



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: July 18, 2019
Time: 1:00 pm
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

			Pages
1.	CALL TO ORDER	1:00 PM - 1:30 PM	
2.	APPROVAL OF AGENDA		
3.	TRUSTEE REPORT		
4.	CHAIR'S REPORT		
5.	TOWN HALL AND QUESTIONS		
6.	COMMUNITY INFORMATION MEETING	1:30 PM - 1:45 PM	
6.1	Saturna Island Local Trust Committee Bylaw No. 127		
7.	PUBLIC HEARING	1:45 PM - 2:15 PM	
7.1	Recess for Public Hearing		
7.1.1	<u>Saturna Island Local Trust Committee Bylaw No. 127</u>		
7.2	Recall to Order		
8.	MINUTES	2:15 PM - 2:30 PM	
8.1	Local Trust Committee Minutes Dated May 9, 2019 (for information)		4 - 15
8.1.1	<u>Public Hearing Record Dated May 9, 2019 (for receipt)</u>		16 - 17
8.2	Section 26 Resolutions-without-meeting Report Dated July 2019 (attached)		18 - 18
8.3	Advisory Planning Commission Minutes		
	none		

9.	BUSINESS ARISING FROM THE MINUTES	
9.1	Follow-up Action List Dated July 2019	19 - 20
10.	DELEGATIONS	
	none	
11.	CORRESPONDENCE	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
	none	
12.	APPLICATIONS AND REFERRALS	
	none	
13.	LOCAL TRUST COMMITTEE PROJECTS	2:30 PM - 3:15 PM
13.1	Commercial Vacation Rental Implementation - Bylaw No. 127 - Staff Memo (attached)	21 - 28
	For further consideration	
13.2	First Nations Relationship Building - Project Charter (attached)	29 - 31
13.3	Land Use Bylaw Technical Amendments re: Density Transfer - Bylaw 126 - Staff Memo (attached)	32 - 35
	for further consideration	
14.	REPORTS	3:15 PM - 3:30 PM
14.1	Work Program Reports (attached)	
14.1.1	<u>Top Priorities Report dated July 2019</u>	36 - 36
14.1.2	<u>Projects List Report Dated July 2019</u>	37 - 37
14.2	Applications Report Dated July 2019 (attached)	38 - 40
14.3	Trustee and Local Expense Report Dated May 2019 (attached)	41 - 41
14.4	Adopted Policies and Standing Resolutions (attached)	42 - 44
14.5	Local Trust Committee Webpage	
14.5.1	<u>Islands Trust Policy Statement Review Engagement - Discussion</u>	
14.6	Islands Trust Conservancy Report Dated May 2019 (attached)	45 - 48

15. NEW BUSINESS

- | | | |
|------|--|---------|
| 15.1 | Saturna Island LTC BEN Bylaw No. 128 - Staff Report (attached) | 49 - 62 |
| 15.2 | Cell Tower Model - Briefing (attached) | 63 - 64 |
| 15.3 | Southern Resident Killer Whale Recovery Strategy (for discussion) | |
| 15.4 | Secondary Suites - Potable Water Source (for discussion) | |
| 15.5 | LTC Standards for Quality and Quantity of Drinking Water / Subdivision Approval (discussion) | |

16. UPCOMING MEETINGS

- | | |
|------|--|
| 16.1 | Next Regular Meeting Scheduled for October 24, 2019, at the Community Hall, Saturna Island |
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17. TOWN HALL

18. CLOSED MEETING (Distributed Under Separate Cover)	3:30 PM - 3:45 PM
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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 March 7, 2019*
- *Advisory Planning Commission*
- *Bylaw Enforcement Update*

AND that the recorder and staff attend the meeting.

18.2 Recall to Order

18.3 Rise and Report

19. ADJOURNMENT	3:45 PM - 3:45 PM
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ADOPTED



Saturna Island Local Trust Committee

Minutes of Regular Meeting

Date: May 9, 2019
Location: Saturna Island Community Hall
105 East Point Road, Saturna Island, BC

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

Staff Present: Gary Richardson, Island Planner
Miles Drew, Bylaw Compliance and Enforcement Manager
Brad Smith, Island Planner
Ruth Daber, Recorder

Public: There were approximately (8) members of the public

1. CALL TO ORDER

Chair Laura Patrick called the meeting to order at 12:33 p.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Chair Patrick introduced herself, the Saturna Local Trustees, the Planner and Recorder.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

Under Projects: Ground Water Sustainability Project.

Under New Business: Southern Resident Killer Whale Recovery Strategy.

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

Chair Patrick invited public comments and questions.

Priscilla Ewbank asked if the Islands Trust has tools or jurisdiction regarding private landowners clear cutting given a very dry May, climate change and the distinction between clear-cutting and sustainable cutting.

Chair Patrick expressed concern about the growing urgency of the issue. She referred to the Coastal Douglas Fir tool kit specific to eco system protection and mentioned appealing to the

province to think about the islands differently and that other islands are feeling the same pressure.

Pat Carney asked for clarification of the Islands Trust's relationship with indigenous reserve lands, pointing out the risk of fire following the recent clear-cut and slash on the ground.

It was clarified that the Islands Trust has no authority over federally administered reserve lands.

Pat Carney enquired about the lead agency for Saturna Island in an emergency.

4. COMMUNITY INFORMATION MEETING

4.1 Secondary Suites - Bylaws 124 and 125

Planner Richardson explained the history and content of proposed bylaws 124 and 125.

Chair Patrick invited questions:

John Money asked if a secondary suite becomes another household/a separate water licence.

Priscilla Ewbank asked for clarification regarding East Point.

