allow the new local trust committees elected in November 2018 to consider adoption of the public process contained in the

“Model Program for Antenna Systems”, as well as the policy and regulatory recommendations contained in this document.

ATTACHMENT(S):

1. Model Program for Antenna Systems,” dated May 3, 2018

Link to IT Web Document: <http://www.islandstrust.bc.ca/media/346706/final-model-strategy-for-antenna-systems.pdf>

FOLLOW-UP:

A brochure is being developed to explain the process and will be posted on the Islands Trust website as soon as it is complete.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date:

DATE OF MEETING: July 18, 2019
TO: Saturna Island Local Trust Committee
FROM: Miles Drew, Bylaw Compliance and Enforcement Manager
Local Planning Services
SUBJECT: Adopt a Bylaw Enforcement Notification (BEN) Bylaw

RECOMMENDATIONS

1. That Saturna Island Local Trust Committee Bylaw No. 128, cited as “Saturna Island Local Trust Committee Bylaw Enforcement Notification Bylaw No.128, 2019”, be read a first time.
2. That Saturna Island Local Trust Committee Bylaw No. 128, cited as “Saturna Island Local Trust Committee Bylaw Enforcement Notification Bylaw No.128, 2019”, be read a second time.
3. That Saturna Island Local Trust Committee Bylaw No. 128, cited as “Saturna Island Local Trust Committee Bylaw Enforcement Notification Bylaw No.128, 2019”, be read a third time.
4. That the Saturna Island local Trust Committee Bylaw No. 128, cited as “Saturna Island Local Trust Committee Bylaw Enforcement Notification Bylaw No 128, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

This report provides an outline of the bylaw enforcement notification system and recommends adoption of a Bylaw Enforcement Notification (BEN) Bylaw, commencing with three readings of Bylaw No. 128 (attached) and forwarding the bylaw to the Executive Committee for approval.

BACKGROUND

At the May 9, 2019 meeting the Saturna Island LTC made the following resolution:

SA-2019-037

It was Moved and Seconded,

that the Saturna Island Local Trust Committee instruct staff to bring forward a bylaw enforcement notification system bylaw for consideration.

ANALYSIS

Policy/Legislative

Bylaw Enforcement Notification

BEN bylaws have been in place in the Islands Trust Area since 2011 and have been adopted and used by nine local trust committees. (Denman LTC recently adopted a BEN Bylaw.) In 2012, Saturna Island LTC considered adopting a BEN Bylaw but eventually decided against adoption. Since the adoption of the first BEN bylaw in the Islands Trust Area, no serious concerns have emerged.

As noted in the linked document "[Local Government Toolkit: Bylaw Dispute Adjudication System](#)", the local government bylaw dispute adjudication system's goal is to create a simple, fair, and cost-effective process for dealing with uncomplicated bylaw contraventions. The model:

- promotes the timely resolution of bylaw enforcement disputes;
- establishes a dedicated forum for resolving local bylaw enforcement disputes;
- uses a dispute resolution-based approach to obtaining independently adjudicated decisions;
- permits negotiation of compliance agreements resulting in reduction of fine amounts to zero;
- eliminates the requirement for tickets to be handed directly to the accused (personal service);
- avoids the unnecessary attendance of witnesses; and
- avoids the need to hire legal counsel.

The Bylaw Dispute Adjudication System (explained in detail in the Toolkit) is a very effective and low cost way of helping to ensure respect for LTC bylaws and the community goals they represent. Gaining compliance with bylaws can be very difficult and expensive in the absence of a ticketing enforcement bylaw as enforcement may need to occur through costly Court processes.

The very high cost to taxpayers and individuals of Court action sometimes means that bylaws are not enforced and therefore do not meet the goals they were designed to achieve. Non-enforcement can be frustrating for community members who expect bylaw compliance. It also contributes to a lowering of the legitimacy of bylaws and general non-compliance.

Bylaw No.128

Draft Bylaw No. 128 cited as, "Saturna Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 128, 2019" is attached to this report for consideration of the LTC. If adopted by the LTC, this Bylaw would enable Bylaw Compliance and Enforcement Staff to: issue fines; conduct hearings by impartial adjudicators of disputes to tickets; and negotiate compliance agreements in return for reducing fine amounts to zero.

The BEN Bylaw does not create any new rules or regulations for Saturna Islanders. It only lists the regulations that already exist in the Land Use Bylaw. The fine amounts are similar to those found in the ten BEN Bylaws already existing in the Islands Trust Area.

Rationale for Recommendation

Adoption of a BEN bylaw would allow the Saturna LTC to more effectively deal with complaints received from Saturna Islanders about potential bylaw infractions. The BEN bylaw provides the ability to negotiate compliance agreements – to outline the approach to be taken to achieve bylaw compliance and opportunity to reduce fines to zero when compliance is achieved.

Alternatives

- 1. Receive for information**
- 2. Request further information**

Submitted By:	Miles Drew Bylaw Compliance & Enforcement Manager	July 5, 2019
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Attachment

- Draft Bylaw No. 128

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 128**

**A BYLAW WITH RESPECT TO THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE SATURNA ISLAND LOCAL
TRUST AREA**

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 the Saturna Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Notices in the Saturna Local Trust Area;

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

Citation

1. This Bylaw may be cited as “Saturna Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 128, 2019”.

1.0 INTERPRETATION

In this Bylaw:

- 1.1 “Act” means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 “Registry” means the Islands Trust established pursuant to section 6 of this bylaw.
- 1.3 “LTC” means the Saturna Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule “A” attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule “A” as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty Amount set out in column A2 of Schedule “A” as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1) , and is the Late Payment Penalty Amount set out in column A3 of Schedule “A” as attached to this bylaw; or

- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule "A" as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

5.2 A person may pay the indicated penalty after 14 days of receiving the notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.