Planner Richardson referred to a bylaw map on page 23 and explained that the black area is where secondary suites are not permitted due to saltwater intrusion concerns.

Pat Carney asked to clarify who approves secondary suites.

It was noted that CRD is responsible for specific building code requirements for legal secondary suites.

5. PUBLIC HEARING

5.1 Saturna Island Local Trust Committee Bylaw 124 - OCP Amendment 3, 2018 AND Saturna Island Local Trust Committee Bylaw 125 - LUB Amendment 1, 2018

Public Hearing binder under separate cover.

6. MINUTES

6.1 Local Trust Committee Minutes Dated March 7, 2019 (for information)

Received for information.

6.2 Section 26 Resolutions-without-meeting Report Dated May 2019 (for information)

Received for information.

6.3 Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated May 2019

Planner Richardson summarised the Follow Up Action List (FUAL)

Trustee Brent requested for efficiency to not be sent bylaw referrals from adjacent LTCs that are not relevant.

SA-2019-017

It was Moved and Seconded,

that Saturna Local Trust Committee no longer wishes to receive bylaw referrals from adjacent local trust committee areas unless the planner deems it in the interest of the LTC to review and comment on a specific referral.

CARRIED

8. DELEGATIONS

None

9. CORRESPONDENCE

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

10. APPLICATIONS AND REFERRALS

10.1 SA-RZ-2019.1 (Money) - Staff Report

Planner Richardson reviewed the staff report about the rezoning of land around Money Lake. He advised that the application is to allow residential density on water shed lands. This application conflicts with several policies of the Saturna Official Community Plan. He recommended that this application not proceed.

The applicant, John Money, commented on the follows:

- Disagreed with the planning report ;
- Proposed two lots with density and giving the watershed to the community;
- Current zoning allows forestry related buildings; potentially a logging camp;
- Selling the land would be an uncertain future for the property; and
- The proposal is a way to protect watershed.

Chair Patrick invited comments from the audience and discussion included:

- Proceed no further with this application;
- Get more information/clarify facts;
- Include community in the process;
- Opposition to logging a watershed and living in a watershed;
- Consider other options of preserving the land; and
- Concern about climate change.

John Money explained that 25 acres of land around the lake would be gifted in the proposal and offered to provide additional densities from other land holdings on Saturna island.

Trustees discussed the following:

- The significant offer was acknowledged;
- The application is a potential way to protect the area from clear cutting; could be a potential protective benefit with details to be worked out.

Pat Carney recommended a new application that clarifies boundaries and adequate watershed protection and pointed out the existing easement for the protection of the reservoir.

John Money indicated his interest in seeing the land go to CRD and Parks Canada who are already working together.

Trustees raised the following points:

- The current application is not supported and needs to be modified, providing densities as a primary step;
- The conditions for proceeding with the application includes: correct accounting of densities, better understanding of watershed protection and the potential benefit to the community.

John Hutchinson commented on the logging aspect of the application, septic/leach field impact, as well as drilling a well into current water resources.

John Money added that his water rights on the lake will go with the amenity.

SA-2019-018

It was Moved and Seconded,

that Saturna Island Local Trust Committee receive the application and for the planner to work with the applicant and review the OCP policies to determine if proceeding with the application is appropriate.

CARRIED

Trustee Middleton supported the LTC endorsing a strategy that sees the community get the lake, dam, attached lot and the applicant's remaining water rights in Money Lake. He hoped that Parks Canada would purchase the remainder of the lands which is the watershed.

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Saturna Island Local Trust Committee Secondary Suite Bylaws 124 and 125 - Staff Report (for further consideration)

Chair Patrick advised there not be any further discussion due to the public hearing earlier.

SA-2019-019

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as
“Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018”
be read a Second time.

CARRIED

Trustee Middleton asked to note the scientific source of the saltwater intrusion
vulnerability mapping which Planner Richardson confirmed is to be cited.

SA-2019-020

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as
“Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be read a
Second time.

CARRIED

SA-2019-021

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as
“Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018”
be read a Third time.

CARRIED

SA-2019-022

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as
“Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be read a
Third time.

CARRIED

SA-2019-023

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as
“Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018”
be forwarded to the Secretary of the Islands Trust for Executive Committee
Approval.

CARRIED

SA-2019-024

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as
“Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be forwarded
to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

SA-2019-025

It was Moved and Seconded,

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be forwarded to the Minister of Municipal Affairs and Housing.

CARRIED

11.2 Density Transfer - Saturna Island LTC Bylaw No. 126 - Staff Report (for further consideration)

Planner Richardson explained the purpose of the bylaw.

SA-2019-026

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 read a Second time.

CARRIED

SA-2019-027

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 read a Third time.

CARRIED

SA-2019-028

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 forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

CARRIED

11.3 Commercial Vacation Rentals – Saturna Island LTC Draft Bylaw 127 – Staff Report

Planner Richardson explained the draft bylaw and the amendments that were made based on previous direction given by the LTC.

SA-2019-029

It was Moved and Seconded,

that Saturna Island Local Trust Committee Draft Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” be read a first time.

CARRIED

SA-2019-030

It was Moved and Seconded,

that the Saturna Island Local Trust Committee direct staff to schedule a public hearing for Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019”.

CARRIED

SA-2019-031

It was Moved and Seconded,

that the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” is not contrary or at variance with the Islands Trust Policy Statement.

CARRIED

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated May 2019

Chair Patrick referred to the listed priorities and the added item: Ground Water Sustainability Project. Reference was made to an email communication about the project. It was indicated as the highest priority for Saturna and the other Southern Gulf Islands.

SA-2019-032

It was Moved and Seconded,

that the Saturna LTC replace Secondary Suite Review with Groundwater Sustainability Project on the top priorities list.

CARRIED

SA-2019-033

It was Moved and Seconded,

that the Saturna Island Local Trust Committee be part of the Groundwater Sustainability Project.

CARRIED

SA-2019-034

It was Moved and Seconded,

that the Saturna Local Trust Committee direct staff to request that Saltwater Intrusion Vulnerability Mapping be placed on a Trust Council agenda for discussion.

CARRIED

12.1.2 Projects List Report Dated May 2019

Received for information.

12.2 Applications Report Dated May 2019

No questions or comments.

12.3 Trustee and Local Expense Report Dated February 2019

Received for information.

12.4 Adopted Policies and Standing Resolutions

It was stated that a new standing resolution was added today regarding bylaws being referred to the Saturna LTC from adjacent LTCs.

12.5 Local Trust Committee Webpage

No comments were made.

12.6 Trustee Report

Trustee Middleton reported on the following:

- The Southern Resident Killer Whale Recovery Strategy to support these species at risk from the LTC level.
- It is called a voluntary bylaw, for freighters to reduce speed in the area from May to October and to connect with the Local Trust areas of North Pender, South Pender and Mayne to cover critical habitat.

Trustee Brent credited this project to Trustee Middleton's efforts.

Trustee Brent reported on the following:

- A meeting at Poets Cove under the Community Resource Centre that included First Nations, CRD and Islands Trust people.
- Being on the executive (Acting President) of the Community Resource Centre, an initiative that started last year that is looking at developing educational programs with First Nations.
- Explains that they plan to put on courses outside normal tourist times; provide information with an indigenous perspective on protecting the Salish Sea environment and travelling through the Southern Gulf Islands, with lectures

including: residential school, Douglas Treaty and furthering relationships with First Nations.

- He considered it a great way to engage, build relationships with a common goal.
- First Nations are interested and this is a great way to build relationships and implement reconciliation and healing.
- Initiative to do senior education for computers, assisting young people for job interviews, assisting organisations to attract volunteers and having funding for tourism.
- There was mention of funds of \$90,000 dollars and going to see a Community Resource Centre representative on Saturna Island and the other islands for some time.

12.7 Chair's Report

Chair Patrick reported on the declaration of climate emergency which gives permission to think more aggressively. There will be more conversations in June.

Islands Trust made a Reconciliation Declaration and which she read out.

12.8 Islands Trust Conservancy Report Dated March 2019

Chair Patrick mentioned Trust Conservancy is seeking more funding to purchase more land as a key focus for the next term.

13. NEW BUSINESS

13.1 Annual Report

SA-2019-035

It was Moved and Seconded,

that Saturna Island Local Trust Committee endorse the 2018-2019 Annual Report as drafted.

CARRIED

13.2 Unlawful Short-Term Vacation Rental Enforcement Policy - Staff Report

Bylaw Compliance and Enforcement Manager (BCEM) Drew pointed out that there was a standing resolution directing staff to take proactive enforcement of unlawful STVRs. He noted that in his experience authorised suites often become STVRs rather than affordable housing and cautioned about the negative impacts. He explained that the proposal is an updated version and differentiated between commercial use versus family and friends' use and that the policy can potentially prevent intervention.

Trustees raised the following points:

- The shortage of accommodation for 30+ people for an event;
- The uniqueness of Saturna Island needs to be reflected by its policies;
- Favoured the alternatives on page 68 of the staff report;
- Legal action could be taken against misuse

In response to trustee comments, BCEM Drew explained:

- That a temporary use permit makes the STVR lawful;
- Referred to Hornby Island as an example;
- In absence of enforcement there is no compliance;
- The alternatives are not proactive enforcement;
- The recommended enforcement policy prevents enforcement from taking place unless one of the criteria for enforcement exists;
- Bylaws could be amended to have legal opportunities that also satisfy the need for accommodation;
- The ticketing bylaw has been successful on Mayne Island;
- Without the enforcement regime the TUP guidelines for STVRS are not effective;
- An enforcement regime deals with enforcement by complaint;
- Proactive enforcement already exists on Saturna Island;
- To comply, the current procedure would be slow by court order with a 30-40k dollar cost and that a ticketing system would be fast and issue a 500 dollar fine; and
- Ticketing has reduced the legal fees a lot.

Comments from the public included:

- Past and potential noise issues in residential areas were highlighted;
- A considerate relationship with the “green bus” business was supported;
- Renters increase the water usage substantially;
- Deal with inconsiderate usage; and
- An example was cited where owner rented to maximum occupancy leading to five documented water danger issues in past 16 months.

SA-2019-036

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.

CARRIED

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.

CARRIED

13.3 Policy Statement Amendment Process - Staff Report

Trustee Brent expressed concern about the initial title “2099: The Future of the islands in the Salish Sea” as being too far reaching, as well as the limitations attached to and the alternatives action offered, and that configured would be a waste of staff, resources and time.

Trustee Middleton expressed concern on the following points:

- At the scope of the project, in terms of the amount of staff time that would be involved on a project; it did not appear to have a clear benefit statement for the community;
- In light of some other activities that the Trust desperately needs to undertake, it seems wise to scale back the scope of the policy review or better articulate the benefit to the local community in a way that lets members of the community see the Trust is in fact proactively acting on the mandate.

SA-2019-038

It was Moved and Seconded,

that the Saturna Island Local Trust Committee table the Policy Statement Amendment Process.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for July 18, 2019, at 1:00 p.m., at the Recreation and Cultural Centre, Saturna Island

15. TOWN HALL – N/A

16. CLOSED MEETING

The closed meeting was postponed to the July meeting as it was not considered urgent.

17. ADJOURNMENT

The meeting was adjourned at 4:06 p.m.