5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.

6.2 The civic address of the Registry is Suite 200 – 1627 Fort Street, Victoria, BC V8R 1H8.

6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

7.1 The position of screening officer is established.

7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Compliance and Enforcement Manager;
- (3) Bylaw Compliance and Enforcement Officer;
- (4) Bylaw Compliance and Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

7.3 The powers, duties and functions of screening officers are as set out in the *Act*, and include the following powers:

- (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
- (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the Act:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;
 - (c) the complainant or their representative;
 - (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.
- (3) To prepare and enter into compliance agreements under the Act with persons who dispute bylaw violation notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the Act or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

8.0 BYLAW ENFORCEMENT OFFICERS

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the Act:

- (a) Bylaw Compliance and Enforcement Manager;
- (b) Bylaw Compliance and Enforcement Officer.

9.0 FORM OF BYLAW VIOLATION NOTICE

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the Act.

10.0 SCHEDULE

The following schedule is attached to and forms part of this bylaw:

- (a) Schedule A – Saturna Island Local Trust Committee's Land Use Bylaw No. 119, 2018 Contraventions and Penalties.

READ A FIRST TIME THIS DAY OF , 2019

READ A SECOND TIME THIS DAY OF , 2019

READ A THIRD TIME THIS DAY OF , 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF , 2019

ADOPTED THIS DAY OF , 2019

SECRETARY

CHAIR

Schedule A
SATURNA ISLAND LAND USE BYLAW NO. 119, 2018
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty Amount (within 14 days)	A3 Late Payment Penalty Amount (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.2.1(1)	Keeping Prohibited Animals	\$350.00	\$262.50	\$525.00	Yes	100%
2.2.1(2)	Prohibited Intensive Farm Use	\$500.00	\$375.00	\$750.00	Yes	100%
2.2.1(3)	Prohibited Airstrip/ Helicopter Landing Pad	\$500.00	\$375.00	\$750.00	Yes	100%
2.3.1	Over height Building/Structure	\$350.00	\$262.50	\$525.00	Yes	100%
2.4.1	Breezeway Too Long	\$350.00	\$262.50	\$525.00	Yes	100%
2.4.2	Accessory Building Within 3 Metres of Principal Building	\$350.00	\$262.50	\$525.00	Yes	100%
2.4.3	Accessory Building/Structure Exceeds Floor Area	\$350.00	\$262.50	\$525.00	Yes	100%
2.4.4	Accessory Building/ Structure Without Principal Building	\$350.00	\$262.50	\$525.00	Yes	100%
2.5.1	Building/Structure Too Close to Sea/Watercourse	\$500.00	\$375.00	\$750.00	Yes	100%
2.6.1	Cottage Too Close to Residence/Cottage	\$350.00	\$262.50	\$525.00	Yes	100%
2.9	Continued Use of Provisional Residence	\$350.00	\$262.50	\$525.00	Yes	100%
2.13.1.1	RV/Yurt Used as Dwelling/Cottage Without Sewage Facility	\$350.00	\$262.50	\$525.00	Yes	100%
2.13.1.2	RV/Yurt Used as Dwelling/Cottage Without Water Supply	\$350.00	\$262.50	\$525.00	Yes	100%
2.13.1.3	RV/Yurt Unlawful Use/Density/Siting	\$350.00	\$262.50	\$525.00	Yes	100%
2.15.1	Home Occupation Not In Residence/Accessory Building	\$350.00	\$262.50	\$525.00	Yes	100%
2.15.2	Home Occupation Nuisance Detectable at Lot Line	\$350.00	\$262.50	\$525.00	Yes	100%
2.15.3(1)	Home Occupation Outside Storage	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.3(2)	Home Occupation Exterior Display/Lighting	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.3(3)	Home Occupation Non Residential Character	\$200.00	\$150.00	\$300.00	Yes	100%

Schedule A
SATURNA ISLAND LAND USE BYLAW NO. 119, 2018
CONTRAVENTIONS AND PENALTIES

2.15.4	Home Occupation No Residence/ No resident Operator/Too Many Employees/	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.5(1)	Home Occupation Serving Food/Drink	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.5(2)	Home Occupation Selling Liquor/ Display Area Too Large	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.6(1)	B&B Too Many Bedrooms	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.6(2)	B&B Conducted Off Property	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.6(3)	B&B Non Breakfast Meals Served	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.6(4)	B&B Too Many Special Events	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.7	Home Occupation Sales Area Too Big	\$200.00	\$150.00	\$300.00	Yes	100%
2.15.9(1)	Too Many Cottages Used as STVR	\$500.00	\$375.00	\$750.00	Yes	100%
2.16.1	Home Industry Outdoors/Home Industry Too Large	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.2	Home Industry Detectable at Lot Line	\$350.00	\$262.50	\$525.00	Yes	100%
2.16.3(1)	Home Industry On Too Small Lot	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.3(2)	Home Industry Unlawfully Sited	\$350.00	\$262.50	\$525.00	Yes	100%
2.16.3(3)	Home Industry Not Screened	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.4	Home Industry Operating Outside Permitted Hours	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.5(1)	Home Industry Unscreened Storage	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.5(2)	Home Industry Exterior Display/Lighting	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.5(3)	Home Industry Non Residential Character	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.6	Home Industry No Residence/ No resident Operator/Too Many Employees/	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.7(1)	Home Industry Serving Food or Drink	\$200.00	\$150.00	\$300.00	Yes	100%
2.16.7(2)	Home Industry Selling Liquor/Display Area Too	\$200.00	\$150.00	\$300.00	Yes	100%

Schedule A
SATURNA ISLAND LAND USE BYLAW NO. 119, 2018
CONTRAVENTIONS AND PENALTIES

	Large					
2.17.8	Home Industry Sales Area to Large	\$200.00	\$150.00	\$300.00	Yes	100%
4.1.1	Non Permitted Use in Rural Residential (RR) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.1.3	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.1.4	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.1.5	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.1.6	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.1.7	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.1.8	Enclosure/Structure for Animals in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.2.1	Non Permitted Use in Rural General (AG) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.2.4	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.2.5	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.2.6	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.2.7	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.2.8	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.2.9	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.2.10	Enclosure/Structure for Animals in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.3.1	Non Permitted Use in Rural Agricultural Sales (RAS) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.3.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.3.3	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.3.4	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.3.5	Enclosure/Structure for Animals in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.4.1	Non Permitted Use in Rural Comprehensive Development (RDC) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.4.2	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.4.3	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.4.4	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.4.5	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.4.6	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.4.7	Building/Structure in	\$350.00	\$262.50	\$525.00	Yes	100%

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	Interior/Exterior Setback					
4.4.8	Enclosure/Structure for Animals	\$350.00	\$262.50	\$525.00	Yes	100%
4.5.1	Non Permitted Use in Multiple Family Residential (MFR) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.5.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.5.3	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.5.4	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.5.5	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
4.6.1	Non Permitted Use in Community Services (CS) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.6.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.6.3	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.6.4	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.7.1	Non Permitted Use in Public Utilities (PU) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.7.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.7.3	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.8.1	Non Permitted Use in Community Park (CP) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
4.8.2	Non Permitted Building/Structure	\$500.00	\$525.00	\$750.00	Yes	100%
4.8.3	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
4.8.4	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
4.8.5	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.1/5.1.2/ 5.1.3/5.1.4	Non Permitted Use in Commercial Recreation Accommodation (CRA) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.1.5	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.6	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
5.1.7	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.1.8	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.1	Non Permitted Use in Commercial (C) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
5.2.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%

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SATURNA ISLAND LAND USE BYLAW NO. 119, 2018
CONTRAVENTIONS AND PENALTIES

5.2.3	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.4	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
5.2.5	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
6.1.1/6.1.2/ 6.1.3/6.1.4	Non Permitted Use	\$500.00	\$375.00	\$750.00	Yes	100%
6.1.4	Building Over Height	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.5	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.6	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
6.1.7	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
6.2.1	Non Permitted Use in Industrial Comprehensive (IC) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
6.2.2	Building Over Height	\$350.00	\$262.50	\$525.00	Yes	100%
6.2.3	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
6.2.4	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
6.2.5	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.1	Non Permitted Use in Farmland (F) Zone	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.2	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
7.1.3	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.4	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.5	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.1.6	Farm Building in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.1	Non Permitted Use in Farm Resort (F1) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
7.2.2	Building Over Height	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.3	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.4	Visitor Accommodation Exceeds Density	\$500.00	\$375.00	\$750.00	Yes	100%
7.2.5	Residential Use Exceeds Density	\$500.00	\$375.00	\$750.00	Yes	100%
7.2.6	Wrongly Sited Use/Structure/Building	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.7	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.2.8	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.1	Non Permitted Farm Use	\$500.00	\$375.00	\$750.00	Yes	100%

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7.3.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.3	Visitor Accommodation Exceeds Density	\$500.00	\$375.00	\$750.00	Yes	100%
7.3.4	Exceeds Residences/Cottages	\$500.00	\$375.00	\$750.00	Yes	100%
7.3.5	Building/Structure in Front/Rear Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.6	Building/Structure in Interior/Exterior Setback	\$350.00	\$262.50	\$525.00	Yes	100%
7.3.7	Intensive Farm Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.1	Non Permitted Use in Watershed (W) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
8.1.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
8.1.3	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
9.1.1	Non Permitted Use in Forest Reserve (RF) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.1.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.1	Non Permitted Forest General (FG) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.2.2	Building Over Height	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.3	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
9.2.4	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
9.3.1	Non Permitted Use in Forest Residential (FR1) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
9.3.2	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.3	Building Over Height	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.4	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
9.3.7/9.3.6	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
10.1.1	Non Permitted Use in Wilderness Reserve (WR) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
10.1.2	Building/Structure in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
10.1.3	Non Permitted Density	\$500.00	\$375.00	\$750.00	Yes	100%
10.1.4	Exceed Lot Coverage	\$350.00	\$262.50	\$525.00	Yes	100%
11.1.1	Non Permitted Use in Water (WA) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
11.1.2	Float/Wharf in Setback	\$350.00	\$262.50	\$525.00	Yes	100%
11.1.3	Non Permitted Building/Structure	\$350.00	\$262.50	\$525.00	Yes	100%
11.1.4	Float/Wharf Used Unlawfully	\$500.00	\$375.00	\$750.00	Yes	100%
11.3.1	Non Permitted Use in Water General Commercial (WGC) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
11.3.2	Float/Wharf Outside Boundary	\$350.00	\$262.50	\$525.00	Yes	100%
11.4.1	Non Permitted Use in Water	\$500.00	\$375.00	\$750.00	Yes	100%