SA-2019-039

It was Moved and Seconded,

to adjourn the meeting.

CARRIED

Laura Patrick, Chair

Certified Correct:

Ruth Daber, Recorder

**Saturna Island Local Trust Committee
Record of a Public Hearing
Re: Proposed Bylaws No 124 & 125**

Date: May 9, 2019

Location: Saturna Community Hall
105 East Point Road, Saturna Island, BC

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

Staff Present: Gary Richardson, Island Planner
Ruth Daber, Recorder
Miles Drews, Bylaw Compliance and Enforcement Manager
Brad Smith, Island Planner

Others Present: There were approximately 8 members of the public.

**5.1 Saturna Island Local Trust Committee Bylaw 124 - OCP Amendment 3, 2018 AND
Saturna Island Local Trust Committee Bylaw 125 - LUB Amendment 1, 2018**

Chair Patrick, called the Public Hearing to order at 1:17 p.m. She read a formal statement outlining the content, purpose and process of the Public Hearing.

Chair Patrick opened the floor to questions and comments.

John Hutchinson spoke in favour of secondary suites and the bylaws to be a good start.

John Money spoke in favour of secondary suite, but said the map needed work to follow the lines of the water system.

Pat Carney expressed that the map is not clear enough.

Priscilla Ewbank expressed concern about the water reserve recharge capability and increased use of water.

Pat Carney comments on the water system got designed when water use was less and asked to keep in mind currently undeveloped lots that need to be considered for future water use.

Planner Richardson clarified that the map and lines are based on lot lines.

John Hutchinson mentioned that it is clear what areas are out, but that there is dispute about what is out and the map itself and that we should not delay the overall process.

Chair Patrick called three times for further comments; hearing none, she closed the Public Hearing at 1:29 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

Print Date: July 10, 2019

Saturna Island

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2019-02	In Favour	THAT Saturna Island Local Trust Committee Bylaw No. 126 cited as "Saturna Island Land Use Bylaw No. 119, 2018, Amendment No.1, 2019" be read a first time.	17-Apr-2019
2019-03	In Favour	THAT the requirement for a Public Hearing for Saturna Island Local Trust Committee Bylaw No. 126 cited as "Saturna Island Land Use Bylaw No. 119, 2018, Amendment No.1, 2019" be waived.	17-Apr-2019
2019-04	In Favour	THAT Saturna Island Local Trust Committee adopt their March 7, 2019, Local Trust Committee Draft Meeting Minutes as amended.	23-Apr-2019
2019-05	In Favour	THAT Saturna Island Local Trust Committee adopt their May 9, 2019, Local Trust Committee Draft Meeting Minutes as amended.	09-Jul-2019



Follow Up Action Report

Saturna Island

07-Mar-2019

Activity	Responsibility	Dates	Status
1 Create policy regarding bylaw referrals from adjacent Trust Committees. Place in adopted policy report. Re-post to web-page.	Gary Richardson Sharon Lloyd-deRosario	Target: 12-Jun-2019	In Progress

09-May-2019

Activity	Responsibility	Dates	Status
1 SA-RZ-2019.1 (Money) - staff to work with applicant regarding revised application (transfer of residential density for two of the proposed lots) and prepare report for LTC consideration at July 18, 2019 LTC meeting.	Gary Richardson	Target: 14-Jun-2019	In Progress
2 SILTC Bylaws 124 and 125 - update showing readings (Done) and prepare for executive consideration. Forward to Minister of Municipal Affairs and Housing.	Gary Richardson Sharon Lloyd-deRosario	Target: 14-Jun-2019	Completed
3 SILTC Bylaw 126 (Density Transfer) - update showing readings (Done) and prepare for executive committee consideration.	Gary Richardson Sharon Lloyd-deRosario	Target: 14-Jun-2019	Completed
4 SILTC Annual Report - Approved as drafted.	Robert Kojima		Completed
5 SILTC Bylaw 127 (Commercial Vacation Rental OCP amendment) - refer bylaw to First Nations and Agencies - Done - Phil T. to do PH notice - update showing first reading and schedule public hearing for July 18 - Done	Sharon Lloyd-deRosario	Target: 07-Jun-2019	Completed

Follow Up Action Report

Saturna Island

09-May-2019

Activity	Responsibility	Dates	Status
6 Unlawful Short-Term Vacation Policy - adopted as amended.	Gary Richardson Sharon Lloyd-deRosario	Target: 14-Jun-2019	Completed
7 Policy Statement Amendment process - LTC tabled item, want to discuss further before making decision.	Andrew Templeton Gillian Nicol		Completed
8 Groundwater Sustainability Project - 1.That the Saturna Island Local Trust Area be included in project - DONE 2.That the SILTC work program priorities to be amended by making the Groundwater Sustainability Project a Top Priority - DONE 3.That a Project Charter to be prepared for July 18 LTC Meeting.	Robert Kojima William Shulba	Target: 04-Jul-2019	In Progress
9 In camera agenda and items deferred - to be placed on July 18, 2019 agenda.	Sharon Lloyd-deRosario		Completed
10 Prepare BEN ticketing bylaw for LTC consideration.	Miles Drew Warren Dingman		Completed
11 Place topic of saltwater intrusion vulnerability mapping on Trust Council agenda for discussion.	Gary Richardson		Completed

File No.: 6500-20 (STVR Review)

DATE OF MEETING: July 18, 2019

TO: Saturna Island Local Trust Committee

FROM: Gary Richardson, Island Planner
Victoria Office

SUBJECT: Proposed Bylaw 127 (OCP) – Commercial Vacation Rental Guideline Implementation – Saturna Island Local Trust Area

RECOMMENDATION

1. 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.
2. 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.
3. 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.
4. 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.