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CONTRAVENTIONS AND PENALTIES

	Public Utility (WPU) Zone					
11.4.2	Float/Wharf Outside Boundaries	\$350.00	\$262.50	\$525.00	Yes	100%
11.5.1	Non Permitted Use in Open Waters (WO) Zone	\$500.00	\$375.00	\$750.00	Yes	100%
13.1	Sign Unlawfully Located	\$200.00	\$150.00	\$300.00	Yes	100%
13.2	Sign Too Large	\$200.00	\$150.00	\$300.00	Yes	100%
13.3	Fail to Remove Obsolete Sign	\$200.00	\$150.00	\$300.00	Yes	100%
13.5	Fail to Remove Event/Sale Sign	\$200.00	\$150.00	\$300.00	Yes	100%
14.1	Fail to Provide Proper Parking	\$500.00	\$375.00	\$750.00	Yes	100%

DATE OF MEETING: Various

TO: Local Trust Committees

FROM: David Marlor, Director,
Local Planning Services

SUBJECT: Climate Change Adaptation and Mitigation Strategies

PURPOSE

At its regular business meeting in June 2019, Trust Council passed the following resolution:

TC-2019-043

It was Moved by Trustee Fast and Seconded by Trustee Peterson,

That Trust Council direct staff to add agenda items 6.4 and 8.4 regarding climate emergency tools and strategies to all Local Trust Committee's upcoming agendas and suggest to the Bowen Island Municipality.

NEXT STEPS

The two reports "Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust" and "Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation" are provided for information on the local trust committees, and to assist when determining local actions to take in response to Trust Council's climate emergency declaration.

Submitted By:	David Marlor, MCIP, RPP Director, Local Planning Services	August 29, 2019
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ATTACHMENTS

1. Attachment 1: Items 6.4 and 8.4 from June 2019 Trust Council

BRIEFING

To: Trust Council **For the Meeting of:** June 19, 2019
From: CAO **Date Prepared:** May 23, 2019
SUBJECT: Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust

PURPOSE: To provide Trust Council a summary report on current and past actions, and policies adopted by the Islands Trust to address climate change. This report is a companion report to the land use actions report on the current agenda and is offered to provide context for Trust Council as they contemplate a range of potential options to address climate change within the Trust Area.

BACKGROUND: On March 13, Trust Council passed the following resolution:

That the Islands Trust Council:

1. Declare a Climate Change Emergency in the Islands Trust Area.
2. Add climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement amendment project.
3. Direct the Trust Council Chair to write to the Chairs of Regional Districts in the Islands Trust Area asserting Trust Council's full support for declarations of a Climate Emergency;
4. Direct the Trust Council Chair to write to the Provincial Minister of the Environment, asserting the Islands Trust Council's support to help the Province close the 25% emissions gap in the Clean BC Plan, and calling on the Province to provide the powers and resources to local governments;
5. Direct the Trust Council Chair to write to the Federal Minister of the Environment, asserting the Islands Trust Council's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments.
6. Direct staff to report back to the June 2019 Trust Council meeting on measures and land-use planning actions that the Islands Trust can take to advance progress toward Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations.
7. Direct staff to include a central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning to provide guidance and support for the Trust Area's efforts to transition away from fossil fuels in ways that prioritize those most vulnerable to climate impacts and most in need of support in transitioning to renewable energy.
8. Trust Council directs staff to work with First Nations and First Nations government agencies to seek support for the climate change emergency and to engage to coordinate climate action strategies with First Nations within the Islands Trust Area.

While the Islands Trust, as a function of its mandate and authority, has included climate change adaptation and mitigation measures in its decision making, including Bill 27 OCP implementation and the application of land use regulations, this briefing provides an overview of specific climate actions that the organization has taken.

1. **Anticipated climate changes within the Trust Area:** Given accessible climate change information for the region, it is anticipated that with an increase in global warming at or above 1.5 C the Trust Area would be impacted in the following ways.
 - i. Wetter fall seasons
 - ii. Dryer, hotter summers, drought conditions
 - iii. More inclement weather, extreme weather events
 - iv. Warmer winters
 - v. No frost
 - vi. Rise in sea level
 - vii. Species shift
2. The following table provides a timeline of key climate change actions by the Islands Trust and Islands Trust Conservancy over the last 15 years.

Table 1. Timeline of climate change actions

2005	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
passed resolution for advocacy on climate change	Signed BC Climate Action Charter	developed "Trust Area Climate Vulnerabilities" document	Bill 27 requirements, develop OCP amendments: Climate Smart Islands Program	over 2 year span, the majority of OCPs are amended to incorporate Bill 27			adoption of Carbon Neutral Operations Policy 7.4.v		Letter to Prime Minister Trudeau re Paris Climate Accord	State of the Islands Report	initiated groundwater workshops	delivered seal level rise workshops	declared climate emergency
		adopted Corporate Climate Action Plan					Corporate Sustainability Advisory Group Initiated					Adopted CDF toolkit	

3. BC Climate Action Charter

The Islands Trust is a signatory to the BC Climate Action Charter and has taken a number of steps to honor that commitment. Since 2007, we have reported on our website on our plan to achieve our climate action goals. We participate in the Climate Action Revenue Incentive Plan (CARIP) that requires we summarize our GHG emissions and energy consumption and detail our programming towards carbon neutrality. To summarize, the Islands Trust as an organization generates between 55 and 65 tCO₂e per year. We have traditionally then purchased carbon credits to achieve carbon neutrality from the Community Carbon Marketplace, which we been doing since 2012.

Using 2017 CARIP report as an example, key emissions measures are the following:

- a) Direct emissions
 - a. Vehicles fuel 14652 L
 - b. Stationary gigajoule 346
- b) Indirect Emissions
 - a. Purchased energy gigajoule 506
 - b. Purchased reported gigajoule 126
- c) Scope 3 emissions
 - a. Office paper packages 608

Please note that while the Province committed to providing Community Energy and Emission Inventory data for local governments, there is insufficient data for the Islands Trust specifically, requiring that we use a conversion factor to approximate some of our emissions measures.

4. **Bill 27 OCP Greenhouse Gas amendments**

Under separate cover a report will be provided to the June 2019 Trust Council meeting that will include the amendments to local trust committees OCPs required by Bill 27. Generally, each LTC/Bowen Island Municipality (except Piers Island) adopted target reductions for their area, either a 50% or 33% reduction by 2020 and a greater, 85% reduction by 2050. Land use bylaws have not been comprehensively updated to reflect OCP direction. There has been no sustained performance measurement of each local trust area/island municipality to determine how successful the OCP amendments have been in reducing emissions. Datasets are limited on an LTA/IM by LTA/IM basis for specific GHG reductions.

5. **Corporate Actions**

- i. In 2007, the Islands Trust adopted a **Corporate Climate Action Plan**. From a corporate perspective, the three areas effecting our emissions levels are travel, paper and building heating and maintenance. The Climate Action Plan provides a reasonably rigorous analysis of these target emission sources as well as others and make recommendations for mitigations. The Action Plan has led to a number of business practices that are still in place including:
 - a. Reduction of printing
 - b. Reduction of color printing
 - c. Double siding of documents
 - d. Not producing paper agendas
 - e. Support for employees to commute by bike
 - f. Increased ride sharing to staff and Trust meetings
 - g. Replacement of the windows and shading of Victoria office
 - h. Revised purchasing policy to emphasize energy efficiency

The plan is now somewhat dated and could be refreshed to find new points of emphasis and education for staff and trustees.

Since 2007 the Trust has monitored its GHG generation and in support of the Action Plan.

- ii. Adoption of **Policy 7.4.5 Carbon Neutral Operations**. This policy formalized a number of Trust wide operations dedicated to GHG reduction, including a carbon reduction goal, identification of carbon emission sources, dedication to using offsets to achieve carbon neutrality (including purchasing criteria) and reporting requirements.
- iii. In January 2013, a Corporate Sustainability Advisory Group (Green Team) was identified consisting of one member of Trust Council and a department representative across the organization. The term was for 12 months and the terms of reference included develop innovating ways to address climate change impacts and GHG reductions and to implement the Corporate Action Plan.

From the available data on Islands Trust operations, it is reasonable to conclude that we are a low carbon producing organization.

6. **Regional and National Context**

It would be impractical to provide a comprehensive overview of regional climate change initiatives; however, it is worth noting that there have been 16 declarations of a climate emergency in BC. Prominent among them is the City of Vancouver who have recently unanimously approved a motion recognizing the climate emergency and passing an ambitious set of six “Big Moves” that will guide

the City's response to Climate Change. The goal is to meet the objective of limiting warming to 1.5C as per the Paris Agreement.

The initial wave of climate emergency declarations occurred in Quebec (2018-2019), with over 300 communities having taken this step.

7. Issues and Opportunities

The following items provide a list of issues, amongst many, that could form the basis for further discussion by Trust Council.

- We do not have accurate Community Energy and Emissions Inventory information which limits our ability to accurately measure how emissions programing is reducing carbon levels.
- Issue of built form density is central to lessening climate change impacts and GHG production within the Trust Area.
- The Islands Trust does not have climate change policy in the Policy Statement but does in Official Community Plans and a variable level of climate regulation in LUBs.
- Corporate opportunities: electronic meetings, carbon friendly foods, further policies on travel.
- We have not liaised with First Nations on climate change in any substantial manner and will need to include this issue in our Policy Statement discussions.

ATTACHMENT(S):

- 1. N/A**

FOLLOW-UP: As directed by Trust Council

Prepared By: R Hotsenpiller

Reviewed By/Date: May 28, 2019



Islands Trust Council Plan for Continuous Learning

(What other topics would trustees like to propose?)