REPORT SUMMARY

Proposed Bylaw 127 amends the Saturna Island OCP by adding Commercial Vacation Rental (CVR) guidelines for issuance of Temporary Use Permits (TUP) in the Saturna Island Local Trust Area. The bylaw also contains amendments to the TUP section of the OCP to comply with current legislation.

This report recommends steps to be taken following public hearing.

BACKGROUND

STVR is a term commonly used to describe the commercial rental of dwellings to paying guests for a period of time generally less than a month. Currently, the Land Use Bylaw defines STVRs as a permitted home occupation use in cottages in residential zones. The more commonly used term applies to the use of any residence (not just a cottage) as a vacation rental.

Proposed Bylaw 127 amends the OCP to include guidelines for Temporary Use Permits for vacation rentals in other residences, the current home occupation option would remain as an outright permitted use. In order to

provide certainty with respect to the existing cottage option, staff have drafted the proposed TUP guidelines to use a different terminology - “commercial vacation rental”. The definition of commercial vacation rental will be included in the TUP guidelines.

Temporary Use Permits are a mechanism by which a local government can permit a use that is not otherwise permitted in a zone by issuing a permit for up to three years, renewable for an additional three years.

LTC Resolutions

This issue was identified as a Work Program Priority by Resolution-Without-Meeting **January 2019** and endorsed a project charter.

The LTC reviewed a staff report regarding proposed CVR guidelines at its **March 7, 2019** LTC meeting and passed the following resolutions:

SA-2019-014

that Saturna Island Local Trust Committee direct staff prepare a bylaw, to amend the Saturna Island Official Community Plan No. 70, 2000, to incorporate guidelines as amended regarding the issuance of Temporary Use Permits for Commercial Vacation Rentals.

SA-2019-015

It was Moved and Seconded,

that Saturna Island Local Trust Committee direct staff to update the Temporary Use Permit section of the Saturna Island Official Community Plan No. 70, 2000 with respect to current legislation.

At the **May 9, 2019** meeting, the LTC passed the following resolutions:

SA-2019-029

It was Moved and Seconded,

that Saturna Island Local Trust Committee Draft Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” be read a first time.

SA-2019-030

It was Moved and Seconded,

that the Saturna Island Local Trust Committee direct staff to schedule a public hearing for Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019”.

SA-2019-031

It was Moved and Seconded,

that the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” is not contrary or at variance with the Islands Trust Policy Statement.

There have been various staff reports prepared summarizing this project and the LTC’s options for implementation (available on the Saturna Island LTC webpage).

Statutory notification has been carried out by posting and publication of the public hearing notice for the public hearing scheduled for July 18, 2019.

Public Hearing Process

A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding to the Minister of Municipal Affairs and Housing for approval.
5. Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

TUPs can presently be considered by the LTC for most areas within the Saturna Island Local Trust Area, staff is recommending approval of proposed bylaw 127 as it improves the TUP section of the OCP by establishing guidelines for potential TUP applications for CVRs.

Having guidelines in place provides certainty for applicants, the community, staff and the LTC that when a TUP application is reviewed it will be reviewed using a known set of guidelines. Presently there are no guidelines in place in the Saturna OCP regarding the issuance of CVRs.

Also proposed Bylaw 127 contains amendments to the TUP section of the OCP so that it is consistent with current legislation. This amendment is recommended as it brings the TUP section up to date regarding current legislation so that when staff, public and LTC refer to the OCP they are getting accurate information.

NEXT STEPS

- Forward the proposed bylaw to the Executive Committee of the Islands Trust for approval.
- Forward the Bylaw to the Minister of Municipal Affairs and Housing for approval.
- Place on future LTC agenda for adoption.

Submitted By:	Gary Richardson, Island Planner	July 9, 2018
Concurrence:	Robert Kojima, Regional Planning Manager	July 10, 2019

ATTACHMENTS

1. Proposed Bylaw 127

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 127

A BYLAW TO AMEND SATURNA ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 70, 2000

The Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2019".

2. SCHEDULES

Saturna Island Official Community Plan No. 70, 2000 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	9 TH	DAY OF	MAY	2019
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 127**

SCHEDULE 1

The Saturna Island Official Community Plan No. 70, 2000, is amended as follows:

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2018" is amended by deleting Part H (Temporary Commercial and Industrial Use Permits) in its entirety and replacing it with the following:

"PART H - TEMPORARY USE PERMITS

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

Objectives for Issuing Temporary Use Permits

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

Permit Guidelines

- H.1.2** Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- H.1.3** Permitted uses should be consistent with the policies of the designation and the provisions of H.1.1.
- H.1.4** Permitted uses should not preclude or compromise future permitted uses on the affected lot.
- H.1.5** Uses should not be allowed if they conflict with any ongoing planning policies or programs.
- H.1.6** Permit conditions must make reference to measures dealing with the following points:
- a) general activity levels that will not create any disturbance apparent beyond the property's boundaries;
 - b) adequate landscape buffering or distance separation to adjacent lots;
 - c) provision of off-street parking spaces consistent with regulatory bylaws;
 - d) reclamation measures that will restore the permit area to suitability for its designated primary use; and
 - e) adequate supervision of the site.