Updated May 9, 2019

Year	Trust Council Meeting	Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2019	December (Victoria)				
	September (Bowen)				
	June (Galiano)	Strategic Plan	What Elected Officials Need to Know about FOI & Protection of Privacy Training (LGMA) June 25 th webinar.		Chair, Vice Chair, Committee Chairs & ITC Chair training
	March 2019 (Gabriola)	Strategic Plan	Young/Anderson Introduction Bill Buholzer		
	January 2019 Nanaimo	Orientation	Orientation		NA
2018	November (Victoria)	Orientation	Orientation	Orientation	Orientation
	September (Gambier/Keats)	Lessons Learned 2014 -2018	Implications of the Water Sustainability Act		
	June (Saturna)	Strategic Plan	<i>Islands Trust Act</i> Amendments		Agricultural Land Commission/Islands Trust
	March (Salt Spring)	(Freshwater Specialist) (Water Sustainability Act) Regional Conservation Plan		Adapting to Climate Change	March (Salt Spring)

BRIEFING

To: Trust Council **For the Meeting of:** June 18, 2019

From: David Marlor, Director, Local Planning Services **Date Prepared:** May 30, 2019

SUBJECT: **Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation**

PURPOSE:

To provide an initial approach in response to Trust Council's Climate Change Emergency Declaration in respect to local planning tools to address climate change.

BACKGROUND:

At its regular business meeting in March 2019, Trust Council declared a Climate Change Emergency. As part of that declaration, Trust Council requested that staff:

"report back to June 2019 Trust Council meeting on measures and land use planning actions that the Islands Trust can take to advance progress towards Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations".

This briefing focuses on land use planning actions that the local trust committees and Bowen Island Municipality could take to advance progress towards greenhouse gas reduction targets and to adapt to the effects of climate change.

Following the implementation of new mandatory requirements for official community plans to include targets and policies for greenhouse gas reductions, all local trust committees and Bowen Island Municipality amended their official community plans to include those targets and policies.

The following table includes a summary of the targets established by each local trust committee and Bowen Island Municipality in their official community plans. Each local trust committee and Bowen Island Municipality also adopted related policies on how to achieve those targets.

Local Trust Committee/Island Municipality	Reduction By 2015	Reduction By 2020	Reduction By 2050	Notes
Bowen Island Municipality	-	33%	80%	Reduction over 2007 emissions
Ballenas-Winchelsea	-	50%	50%	Below per Canadian per capita for 2020/2050
Gabriola	-	33%	85%	Reduction over 2007 emissions

• Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
• DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
• Associated	-	20%	85%	Reduction over 2007 emissions
• Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
• Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
• Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

A. Local Planning Actions Since 2010

Since 2010, planning Staff regularly include consideration of climate change mitigation and adaptation in staff reports on planning applications and projects. As a result, all planning decisions by local trust committees over the past eight years have included a climate change lens. In addition to this, local trust committees adopted specific policies in their official community plans related to climate change mitigation and adaptation. Many of these policies have been implemented through land use bylaw amendments. A list of these implemented policies is included in Appendix 1.

Appendix 2 lists the official community plan policies that have not yet been implemented in the land use bylaws.

The remainder of this briefing provides information on land use planning actions that can be undertaken in relation to climate change. Section B addresses actions related to climate change mitigation and Section C addresses actions related to climate change adaptation.

B. Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be

effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

5. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

C. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. **Sea Level Rise Adaptation Tools**

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for

buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. **Longer Periods of Drought Adaptation Tools**

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

ATTACHMENTS:

1. Summary of Local Trust Committee OCP climate change policies already implemented
2. Summary of Local Trust Committee OCP climate change policies not yet implemented

FOLLOW-UP:

Further work in specified areas as indicated in the briefing, or as requested by the Trust Council, Executive Committee, Local Planning Committee or local trust committees.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/

Summary of Official Community Plan policies, listed by local trust area, that have been implemented in the land use bylaws.

Ballenas-Winchelsea Local Trust Area

- Shoreline Development Permit Area (applicable to 30 m upland of the natural boundary of the sea).
- Regulations in the land use bylaw exempts solar collectors, wind generators and water storage tanks from height restrictions.

Denman Island Local Trust Area

- Climate change impacts are considered in staff.
- Providing the dedication of conservation area, consistent with OCP policies for density transfer.

Gabriola Island Local Trust Area

Gabriola Island

- Climate change impacts are considered in staff reports.
- Providing for rainwater collection and storage, trail/path connections and dedication of 300+ acres of parkland.
- Development Approval Information (DAI) Bylaw amended (2013) to include option to address GHG emissions, anticipated energy usage, carbon emissions and groundwater resources in conjunction with bylaw amendment or TUP applications [Criteria for assessing OCP/LUB applications developed.
- Land Use Bylaw (parking regulations and Village DPA guidelines) amended to encourage public transit, smaller vehicles, non-polluting vehicles, and permeable parking surfaces and increase walkability.
- Land Use Bylaw amended to measure the footprint of buildings and structures from the interior walls instead of the outer perimeter of the foundation of the building, so increased insulation is encouraged, and to exclude cisterns from floor area calculation.
- Official Community Plan and Land Use Bylaw amended to encourage local food production.

Mudge Island

- Climate change impacts considered in staff reports.
- Land Use Bylaw amended to exclude from the calculation of lot coverage in the RR zone: cisterns and similar structures for rainwater collection and storage; fire-fighting towers; pervious paths, driveways and parking spaces; and garden beds.

DeCourcey Island

- Climate change impacts considered in staff reports.