- H.1.7** In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.
- H.1.8** Campsites may be permitted provided there is adequate supervision to a maximum density of 2 campsites per acre on properties of at least 2.02 hectares (5 acres).
- H.1.9** All individual campsites will have walk-in access only with no vehicle access directly to the site.
- H.1.10** In reviewing applications and establishing permit conditions, the Local Trust Committee should consider the climate change impacts of the proposed use.
- H.1.11** In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a temporary use permit for a commercial vacation rental:
- a) For the purpose of a temporary use permit, “commercial vacation rental” means the use of a residence as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier;
 - b) The Local Trust Committee should consider the cumulative effects on the neighbourhood and Island of all the temporary use permits issued for commercial vacation rentals;
 - c) The Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence;
 - d) The Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening;
 - e) The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use. A pump test or other report may be requested in the application process. Where there is inadequate groundwater, a rainwater catchment system may be required as a condition of the permit. If the lot is served by a community water system, the application should be referred to the water system operator for approval.
 - f) A temporary use permit for a CVR on a parcel in the Agricultural Land Reserve may require approval of the Agricultural Land Commission.
- H.1.12** In addition to the above requirements any TUP issued for CVR use should:
- a) restrict advertising to one unilluminated sign, with a maximum area;
 - b) demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles;
 - c) require that the owner or other contact be available on Saturday by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit;
 - d) require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager’s phone number,

and a copy of the temporary use permit;

- e) require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage of garbage, septic care and control of pets (if pets are permitted), and remind guests that the property is located in a residential area;
- f) establish a maximum number of occupants;
- g) prohibit camping or occupancy of RVs on the property;
- h) prohibit outdoor fires;
- i) require the landowner/operator to post for guests emergency service contact information;
- j) require the landowner/operator to post contact information and permit information at the entrance to the property;
- k) require that a water licence for commercial use is to be obtained from prior to commencing the use; and
- l) ensure that there is legal access to the property where the CVR use is to be carried out. In the case of a shared access permission from all the property owners with an interest in the access be required.

File No.: 6500-20-First Nations
Relationship Building - OCP
Amendment

DATE OF MEETING: July 18, 2019
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
SUBJECT: First Nations Relationship Building - OCP Amendment
Location: Saturna Island Local Trust Area

RECOMMENDATION

1. 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.

REPORT SUMMARY

The purpose of this report is to present the Saturna LTC with a project charter that will advance the current LTC project priority regarding First Nations relationship building.

BACKGROUND

This issue was identified as a Work Program Priority at the September 16, 2016 LTC meeting.

The attached project charter has been prepared to advance this project with the objective of amending the Saturna OCP to reflect First Nations presence on Saturna Island. This project is consistent with the recently adopted Islands Trust Reconciliation Declaration.

The project will require substantial First Nations engagement and the budget reflects this requirement.

Rational for Recommendation

Staff is recommending the draft project charter as it provides a framework and timeline for the review and completion of this LTC project. Also the project charter is consistent with and supports the recent Reconciliation Declaration adopted by Trust Council.

ALTERNATIVES

1. Request amendments

LTC can request project charter to be amended prior to proceeding.

NEXT STEPS

- 1) Staff to research First Nations wording in other OCPs.
- 2) Draft OCP language to be prepared for review by the LTC at its October 24, 2019 LTC meeting.

Submitted By:	Gary Richardson, Island Planner	July 10, 2019
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ATTACHMENTS

1. Project Charter

First Nations Relationship Building - Charter v2

Saturna Island Local Trust Committee

Date: July 10, 2019

Purpose: To continue to build meaningful relationships with First Nations with an interest in Saturna Island.

Background: The Saturna Local Trust Committee (LTC) initiated a project as one of their top priorities to allow for a project that facilitates a long term First Nations relationship building program that reflects a thriving and sustainable relationship with First Nations.

At present Saturna LTC wishes to bring OCP language up to date to be inclusive of reconciliation and First Nations acknowledgement and understanding. In support of the principles of United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation Commission of Canada (TRC).

Objectives

- Amend Saturna OCP to reflect First Nations presence on Saturna Island, as per the Islands Trust Reconciliation Declaration.

In Scope

- Research First Nations History on Saturna Island with the goal of preparing mapping and place names recognition
- Prepare text amendments to the OCP recognizing First Nations acknowledgement on Saturna Island

Out of Scope

- Research and comment on First Nations heritage designations
- Extraordinary research
- Land Use Bylaw amendments
- Initiate a process with CRD to discuss on-island signage

Workplan Overview

Deliverable/Milestone	Date
1) Research First Nations wording in other OCPs	July/August 2019
2) Prepare draft OCP First Nations Language for review	September 2019
3) Prepare report, recommended OCP amendments, and referrals to First Nations	October—February 2019
4) Schedule a CIM	February/March 2020
5) Prepare draft OCP amendment bylaw and final staff report for LTCs consideration	April/May 2020
6) Public hearing for OCP amendment bylaw	June/July 2020

Project Team

Gary Richardson, Island Planner	Project Manager
Lisa Wilcox	Senior Intergovernmental Policy Advisor
Sharon Lloyd-deRosario	Admin Support
Maple Hung	Admin Support

RPM Approval:

Robert Kojima

Date: July 10, 2019

LTC Endorsement:

Resolution #:

Date:

Budget

Budget Source:

Fiscal	Item	Cost
2019/2020	First Nations Engagement	3000.00
2020-21	Public Hearing	TBD
	Total	3000.00



File No.: 6500-20 (Density Transfer)

DATE OF MEETING: July 18, 2019
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Proposed Bylaw 126 (LUB) – Density Transfer

RECOMMENDATION

1. 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.

REPORT SUMMARY

Proposed Bylaw 126 amends the Saturna Island Land Use Bylaw to incorporate an amendment previously adopted by the LTC into the new LUB. It includes regulations to accomplish a transfer of subdivision potential from one lot to another. This report recommends that proposed Bylaw 126 be adopted.

BACKGROUND

This issue was identified in a review of the new Land Use Bylaw for Saturna Island “Saturna Island Land Use Bylaw 119, 2018”. The new LUB (Bylaw 119) did not include a bylaw amendment (Bylaw 118) that had amended the previous Land Use Bylaw for Saturna Island “Saturna Island Land Use Bylaw No. 78, 2002”. This bylaw (Bylaw 126) corrects that oversight.

As per s. 462(2) of the *Local Government Act* the public hearing requirement for proposed Bylaw 126 was waived. The proposed bylaw is consistent with the Saturna Island Official Community Plan. A public hearing was not held as the amendment to the previous LUB was subject to all statutory requirements including a public hearing. This proposed bylaw is re-enacting an amendment that has previously been made.

The Executive Committee approved the bylaw on July 3, 2019.

The next step for the LTC would be to consider adoption of proposed bylaw 126.

Rationale for Recommendation:

Staff is recommending that proposed bylaw 126 be considered for adoption as the bylaw corrects an oversight and re-enacts an amendment that was previously made to carry-out a transfer of density.

The LTC can consider adoption as statutory notification has been carried out; and the Executive Committee has approved the bylaw.

NEXT STEPS

- Consolidate the amendment into the Saturna Island Land Use Bylaw 119, 2018.

Submitted By:	Gary Richardson, Island Planner	July 10, 2019
Concurrence:	Robert Kojima, Regional Planning Manager	July 10, 2019

ATTACHMENTS

1. Proposed Bylaw 126

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 126

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 119, 2018

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

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw No.119, 2018, Amendment No. 1, 2019”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw No. 119, 2018,” is amended as follows:

2.1 Section 4.2 (Rural General Zone) is amended by adding the following immediately after subsection 4.2.12:

“4.2.13 Site Specific Regulations

4.2.13 (1) The regulations listed in Column 3 of the following table only apply to the land listed in Column 2 of the same row. These lands are identified on the zoning map by the site-specific zoning reference listed in Column 1.

Column 1 Site-Specific Zone Reference	Column 2 Legal Description	Column 3 Site Specific Regulations
RG(a)	Lot 1, Section 8, Saturna Island, Cowichan District, Plan EPP34444.	(1) Despite 4.2.12 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 3.3 hectares (8.15 acres).
RG(b)	Lot 3, Section 18, Saturna Island, Cowichan District, Plan 11979, except part in Plan 17076.	(2) Despite 4.2.11 no lot having an area of less than 0.60 hectares (1.48 acres) may be created by subdivision. (3) Despite 4.2.12 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 1.1 hectares (2.7 acres).

3. SEVERABILITY

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

READ A FIRST TIME THIS 17TH DAY OF APRIL 2019.

READ A SECOND TIME THIS 9TH DAY OF MAY 2019

READ A THIRD TIME THIS 9TH DAY OF MAY 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
3RD DAY OF JULY 2019

ADOPTED THIS _____ DAY OF _____

Chair

Secretary



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.
Public Hearing being held July 18, 2019

Gary Richardson

Rec'd: 08-Jan-2019

4. *First Nations Relationship Building*

Review of OCP to include references to First Nations.

Gary Richardson

Rec'd: 16-Sep-2016

Projects Report

Saturna Island

1. *Shoreline Review*

Responsible

Date Received

17-Jun-2016

2. *Amenity Zoning and Accessible Housing Review*

Responsible

Date Received

04-Oct-2018

3. *National Park Zoning*

Responsible

Date Received

04-Oct-2018



Islands Trust

Print Date: July 11, 2019

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2018.1	Ronald Hall & Saturna Garage and Contracting Planner: Gary Richardson	15-Jan-2018	To amend zoning of two properties.
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 Ltd. Planner: Gary Richardson	20-Mar-2019	Application for an OCP and LUB amendment to permit dwellings in Upland zone
Planning Status			
Status Date: 01-Jul-2019 Further information requested from the applicant in order to review application further.			
Status Date: 29-Apr-2019 Satff 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.

Applications

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.

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

Applications

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 May 2019

660 Saturna	Invoices posted to Month ending May 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	852.76	1,557.24
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>852.76</u>	<u>2,512.24</u>
Projects				
73001-660-4032	Saturna Secondary Suite Review	1,500.00	422.25	1,077.75
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	0.00	2,500.00
TOTAL Project Expenses		<u>7,000.00</u>	<u>422.25</u>	<u>6,577.75</u>

Saturna Island Local Trust Committee POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 16/07	SA-LTC-16-07	Travel Trailer or Camper	It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: The travel trailer or camper is being used for recreational purposes by the owners of the lot and; The travel trailer or camper is being used intermittently and for short periods not exceeding two months. Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: The travel trailer or camper is being used as a second residence or; The trailer or camper is situated within the setbacks for a structure or; There are serious safety issues, unsightliness, noise, or health problems related to the use or; A complaint based on the above three items is received from a person who owns neighboring property. Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.

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.



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality May 2019

Regional Conservation Plan

All of the work the Islands Trust Conservancy undertakes and reports on is guided by the science-based and community-informed 2018-2027 Regional Conservation Plan. The ITC continues to work towards four long-term goals (science-based conservation planning, collaboration with First Nations, protection of core conservation areas and a strong voice for nature conservation) and 25 objectives that further conservation in the entire Trust Area. The following is an update on the ITC activities from the May 2019 ITC Board meeting to meet these goals.

Islands Trust Conservancy Board Policy and Bylaw Revisions

Goal 4 – A strong voice for nature conservation, core ITC business and operations.

- The ITC Board gave first, second and third readings to Bylaw No. 2, the “Islands Trust Conservancy Meeting Procedures Bylaw, 2019.” The new bylaw replaces Bylaw No.1 and reflects the ITC name change, allows for the election of a Vice Chair and adds reference to committee meetings. The Board also amended Policy 1.2 Islands Trust Conservancy Board and Committee Elections.