Galiano Island Local Trust Area

- Climate change impacts considered in staff reports, and inclusion of a policy in the Land Use Policies section of the Official Community Plan applicable to consideration of all applications.
- Amendments to shoreline development permit area to include guidelines to consider and address sea level rise impacts.
- Changes to zoning regulations to permit small-scale renewable energy, specifically height regulations amended.

Gambier Island Local Trust Area

- Climate change impacts considered in staff reports.

Hornby Island Local Trust Area

- Climate change impacts considered in staff reports.
- Official Community Plan Water Supply Protection and Water Resource Protection Development Permit Area includes guidelines to protect water resources.
- Official Community Plan Community Service Use Development Permit Area includes guidelines to provide rainwater catchment and storage; and hydrology study.
- Official Community Plan Commercial Development Permit Area includes guidelines to maintain natural vegetation and reduce light pollution.
- Water storage tanks and wind turbines exempt from Land Use Bylaw height regulations.

Lasqueti Island Local Trust Area

- Climate change impacts considered in staff reports.

Mayne Island Local Trust Area

- Climate change impacts considered in staff reports.
- Zoning amended to exclude solar collectors, wind generators and water tanks from maximum height regulations.
- Geothermal heating systems permitted.
- Amendments to Land Use Bylaw to permit mixed use (second storey residential) in commercial zones.
- Zoning for employee accommodation in commercial resorts.
- Secondary suites permitted.

North Pender Island Local Trust Area

North Pender Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted.
- Temporary use permit guidelines amended to include climate change impacts.

North Pender Associated Islands

- Climate change impacts considered in staff reports.
- Shoreline DPAs include erosion provisions.

Salt Spring Island Local Trust Area

Salt Spring Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted in select areas.
- Amenity Zoning includes implementation of energy efficient building design criteria that exceeds that required by the B.C. Building Code or other regulations.
- Climate change considered when evaluating suitability of density transfer.
- Rezoning application supporting local food production and storage as a community amenity
- Coordination with local and provincial agencies regarding fresh water demand and supply in relation to climate change.
- Land use regulations require 15m setbacks from natural bodies of water; 1.5 m elevation above natural body of water.
- Pathways and bikeways dedication at time of subdivision as per OCP Cycle Route map.

- DAI Bylaw including development permit checklist (both are drafted but not yet implemented).

Piers Island

- Climate change impacts considered in staff reports.
- 3.0 m elevation of buildings required if within 30m of water body.

Prevost Island

- Climate change impacts considered in staff reports.

Saturna Island Local Trust Area

- Climate change impacts considered in staff reports.
- Geothermal heating permitted.
- Secondary dwelling units (secondary suites amendment in process).
- Sustainability checklist.
- TUP guidelines amended to include consideration of climate change impacts.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.
- Although not a Bill 27 requirement, LUB was amended to limit dwelling floor area and overall floor area on residential lots.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.

Thetis Island Local Trust Area

Thetis Island and Valdes Island

- Climate change impacts considered in staff reports.

Thetis Associated Islands

- Climate change impacts considered in staff reports.
- Land Use Bylaw definition of floor area excludes any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection.
- Land Use Bylaw permits the following uses in all zones: conservation; water supply facilities for the purposes of supplying potable or grey water on an individual island, including cisterns, reservoirs, pipes, treatment facilities, catchment and storage facilities and pumping and intake structures; solar collectors; wind turbines; and ocean geothermal loop exchange systems.
- Solar collectors are exempt from Land Use Bylaw height regulations.

Summary of Local Trust Committee Official Community Plan Policies that have yet to be implemented.

The following is a summary of Official Community Plan policies on climate change that have not yet been enacted in the land use bylaw regulations or through development permit areas. For actual wording of the policies, please consult that relevant official community plan bylaw.

Ballenas-Winchelsea Local Trust Area

- Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value.

Denman Island Local Trust Area

- Review zoning to ensure provisions encourage energy efficiency and the greenhouse gas emissions reduction in new construction.
- Review development permit area guidelines and incorporate provisions to promote energy conservation, water conservation and greenhouse gas emissions reduction.
- Encourage renewable energy, limit fossil fuel consumption, encourage energy-efficient and carbon-efficient building construction.

Gabriola Island Local Trust Area

Gabriola Island

- Consider new development permit area guidelines that promote low impact land uses, alternative transportation, energy conservation, water conservation, and the reduction of GHGs.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping both for their environmental values as well as carbon sequestration areas.
- Amend LUB to consider setbacks from the ocean in relation to sea level rise.

Mudge Island

- Establish climate change as a fundamental factor in land use decision making.
- Encourage on-island agriculture and sharing of local food production.
- Encourage all new construction be built at the highest possible energy-efficiency standards.
- Further policies and actions to be considered as part of a future review of the OCP.

DeCourcey Island

- Encourage on-island agriculture and the sharing of local food production.
- Encourage new construction built at highest possible standards to reduce energy needs.
- Specific policies and actions to be included in a future OCP review.

Galiano Island Local Trust Area

- Amendments to parking requirements to require alternatives to parking spaces.
- Requiring new development to utilize building technology that minimizes energy use.

Gambier Island Local Trust Area

Gambier Island

- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support protection of forest resources.
- Require water storage with every dwelling unit.

Gambier Associated Islands

- Support actions to minimize GHG emissions.
- Recognize importance of forested lands in removing carbon dioxide from the atmosphere.
- Consider potential impacts on global climate change and GHG reduction targets when considering applications.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Reduce extent of infrastructure (e.g. development of common docks).
- Zoning regulations should support small scale residential solar and wind power generation on residential lots.

Keats Island

- Promote use and development of renewable energy sources.
- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support cluster development appropriate for Keats Island.
- Encourage energy efficient buildings.
- Encourage use of alternative energy.
- Encourage water storage for every dwelling unit

Hornby Island Local Trust Area

- Develop criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.
- Encourage retention of forest cover except for the clearing of land for farming in the ALR.
- Limit size of buildings and opportunities for attached dwelling units and visitor accommodation units.
- Encourage green building techniques and alternative energy systems (solar, wind, geothermal, or water based) into residential housing.
- Encourage safe multi-use trails and bike lanes to facilitate non-motorized forms of travel.
- Encourage “climate wise” actions, including water conservation, storm water retention, the use of alternative energy sources for home use, and the use of alternative transportation methods.
- Support the local provision of services that residents presently travel off-island to access.
- Review LUB to provide for community gardens and community food processing and storage.
- Encourage local food production.

Lasqueti Island Local Trust Area

- Develop criteria for assessing OCP or zoning applications from the perspective of climate change adaptation and mitigation.
- Encourage energy conserving buildings.
- Encourage cycling and walking trails to permit non-automobile based forms of travel.
- Encourage water conservation and rainwater catchment.

Mayne Island Local Trust Area

- Permitting attached dwellings.
- DPA to manage lot layout.
- DPA for energy conservation.
- Amendments to amenity zoning and density transfer policies.

North Pender Island Local Trust Area

North Pender Island

- A review of overall development potential to consider amendments to zoning where changes could limit or reduce emissions.
- Permitting attached dwellings.
- Amending parking requirements.
- DPA to manage subdivision layout (conservation subdivision design project started but later abandoned by LTC).
- Second storey residential over commercial.
- Requiring cisterns or other water conservation measures in new development.
- Permitting community wood chipping or composting.
- Amend existing DPA to include energy conservation provisions.

North Pender Associated Islands

- Specific policies and actions to be included in a future review of the plan.

Salt Spring Island Local Trust Area

Salt Spring Island

- Calculation of carbon budget at time of rezoning or demonstrated conformity with LEED or similar.
- GHG or energy efficiency specific DPA.
- Amend fees bylaw to support energy efficient building design.
- Mapping and analysis to anticipate potential impacts of climate change on land use.
- Height relaxation for solar and wind power generation on residential lots.

Piers Island

- In progress of updating OCP for Climate Change.

Prevost Island

- No policies on climate change – bylaw requires updating

Saturna Island Local Trust Area

- Amending zoning to allow mixed use, including second storey residential in commercial designation.
- Amending parking requirements.
- Include energy conservation measures in DPA.
- Implement DPA for lot layout and tree removal.
- Permitting attached dwellings.
- Limit floor area of dwellings.

South Pender Island Local Trust Area

- Permit community gardens.

Thetis Island Local Trust Area

Thetis Island

- Develop new criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.

- Promote land use that supports local food production to reduce food transportation costs and GHGs.
- Support new forms of housing that include clustering and zero emission housing.
- Encourage local, small-scale generation of alternative non-polluting energy sources.
- Regulate the size, siting and height of wind turbines to minimize environmental impacts and safety risks.

Thetis Associated Islands

- Consider the potential impacts on climate change GHG emissions in bylaw provisions and review of development applications.
- Identify significant un-fragmented forest and wetland ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Through bylaw provisions, support residential renewable energy (e.g. micro hydro, solar, wind, waste heat, etc.) use.
- Promote the conservation of forested lands and wetlands as a cost effective and important climate change mitigation strategy.

Valdes Island

- Establish climate change as a fundamental factor in land use decision-making.
- Policies and actions with respect to climate change mitigation will be considered as part of a future review of the Rural Land Use Bylaw.



Updated: Oct 17, 2019

SATURNA ISLAND LOCAL TRUST COMMITTEE

DRAFT NOTICE OF 2020 BUSINESS MEETINGS

THE LTC HAS _____ THE FOLLOWING DATES FOR ITS 2020 MEETING SCHEDULE. MEETINGS ARE SUBJECT TO CHANGE. PLEASE VISIT THE SATURNA LTC WEBSITE FOR UP-TO-DATE SCHEDULE INFORMATION. THE LTC WILL MEET ON THE PREFERRED THIRD THURSDAY OF EACH MONTH @12:30 P.M. or 1:00 PM UNLESS OTHERWISE NOTED**

February 14, 2020	Time: 12:30 p.m. Location: TBC – Community Hall
May 15, 2020	Time: 1:00 p.m. Location: TBC – Recreation Centre
July 9, 2020 (2 nd Thursday)	Time: 12:30 p.m. Location: TBC – Community Hall
October 15, 2020	Time: 1:00 p.m. Location: TBC – Recreation Centre

These are regular business meetings of the Local Trust Committee, where they will consider items such as bylaws, applications, and correspondence.

ALL MEETINGS ARE OPEN TO THE PUBLIC

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Email: information@islandstrust.bc.ca
Phone: 250-405-5151