Fund Development Advisory Committee (FDAC)

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board received and approved the ITC Fund Development Advisory Committee Terms of Reference and Operating Guidelines.

2017-2018 Annual Report

Goal 4 – A strong voice for nature conservation, Objective 4.3 Continue to develop the Islands Trust Conservancy brand and promote organizational recognition through telling of the Islands Trust Conservancy story.

- The ITC Board received and approved the text for inclusion in the 2017-2018 annual report.

Canada Nature Fund

Goal 4 – A strong voice for nature conservation, Objective 4.1 – Develop and expand fundraising strategies to support Islands Trust Conservancy programs.

- The ITC Board discussed potential options for participating in the federal funding announced in 2018.

Draft Reconciliation Action Plan and Reconciliation Declaration

Goal 2 – Collaboration with First Nations, Objective 2.1 Amend or redraft policies, procedures, plans, document templates and reports to include acknowledgement and consideration of First Nations.

- The ITC Board direct staff to develop a specific draft reconciliation declaration and action plan for the Islands Trust Conservancy.

Executive Committee Liaison Meeting Draft Agenda

Goal Three- Objective 3.6 - Participate in significant ecosystem conservation opportunities related to land use planning in collaboration with local trust committees and island municipalities.

- The ITC Board discussed and approved the agenda items for the upcoming, annual Executive Committee Liaison Meeting.

Fire Smart from a Conservation Perspective

Goal One – Science-based Conservation Planning, Objective 1.3 - Investigate opportunities for protection of important conservation areas with partners.

- The ITC Board discussed the issues around fire safety and ecosystem management on ITC owned or protected properties.

Current Islands Trust Area Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

- The ITC has completed the management plan for Fairyslipper Forest Nature Reserve on Thetis Island, is nearing completion of three nature reserve management plans on Gambier Island, and is working on management plans for three nature reserves on Denman Island and one nature reserve on Lasqueti Island. Property monitoring was completed on Bowen, Denman, Hornby, Gabriola, Gambier, Lasqueti, Link, Little D’Arcy, Saturna, Sidney and Thetis Islands. Property monitoring is underway on North Pender and Salt Spring Islands and is being planned for Galiano, South Pender, and South Winchelsea Islands.

Current Island-by-Island Activities

Goal Three – Protection of Core Conservation Areas – Objective 3.1 – Manage islands Trust Conservancy conservation areas responsibly and strategically for ecological integrity, species and ecosystems at risk, known threats, public safety and protection of identified features using the Property Management strategy.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Denman

Management planning for three nature reserves, including the Valens Brook Nature Reserve addition, is under way. New ten-year management plans for Inner Island and Lindsay Dickson nature reserves will be completed in 2019. Property monitoring on Denman has been completed for 2019. Invasive species management activities continue at Inner Island, Lindsay Dickson, and Morrison Marsh nature reserves.

Gabriola

Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and construction of a 93-ft boardwalk across a seasonally flooded section of trail in the northeast corner is planned for 2019. Property monitoring on Gabriola has been completed for 2019.

Galiano

Trail maintenance is being planned for Vanilla Leaf Land Nature Reserve in partnership with the Galiano Conservancy Association. Invasive species removal and annual cormorant nest monitoring are being planned for Trincomali Nature Sanctuary in partnership with the Habitat Acquisition Trust.

Gambier

Management planning for three Gambier Island nature reserves (Brigade Bluffs, Long Bay Wetland, and Mount Artaban) is nearing completion. Property monitoring on Gambier has been completed for 2019.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) have met the fundraising goal for the Salish View acquisition campaign. Staff are continuing working to finalize the land transfer. Once the land transfer is complete, the ITC will begin public consultation on the draft management plan. Forest restoration activities at Mount Trematon Nature Reserve, led by LINC, have been completed for 2019 with assistance from Katimavik volunteers. Property monitoring on Lasqueti has been completed for 2019.

Link Island

ITC staff attended a celebration event at Link Island with the landowners and co-covenant holder (Nanaimo and Area Land Trust) and installed conservation covenant signage. Property monitoring on Link Island has been completed for 2019.

North Pender

The ITC Board discussed a referral from the North Pender Island Local Trust Committee for Bylaw No. 220. The subject property for the bylaw is adjacent to the Medicine Beach Nature Sanctuary. The ITC Board noted concerns about the effects of light pollution on many animal species, including bats, and concerns about storage of toxic materials on the site. Staff provided the ITC Board response to the local trust committee and followed up with planning staff

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

regarding best management practices for external lighting and wildlife. Property monitoring on North Pender is under way.

Salt Spring

The ITC Board considered a referral from Salt Spring Island planning staff regarding a Development Variance Permit for lands adjacent to the Lower Mount Erskine Nature Reserve. The ITC Board indicated that its interests are not significantly impacted and directed staff to work with the Salt Spring Island Planner to follow up with the landowner to provide information regarding conservation options to provide a natural buffer for the nature reserve. Property monitoring on Salt Spring is under way.

Thetis

The ITC Board approved a management plan for the Fairyslipper Forest Nature Reserve, which includes a commitment to developing a parallel *Management Plan for Areas of Cultural Heritage and Sacred Significance* with a flexible timeline. ITC is collaborating with Thetis Island Nature Conservancy and Cowichan Community Land Trust on the design and building of a publicly accessible trail loop in the nature reserve, with a trail opening celebration tentatively scheduled for Earth Day 2020. ITC staff plan to install signage informing the public of Thetis Island nature reserve boundaries later this year.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

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%

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

	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%

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

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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	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%

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: