



Saturna Island Local Trust Committee Regular Meeting Agenda

Date: March 8, 2018
Time: 12:30 pm
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

			Pages
1.	CALL TO ORDER	12:30 PM - 1:00 PM	
2.	APPROVAL OF AGENDA		
3.	TOWN HALL AND QUESTIONS		
4.	COMMUNITY INFORMATION MEETING		
	none		
5.	PUBLIC HEARING		
	none		
6.	MINUTES		
6.1	Local Trust Committee Minutes Dated October 23, and December 10, 2017(for Adoption)		4 - 13
6.2	Section 26 Resolutions-without-meeting Report Dated March 2018		14 - 14
6.3	Advisory Planning Commission Minutes		
	none		
7.	BUSINESS ARISING FROM THE MINUTES	1:00 PM - 1:15 PM	
7.1	Follow-up Action List Dated March 2018		15 - 16
8.	DELEGATIONS		
	none		

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

1:15 PM - 1:45 PM

- | | | |
|------|--|---------|
| 10.1 | SA-RZ-2012.1 (Nepenthe Holdings) - Staff Memo - Bylaws No. 117 & 118 (attached)
further consideration | 17 - 26 |
| 10.2 | Mayne Island Local Trust Committee Bylaw No 172 Referral (attached)
for response | 27 - 29 |
| 10.3 | Mayne Island Local Trust Committee Bylaw No 171 Referral (attached)
for response | 30 - 32 |
| 10.4 | North Pender Island Local Trust Committee Bylaws No. 116 & 117 Referral (attached)
for response | 33 - 35 |

11. LOCAL TRUST COMMITTEE PROJECTS

1:45 PM - 2:15 PM

- | | | |
|------|---|-----------|
| 11.1 | Land Use Bylaw (LUB) Technical Review - Staff Report (attached) | 36 - 118 |
| 11.2 | Secondary Suite Review - Staff Report (attached) | 119 - 122 |

12. REPORTS

2:15 PM - 2:45 PM

- | | | |
|--------|---|-----------|
| 12.1 | Work Program Reports (attached) | |
| 12.1.1 | <u>Top Priorities Report dated March 2018</u> | 123 - 123 |
| 12.1.2 | <u>Projects List Report Dated March 2018</u> | 124 - 124 |
| 12.2 | Applications Report Dated March 2018 (attached) | 125 - 126 |
| 12.3 | Trustee and Local Expense Report Dated December 2017 (attached) | 127 - 127 |
| 12.4 | Adopted Policies and Standing Resolutions (attached) | 128 - 129 |
| 12.5 | Local Trust Committee Webpage | |
| 12.6 | Chair's Report | |
| 12.7 | Trustee Report | |
| 12.8 | Trust Fund Board Report Dated November 2017 | 130 - 134 |

13. **NEW BUSINESS** 2:45 PM - 3:15 PM
- 13.1 **Housing Agreement Administration - Briefing (attached)** 135 - 137
for information
- 13.2 **Japanese Canadian Historic Places Project - Briefing (attached)** 138 - 144
for information
- 13.3 **Executive Committee re: Farm Industry Review Board and Aquaculture - Staff Memo & Attachment (attached)** 145 - 146
for information
14. **UPCOMING MEETINGS**
- 14.1 **Next Regular Meeting Scheduled for April 12, 2018, at the Community Hall, Saturna Island**
15. **TOWN HALL** 3:15 PM - 3:30 PM
16. **CLOSED MEETING (Distributed Under Separate Cover)**
- 16.1 **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 June 15, 2017*
 - *APC Memberships Term*
- AND that the recorder and staff attend the meeting.*
- 16.2 **Recall to Order**
- 16.3 **Rise and Report**
17. **ADJOURNMENT** 3:30 PM - 3:30 PM



DRAFT

Saturna Island Local Trust Committee Minutes of Special Meeting

Date: October 23, 2017
Location: Islands Trust Victoria Office Boardroom
200-1627 Fort Street, Victoria, BC

Members Present: George Grams, Chair
Paul Brent, Local Trustee
Lee Middleton, Local Trustee

Staff Present: Robert Kojima, Regional Planning Manager
Gary Richardson, Island Planner
Fiona XETXÁTTEN MacRaid, Senior Intergovernmental Policy Advisor
Miles Drew, Bylaw Enforcement Manager
Lori Foster, Recorder

Public Present: There was 1 member of the public in attendance.

1. CALL TO ORDER

Chair Grams called the meeting to order at 9:15 AM. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions/changes to the agenda were presented for consideration:

Add to item 3.1 Staff Report Re: Community Information Meeting to discuss OCP Amendment Text

Add 4. MINUTES

4.1 Local Trust Committee Minutes Dated October 19, 2017 (for Adoption)

4.2 Record of Public Hearing Dated October 19, 2017 (for Receipt)

Add 5. REFERRALS

5.1 Capital Regional District (CRD) – Gulf Islands Regional Trails Plan (request for comments)

Add 6. NEW BUSINESS

ADJOURNMENT renumbered as item 7.

By general consent the agenda as amended was Approved.

3. BUSINESS ITEMS

3.1 First Nations OCP Amendments – Discussion

Fiona XETXÁTTEN MacRaid, Senior Intergovernmental Policy Advisor (SIPA) reviewed the report “Community Information Meeting to discuss OCP Amendment Text”.

Discussion followed regarding holding a Community Information meeting to obtain feedback on amending the Official Community Plan to better reflect First Nations history in the Saturna Island Local Trust Area.

SIPA MacRaid noted the meeting/workshop would be geared to the existing community for now because of competitive First Nations interests.

SA-2017-29

It was MOVED and SECONDED,

That the Saturna Island Local Trust Committee ask Staff to schedule a Community Information Meeting involving a presentation on First Nations history and possible acknowledgement of that history in the Official Community Plan for December 10, 2017 at the Community Hall.

CARRIED

At 9:35 A.M. Miles Drew, Bylaw Enforcement Manger, joined the meeting.

SIPA MacRaid thanked the Saturna Island Local Trust Committee for moving forward with this project.

3.2 Land Use Bylaw (LUB) Review - Staff Report

By general consent, the following amendments to the Saturna Island Land Use Bylaw No. 78, 2002 taken from Attachment 1 (recommendations) of the Staff Report for this meeting were Approved:

1. Food Bus Temporary Use – do not proceed;
2. Campground Temporary Use – proceed;
3. Industrial Zoned Property – proceed;
4. Lighthouse Pub building – proceed;
5. House on Lot by the Pub – proceed;
6. Derelict automobiles – Staff to modify wording;
7. Saturna Ecological Education Centre – do not proceed;
8. National Park Reserve – proceed;
9. Density Clustering – clarify
10. Setbacks from the Sea – wording for specific requirements, proceed.

By general consent the redline review of the Saturna Island Land Use Bylaw No. 78, 2002 attached to the Staff Report with the following amendments were Approved.

- 1.1 Compliance – proceed;
- 1.2 Violation – review and proceed;
- 1.3 Penalty – proceed;
- 1.4 Inspection and Enforcement – Bylaw Staff provide wording, proceed;
- 2.1 Uses Permitted in any Zone – proceed;
- 2.2 Prohibited Uses – proceed;
- 2.3 General Height Regulations – proceed;
- 2.4 Accessory Buildings – proceed;
- 2.5 Setbacks from Watercourses and Natural Boundaries – middle ground use natural watercourse, proceed;
- 2.7 Covenants Against Buildings and Subdivision – proceed;
- 2.8 Enforcement of Siting Regulations – Other Permits – proceed;
- 2.9 Non-conforming use – proceed;
- 2.12 Determination of Residential Density – proceed;
- 2.14 Use of Crown Foreshore – remove, proceed;
- 2.16 Home Occupation Regulations - proceed
- 2.16.2 Home Occupation Regulations – add to the end of the sentence, detectable at the lot line – proceed;
- 2.16.5(2) allow retail sale of liquor; proceed;
- 2.16.6 Proceed;
- 2.16.6(6) strike the words “staying more than two consecutive nights”;
- 2.17 Home Based Industry Regulations –proceed:
- 2.17.3 Change for consistency throughout bylaw:
- 2.17.8 Remove
- 3.2.1 Zone Boundaries – clarify for consistency, proceed;
- 4. Rural Zoning Regulations – proceed;
- 4.4.3 Not consistent with 9.3.6. Remove 9.3.6, proceed;
- 4.5.1(1) Remove the word “Citizen” consider affordable seniors or special needs housing, proceed;
- 4.5.4 Legally non-conforming. Make consistent with 2.15, proceed;
- 5. Commercial Zoning Regulations – proceed;
- 6. Industrial Zoning Regulations – proceed;
- 6.1.1(14) change (14) to (13)
- 7.1.1 Sleeping accommodations –Staff to provide wording;
- 7.1.3 Strike entirely;
- 7.1.6 Same as Rural General;
- 8. Watershed Zoning Regulations – proceed;
- 9. Forestland Zoning Regulations – proceed;
- 10 Wilderness Reserve Regulations – proceed;
- 11.1.1(2) - discussed below the natural boundary. – hardening of shores, leave note;
- 11.2 Water Harvest Zone – no active leases, zone not needed;
- 11.2.3 Remove;

- 11.3.1.7 Boat ramps – revisit;
- 12.2 Strike in entirety;
- 12.5 Remove;
- 12.6 Remove;
- 12.7 Ensure there is current split lot provision in the bylaw;
- 12.9.4 Ensure wording is consistent with *LGA* provision
- 12.13 Do not change intent;
- 12.14 As above;
- 15.1.2 Take number out and move to zone
- 15.1.3 Update definition of “aquaculture”;
- 15.1.5 Remove “or finished grade”
- 15.1.7 Remove definition of “breezeway”;
- 15.1.8 Update definition of “building”;
- 15.1.10 Remove;
- 15.1.13 to 15.1.53 Proceed as indicated.

4. MINUTES

4.1 Local Trust Committee Minutes Dated October 19, 2017

SA-2017-30

It was MOVED and SECONDED,

That the Saturna Island Local Trust Committee minutes dated October 19, 2017 as presented, be Adopted.

CARRIED

4.2 Record of a Public Hearing Record Dated October 19, 2017

By general consent, the Saturna Island Local Trust Committee Public Hearing Record dated October 19, 2017 was received.

5. REFERRALS

5.1 Capital Regional District (CRD) – Gulf Islands Regional Trails Plan

SA-2017-31

It was MOVED and SECONDED,

That the Saturna Island Local Trust Committee endorse the building of the Capital Regional District Gulf Islands Trail Plan referral as presented but contract locally for construction.

CARRIED

6. NEW BUSINESS

SA-2017-32

It was MOVED and SECONDED,

That the Saturna Island Local Trust Committee cancel its November 17th regular business meeting.

CARRIED

Chair Grams opened the floor for an impromptu Town Hall as one member of the public was in attendance.

John Money had no questions for the LTC but would speak with Planner Richardson after the meeting.

4. **ADJOURNMENT**

By general consent the meeting was adjourned at 1:10 p.m.

George Grams, Chair

Certified Correct:

Lori Foster, Recorder



DRAFT

Local Trust Committee
Minutes Subject to Approval By
the Local Trust Committee

Saturna Island Local Trust Committee Minutes of a Special Meeting

Date: December 10, 2017
Location: Saturna Island Community Hall
105 East Point Road, Saturna Island, BC

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

Guests Present: Toby Joseph, Councillor, Tsawout First Nation
William Joseph, Tsawout First Nation

Staff Present: Gary Richardson, Island Planner
Fiona MacRaid, Senior Intergovernmental Policy Advisor
Lori Foster, Recorder

Regrets: George Grams, Chair

Public Present: There were approximately 50 members of the public in attendance.

1. CALL TO ORDER

Trustee Brent, acting as Chair, called the meeting to order at 2:10 p.m. and acknowledged that the meeting was being held in territory of the Coast Salish First Nations. He announced that the meeting was being audio recorded.

A/Chair Brent introduced Toby Joseph Councillor, Tsawout First Nation, and Councillor Joseph's son, William, who further opened the meeting with traditional drumming and song.

2. APPROVAL OF AGENDA

For consideration to amend the agenda by adding the following:

2.1 Stewardship Award Presentation immediately following Agenda Approval.

By general consent the agenda was approved as amended.

2.1 Stewardship Award Presentation

Trustee Middleton presented the Enduring Achievement Stewardship Award to the Saturna Community Club for 80 years of promoting social and environmental well-being.

Trustee Brent spoke to the deserving nature of this group, that 8 decades was too long a wait for this recognition.

Jackie Campbell and Charles Reif accepted the award on behalf of the Saturna Community Club.

3. BUSINESS ITEMS

3.1 First Nations Relationship Building - Presentation

Senior Intergovernmental Policy Advisory (SIPA) MacRaidl introduced the program/workshop. She commented that Saturna local trustees want to find a way to honor First Nations history and this workshop is a start to address wording in the Official Community Plan. SIPA MacRaidl invited island residents to share thoughts and feelings on the material presented and to speak honestly, openly and be vulnerable.

3.1.1 Deep History of 14,000 Years - and Community Input

SIPA MacRaidl, using a PowerPoint presentation, gave an overview of the deep history of First Nations settlements and presence around the Strait of Georgia region at the time noting evidence of sophisticated and diverse cultures.

SIPA MacRaidl opened the floor to questions after the first segment of her presentation. The following comments were made:

- respect for the sophistication of people - not just hunters and gatherers, as originally taught in school;
- a complex culture of trade and material manufacturing;
- most densely populated area north of Mexico;
- how land/ice dynamics contributed to settlement – hinge points indicate aquaculture society;
- adaptability of culture i.e. shift in diet;
- pride being in the presence of First Nations history;
- emerging archeology connecting dots, stone evidence, reef net fishing and bead currency;
- bio-diversity attracted many groups/languages indicating sophisticated cultures;
- why has it taken us so long to come to this understanding – a morally fraught question;
- surprise - long history of hunting sea mammals;
- surprise - long regional history of multi-cultural societies;
- Saturna has 13 First Nations with interests, opportunities for creating protocols for cooperation.

3.1.2 History of European Contact - and Community Input

SIPA MacRaidl introduced this segment using a map showing colonial interests in 1700. She described how the depopulation of First Nations peoples occurred through:

- European exploration and colonialism which brought diseases that impacted greater than the black plague;

- appropriation of land through questionably executed treaty agreements;
- inciting war fare;
- destroying lively hoods;
- erasing identity;
- *The Indian Act*;
- Residential Schools where starvation, abuse and other human cruelties occurred and, according to the United Nations meets the definition of genocide.

SIPA MacRaild opened the floor to comments which included:

- how do First Nation elders talk about this history with their grandchildren?
- story recounted about the resilience of a First Nation's community after residential school was torn down, a testament to aboriginal strength;
- discussion on the misinterpretation of the Douglas Treaty ruled in Supreme Court in favor of First Nations interest because it existed pre-confederate;
- no part in colonial history is morally neutral, society has a responsibility to right these wrongs – we were ignorant;
- school taught that disease depopulated First Nations peoples we were never told about Residential Schools;
- reactive behavior on peoples part because of fear of loss (real estate);
- definition of country, Rights of Canada (the Queen) and aboriginal – First Nations are “original”;
- moral neutrality is easy when one is ignorant of the facts, now we are beginning to know and with knowledge comes responsibility;
- school curriculums did not teach this history, only settler history;
- 1984 last Residential School closed – new information.

3.1.3 Making History: A Future - and Community Input

SIPA MacRaild encouraged the community to get educated, listen, not get defensive and to reach out and ask First Nations people for help in understanding.

Councillor Joseph spoke to his experience in Residential School, the effects of which he is still living.

The following comments were offered:

- there are people who live on Saturna who were in the Residential Schools, how many people know this?
- do not repeat mistakes, first Europeans had problems remembering the facts.

SIPA MacRaid defined the following terms:

- aboriginal title – not from the Crown – will always be here, is defined by them, exclusive to them and coexists with fee simple lands;
- aboriginal rights – defined as activities, self-governance, dealing with remains of ancestors, modern equivalencies to traditional activities;
- treaty rights – pre-confederate and modern treaty resolutions, breaches and processes;
- reserve lands – equivalent of private property communally owned in a fee simple-like way.

Some discussion occurred around aboriginal title and treaty process, irreconcilable legal differences between fee simple lands (exclusive right to use and occupy) and aboriginal title lands (exclusive right to use and occupy) the same land was noted.

SIPA MacRaid opened the floor, the following comments were received:

- start listening rather than talking, the start of the solution process doesn't come from settlers, it will come from First Nations;
- we do not know what First Nations (FN) need or want, it's about land, fishing rights, hunting and what the bigger picture is – what has happened is embarrassing and not sure how to repair;
- absolute aboriginal title vs absolute fee simple complicated with competing First Nations interests.

Councillor Joseph spoke about sčelānen or birthright. Douglas Treaty doesn't address this birthright to hunt, fish and gather. He held up his Status Card speaking about relations between Tsawwassen and Cowichan tribes explaining how birthright worked between different tribes and families. The modern treaty process is about assimilation between groups.

The question of "fear" was again raised. Fear as a non-indigenous person on FN lands; is there a way to move forward, what's going to happen to us?

Councillor Joseph said the intention is not to take over the land, rather recognition is being sought. We have a historical respect for the land and the way it has been used. He spoke about James Island and the removal of families there in 1910 for the government ammunitions factory and bulldozing of their homes and cemeteries. We don't want to do that to you, we have that respect, he said. I am born to these rights as are you; you have these rights now because you have used the land.

The following comments were received:

- this conversation has already covered over 100 years and we are only here, where will we be in the next 100 years;
- the agenda of genocide by powerful people then and now;
- the need for elders and clan mothers to guide and advise;

- Parks Canada allowed FN hunting on Sidney Island which serves; mutual interests because of fallow deer;
- FN family law and community laws.

Councillor Joseph thanked the community for being invited to this meeting where talk about Residential Schools, the 60's scoop, birthright, listening and sharing is how we learn and become better human beings. My hands go up to you! He asked the community take with them the knowledge of the Residential Schools, not the feelings.

Counsellor Joseph further commented on FN birthright and the passing on of gifts, family law and community law.

Senior Intergovernmental Policy Advisor MacRaid wrapped up the meeting inviting the community to make notes with the materials provided and to enjoy the food offered. She addressed the community asking if they wished to continue this discussion.

The community affirmatively responded.

The Saturna Island Local Trust Committee presented to Councillor Joseph and his son William, of Tsawout First Nation, gifts to take back with them asking that they share what they have seen and heard at this meeting, to continue the discussion.

4. ADJOURNMENT

By general consent the meeting was adjourned at 4:39 p.m.

Paul Brent, Acting Chair

Certified Correct:

Lori Foster, Recorder



Islands Trust

Print Date: March 5, 2018

Resolutions Without Meeting

Saturna Island

Resolution #	Action	Resolution Description	Resolution Date
2017-05	In Favour	THAT_the Saturna Island Local Trust Committee direct staff to move "Secondary Suite Review" from the work program project list to the work program priority list.	22-Nov-2017
2017-06	In Favour	THAT_Saturna Island Local Trust Committee 2018 regular meetings schedule, be adopted.	13-Dec-2017
2018-01	In Favour	THAT Saturna Island Local Trust Committee reschedule the regularly scheduled February 1, 2018, Local Trust Committee meeting to March 8, 2018.	23-Jan-2018
2018-02	In Favour	THAT Saturna Island Local Trust Committee reschedule the regularly scheduled April 12, 2018, Local Trust Committee meeting to April 27, 2018.	19-Feb-2018

Follow Up Action Report

Saturna Island

19-Oct-2017

Activity	Responsibility	Target Date	Status
SA-DVP-2016.1 (Henry) - variance permit issued as drafted.	Sharon Lloyd-deRosario		Done
Islands Trust Fund Regional Conservation Plan (2018-2027) - received for information.			Done
North Pender Island LTC Bylaws 211, 212, 214 and 215 respond as interests unaffected.	Sharon Lloyd-deRosario		Done
CRD Gulf Islands Regional Trails Plan - Place on Oct 23, 2017 LTC agenda for further discussion.	Gary Richardson		Done
SA-RZ-2012.1 (Nepenthe Holdings) Proposed Bylaw 117 to be updated showing 2nd and 3rd readings. (Done) To be forwarded to the Executive Committee for approval. Proposed Bylaw 118 to be updated showing 2nd and 3rd readings (Done)To be forwarded to the Executive Committee for approval.	Gary Richardson Sharon Lloyd-deRosario		Done

23-Oct-2017

Activity	Responsibility	Target Date	Status
Cancel November 17 LTC Meeting	Lori Foster		Done
Arrange December 10, 2017 LTC meeting in community hall.	Lori Foster		Done
Land Use Bylaw Review Project - complete document containing agreed to amendments for LTC meeting in Jan 2018.	Gary Richardson		Done
Minutes of Oct 19, 2017 adopted as drafted.	Lori Foster		Done

Follow Up Action Report

Response to be prepared for CRD regarding CRD trails plan.

Robert Kojima

Done



File No.: SA-RZ-2012.1 (Nepenthe Holdings)

DATE OF MEETING: March 8, 2017

TO: Saturna Island Local Trust Committee

FROM: Gary Richardson, Island Planner
Victoria Office

SUBJECT: Transfer of Subdivision Density Official Community Plan and Land Use Bylaw Amendments

Applicant: Nepenthe Holdings Ltd. and Money Family Projects Ltd.

Location: Subject Lot (Donor) – Lot 1, Plan EPP 34444
Subject Lot (Receiver) – Lot 3, Plan 11979

RECOMMENDATION

1. That the Saturna Island Local Trust Committee proposed Bylaw No. 117, cited as “Saturna Island Official Community Plan Bylaw No.70, 2000, Amendment No.1, 2017.” be adopted.
2. That the Saturna Island Local Trust Committee proposed Bylaw No. 118, cited as “Saturna Island, Land Use Bylaw No. 78, 2002, Amendment No.1, 2017.” be adopted.

REPORT SUMMARY

This report recommends that Proposed Bylaws 117 and 118 be adopted.

Adoption being recommended as:

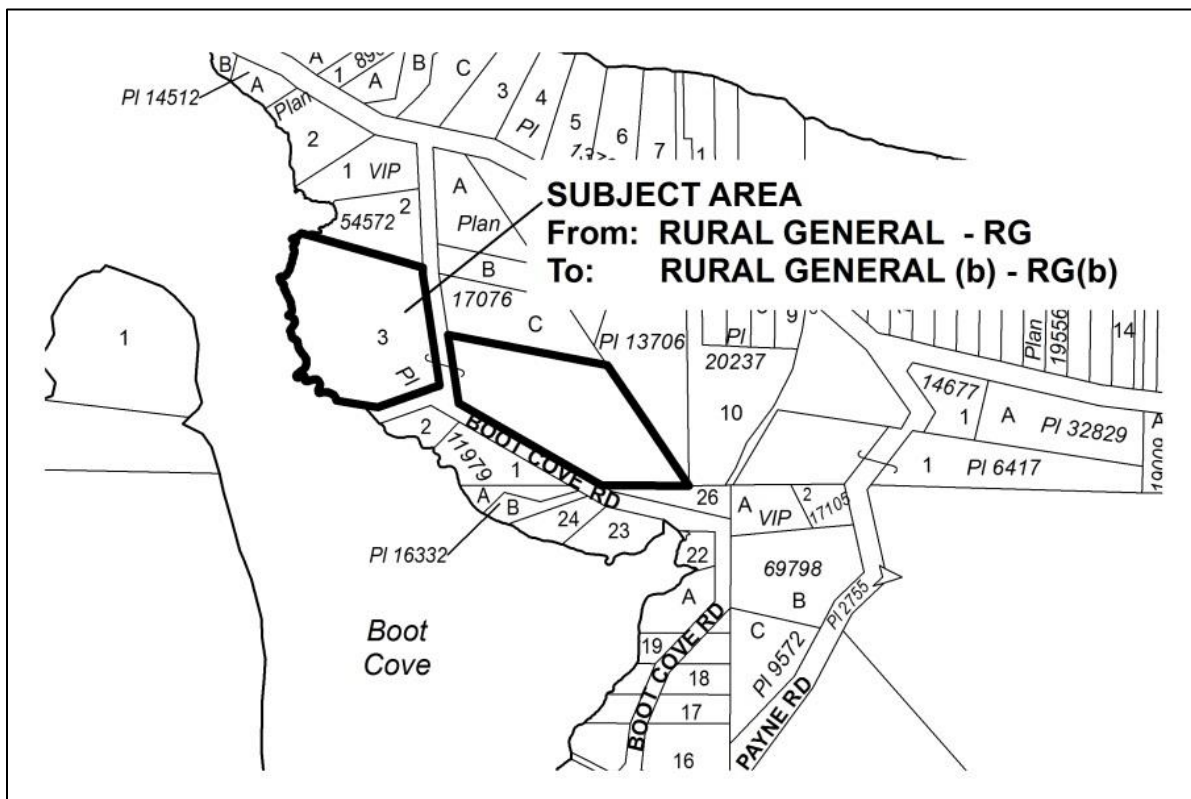
- The community has had opportunity to participate in the advancement of this application since it was initiated in 2012.
- Statutory notification requirements for the proposed bylaws have been carried out, including notification of agencies and First Nations. As of the date of this report no comments have been received.
- The proposed amendments are consistent with the Islands Trust Policy Statement directives.
- The bylaws have been approved by the Executive Committee of the Islands Trust
- The Minister of Community, Sport and Cultural Development has approved proposed Bylaw 117

BACKGROUND

The application to rezone the subject property was received in January 2012. The initial application was requesting zoning to allow for four lots to be created. Several staff reports have been prepared on this application and can be reviewed on the Saturna Island Local Trust Committee (LTC) webpage. The application was put into abeyance for the past couple of years and is now being brought forward with an amended request for zoning to provide for three lots by means of obtaining subdivision density from another lot.

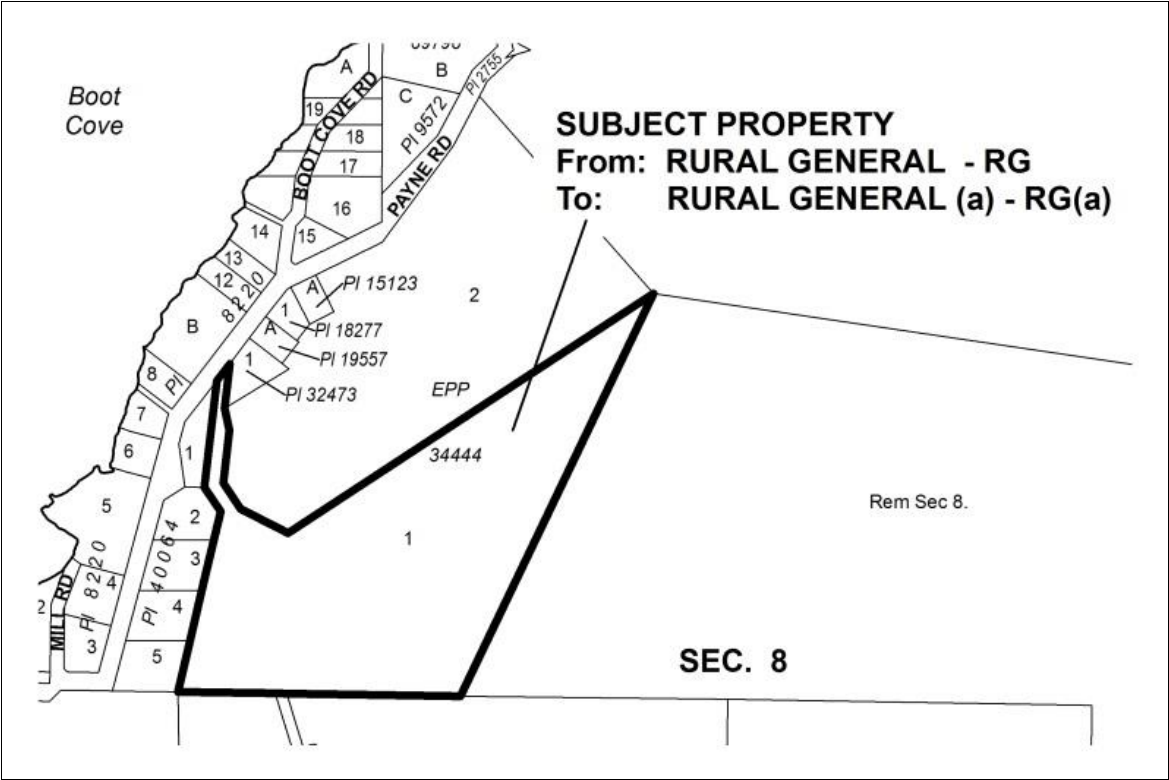
Nepenthe Holdings Ltd. ultimately wants to create three waterfront lots from the existing lot. This will allow for the three existing waterfront dwellings be sited on separate lots. Before a subdivision application can be made the subject lot needs to obtain two subdivision densities from another lot. At the June 9, 2015 LTC meeting a staff report was presented to the LTC containing two options that if successful could allow subdivision density to be obtained and transferred to the subject lot. The two options were: 1) transfer of development potential (subdivision density) from another parcel; and 2) using the community amenity density reserve to obtain subdivision density.

Figure 1 –Nepenthe Holdings Ltd. Lot (recipient lot)



The subject area (donor lot) is a 10.6 hectare lot in the Boot Cove area of Saturna Island. The donor lot has a subdivision development potential of 5 lots. The property owner (Money Family Projects Ltd.) has entered into an agreement to transfer 2 of the subdivision densities to the Nepenthe lot. The donor parcel is located on Payne Road approximately 500 metres south of the recipient lot near Boot Cove. The donor parcel is treed and is undeveloped. The suitability of the donor and recipient parcels has been addressed in previous staff reports.

Figure 2 – Money Family Projects Ltd. Lot (donor lot)



Rationale for Recommendation:

The proposed bylaws fulfil the applicants request to be able to subdivide to allow three lawfully constructed houses to be located on separate lots without conflicting with OCP policies or the Island Trust Policy Statement. Community, agency and First Nations consultation has been carried out. The Executive Committee of the Islands Trust has approved proposed bylaws 117 and 118 and the Minister of Community, Sport and Cultural Development has approved proposed bylaw 117.

Submitted By:	Gary Richardson Island Planner	March 1, 2018
---------------	-----------------------------------	---------------

ATTACHMENTS

1. Proposed Bylaw 117
2. Proposed Bylaw 118

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 117

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, 2017”.

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 15TH DAY OF JUNE 2017

PUBLIC HEARING HELD THIS 19TH DAY OF OCTOBER 2017

READ A SECOND TIME THIS 19TH DAY OF OCTOBER 2017

READ A THIRD TIME THIS 19TH DAY OF OCTOBER 2017

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
5TH DAY OF DECEMBER 2017

APPROVED BY THE MINISTER COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT THIS 23RD DAY OF JANUARY 2018

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 117**

SCHEDULE 1

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

Subsection D.1.4 (Rural Subdivision Capacity) is amended by inserting the following immediately after “divided by five (5) except where:” and renumbering the remaining articles accordingly:

“a) a transfer of subdivision density occurs and the transfer from the donor lot to the receiver lot occurs simultaneously;”

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 118

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 78, 2002

The Saturna Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Saturna Island 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. 78, 2002, Amendment No. 1, 2017”.

2. Saturna Island Local Trust Committee Bylaw No. 78, cited as “Saturna Island Land Use Bylaw No. 78, 2002,” is amended as follows:

2.1 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of Lot 1, Section 8, Saturna Island, Cowichan District, Plan EPP34444 from Rural General- RG to Rural General (a) - RG (a), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 78, as are required to effect this change.

2.2 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of Lot 3, Section 18, Saturna Island, Cowichan District, Plan 11979, except part in Plan 17076 from Rural General - RG to Rural General (b) - RG (b), as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 78 as are required to effect this change.

2.3 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	Column 2	Column 3
Site-Specific Zone Reference	Legal Description	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 15TH DAY OF JUNE 2017

PUBLIC HEARING HELD THIS 19TH DAY OF OCTOBER 2017

READ A SECOND TIME THIS 19TH DAY OF OCTOBER 2017

READ A THIRD TIME THIS 19TH DAY OF OCTOBER 2017

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS 5TH DAY OF DECEMBER 2017

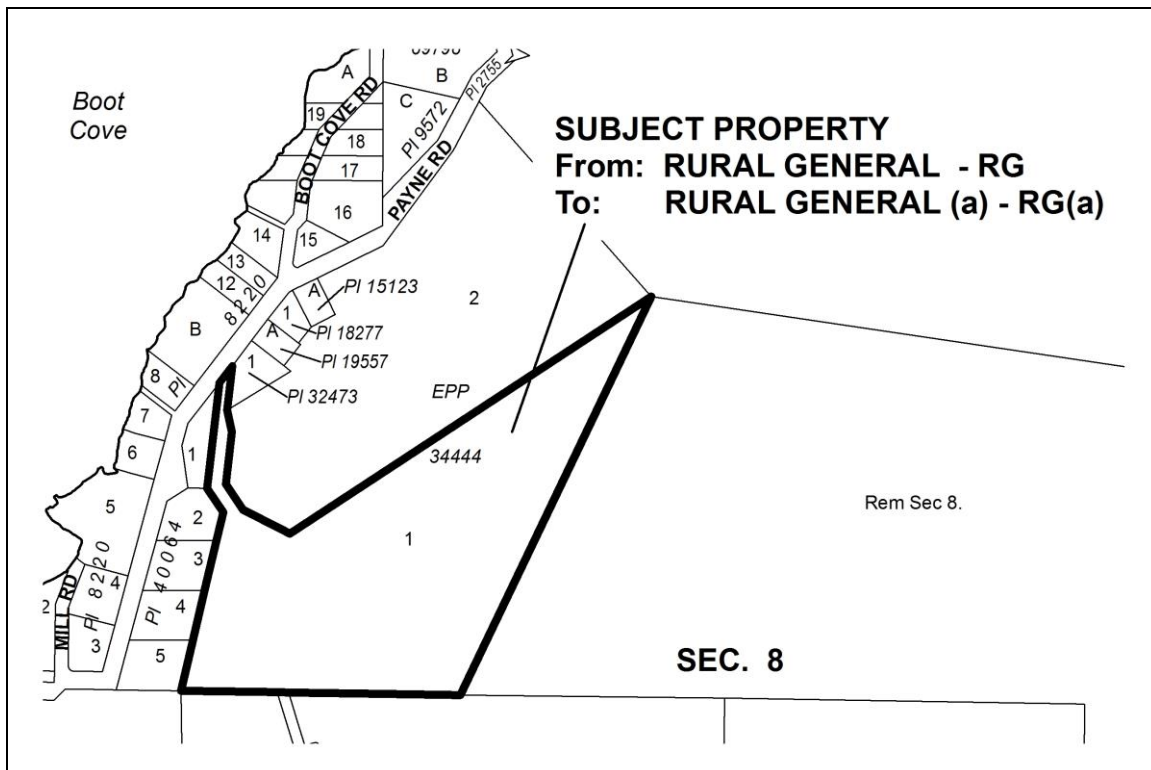
ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 118

Plan No. 1





Islands Trust

BYLAW REFERRAL FORM

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

Island: Mayne Island Local Trust Area Bylaw No.: 172 Date: January 8, 2018

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Reef Bay Holdings Ltd
536 Bayview Drive
Mayne Island BC, V0N2J0

PURPOSE OF BYLAW:

The subject property is currently zoned C1(a) Settlement Commercial. C1(a) limits the commercial uses on this specific lot to professional businesses and offices. Draft Bylaw 172 is the result of a bylaw amendment application by the property owner requesting to allow all of the uses permitted in the C1 Settlement Commercial zone on the subject lot. The permitted uses in the C1 zone include: Restaurants, Retail Sales, Offices, Personal Services, Medical and Dental Clinics, Printers and Publishers, Appliance Repair and Servicing, Clubs and Halls, Freight Depots, Studio, Apartment Residential, and Accessory Dwelling. Draft Bylaw 172 also proposes to limit the lot coverage of buildings and structures on the subject lot to a maximum of 20%.

GENERAL LOCATION:

Mayne Island Local Trust Area

LEGAL DESCRIPTION:

Lot 36, Section 6, Mayne Island, Cowichan District, Plan 22057

SIZE OF PROPERTY AFFECTED:

0.23 hectares

ALR STATUS:

n/a.

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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

Name: Gary Richardson

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5157
Email: grichardson@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Transportation & Infrastructure

Non-Agency Referrals

Village Point Improvement District

Regional Agencies

Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

Galiano Island Local Trust Committee

North Pender Island Local Trust Committee

Saturna Island Local Trust Committee

South Pender Island Local Trust Committee

Salt Spring Island Local Trust Committee

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Mayne Island Local Trust Area

(Island)

172

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

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

Island: Mayne Island Local Trust Area Bylaw No.: 171 Date: February 5, 2018

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

PURPOSE OF BYLAW:

To amend Mayne Island OCP Bylaw No. 144, 2007 to in order to comply with the Fish Protection Act and the Riparian Areas Regulation by creating Riparian Area Development Permit Areas.

Professional reports and staff reports are available on the Mayne island webpage:

www.islandstrust.bc.ca/islands/mayne/projects/RAR

GENERAL LOCATION:

Mayne Island Local Trust Area

LEGAL DESCRIPTION:

SIZE OF PROPERTY AFFECTED:

ALR STATUS:

OFFICIAL COMMUNITY PLAN DESIGNATION:

OTHER INFORMATION:

Additional information, including the current bylaws, is available at: www.islandstrust.bc.ca

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

Name: Gary Richardson

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5157
Email: grichardson@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Provincial Agencies

Ministry of Forest, Lands & Natural Resource Operations – Andrew Appleton
Ministry of Transportation & Infrastructure

Regional Agencies

Capital Regional District – Building Inspection

Adjacent Local Trust Committees and Municipalities

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

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Mayne Island Local Trust Area

(Island)

171

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)



Islands Trust

BYLAW REFERRAL FORM

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

Island: North Pender Island Local Trust Area **Bylaws No.:** 216 & 217 **Date:** February 8, 2018

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

N/A

PURPOSE OF BYLAW:

The purpose of the bylaws are to allow and regulate secondary suites as accessory residential uses in the Rural, Rural Residential, and Agriculture zones on North Pender Island. Please see the attached bylaws and staff report.

Background information and staff reports are available on the North Pender island webpage:

www.islandstrust.bc.ca/npender/suites

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

N/A

SIZE OF PROPERTY AFFECTED:

N/A

ALR STATUS:

N/A

OFFICIAL COMMUNITY PLAN DESIGNATION:

N/A

OTHER INFORMATION:

Additional information is attached. For more background visit www.islandstrust.bc.ca/npender/suites

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

Name: Justine Starke

(Signature)

Title: Island Planner
Contact Info: Tel: 250-405-5189
Email: jstarke@islandstrust.bc.ca

PLEASE TURN OVER 

This referral has been sent to the following agencies:

Federal Agencies

N/A

Provincial Agencies

Agricultural Land Commission
BC Assessment Authority
Ministry of Forest, Lands & Natural Resource Operations
- Water Protection

Non-Agency Referrals

North Pender Island Advisory Planning Commission
Islands Trust – Bylaw Enforcement
Gulf Islands School District No. 64
Outer Gulf Islands RCMP
Razor Point Improvement District
Trincomali Water Improvement District
Island Health

Regional Agencies

Capital Regional District – Electoral Area Director
Capital Regional District – Building Inspection
Capital Regional District – Infrastructure Engineering (Integrated Water Services)
Magic Lake Water and Sewer Commission
North Pender Island Fire Rescue

Adjacent Local Trust Committees and Municipalities

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

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Malahat First Nation - TE'Mexs Treaty Association
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☐

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

North Pender Island Local Trust Area

(Island)

216 & 217

(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)



File No.: 6500-20-LUB Technical Review

DATE OF MEETING: March 8, 2018
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Victoria Office
SUBJECT: Land Use Bylaw Technical Review
Applicant: Saturna Local Trust Committee

RECOMMENDATION

1. That the Saturna Island Local Trust Committee direct staff to prepare a draft Land Use Bylaw incorporating the amendments contained in the draft Land Use Bylaw document with highlighted amendments dated March 1, 2018.
2. That the Saturna Island Local Trust Committee direct staff to prepare a draft Official Community Plan Bylaw amendment to in order to identify the National Park Reserve Lands within the Saturna Island Local Trust area.

REPORT SUMMARY

The review and update of the Land Use Bylaw (LUB) is a top priority project of the Saturna Island Local Trust Committee (LTC). A project charter endorsed October 17, 2017 is attached for the LTCs reference.

BACKGROUND

The LUB has not been reviewed in its entirety since it was adopted on November 14, 2002. The LTC made the review of the LUB a top work program priority at its September 16, 2016 LTC meeting. Clear regulations assist the LTC, planning staff and the public in understanding how LUB regulations apply to the Saturna Island Planning area. Staff and legal counsel has reviewed the existing LUB and provided recommended revisions, additions, or deletions of a technical nature. The recommended revisions involve formatting, layout, and wording. The recommended changes include but are not limited to:

- Revising and removal of out-of-date references
- Revisions for clarity, correctness, and consistency
- Changes to regulations that exceed the LTC's jurisdiction
- Revisions to regulations that are inconsistent with recent case law
- Review of definitions

Any amendments that involve substantive policy changes identified as part of the technical should be itemized and set aside for future consideration as a separate project(s) for the LTC to consider.

The LTC met on October 23, 2017 and reviewed amendments recommended by staff. The amendments contained in the attached document were endorsed by the LTC at the October 23, 2017 LTC meeting.

Rationale for Recommendation:

Staff is recommending the endorsement of this project charter for the following reasons:

- The LTC is in the last year of its term and in order to complete this project a bylaw needs to proceed.
- The LUB has not been reviewed in 14 years
- The amended LUB will provide more certainty and assist the LTC, planning staff and the public in understanding how LUB regulations apply to the Saturna Island Planning area
- The cost of the review is within the LTCs project budget

ATTACHMENTS

1. Saturna Land Use Bylaw dated March 1, 2018 with recommended amendments
2. National Park Reserve Lands OCP and LUB mapping
3. Project Charter dated October 17, 2017



LAND USE BYLAW REVIEW
COMMENTS PROVIDED FOR
DISCUSSION PURPOSES ONLY

Second Draft

March 1, 2018

SATURNA ISLAND LOCAL TRUST COMMITTEE

LAND USE BYLAW NO. 78, 2002

AS AMENDED BY SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAWS: 76, 79, 81, 82, 89, 91, 94, 95, 96, 99, 100, 108 and 110

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

Certified copies of the Land Use Bylaw are available from the Islands Trust Office,
200 - 1627 Fort Street, Victoria, B.C. V8R 1H8

Consolidated April 25, 2013

This copy is consolidated for convenience only and includes the following **text** amendments only:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 76	Amendment No. 2, 2002	February 18, 2004
Bylaw No. 79	Amendment No. 3, 2002	December 15, 2003
Bylaw No. 81	Amendment No. 1, 2003	June 18, 2003
Bylaw No. 82	Amendment No. 2, 2003	August 31, 2005
Bylaw No. 89	Amendment No. 1, 2005	August 31, 2005
Bylaw No. 91	Amendment No. 1, 2007	February 20, 2008
Bylaw No. 94	Amendment No. 2, 2008	November 12, 2008
Bylaw No. 95	Amendment No. 3, 2008	December 8, 2008
Bylaw No. 96	Amendment No. 4, 2008	November 12, 2008
Bylaw No. 99	Amendment No. 1, 2009	September 15, 2010
Bylaw No. 100	Amendment No. 1, 2010	September 15, 2010
Bylaw No. 108	Amendment No. 1, 2012	November 8, 2012
Bylaw No. 110	Amendment No. 2, 2012	April 18, 2012

TABLE OF CONTENTS

	Page
PART 1.....	1
ADMINISTRATION.....	1
1.1 Compliance	1
1.2 Violation.....	1
1.3 Penalty	21
1.4 Inspection and Enforcement	21
1.5 Severability.....	32
1.6 Metric Units of Measurement	32
1.7 Numbering.....	32
PART 2.....	43
GENERAL REGULATIONS.....	43
2.1 Uses Permitted in any Zone	43
2.2 Prohibited Uses	43
2.3 General Height Regulations	43
2.4 Accessory Buildings	54
2.5 Setbacks from Watercourses and Natural Boundaries	54
2.6 Setbacks between Cottages and Other Residences	54
2.7 Covenants Against Buildings and Subdivision	64
2.8 Enforcement of Siting Regulations - Other Permits	65
2.9 Non-conforming Use	65
2.10 Provisional Residence while Constructing.....	65
2.11 Cottages	65
2.12 Determination of Residential Density - Lots in More than One Zone	65
2.13 Use of Common Property	76
2.14 Use of Crown Foreshore	76
2.15 Measurements of Setbacks.....	76
2.16 Home Occupation Regulations	76
2.17 Home Based Industry Regulations	97
2.18 Water Storage	119
PART 3.....	1210
ESTABLISHMENT OF ZONES	1210
3.1 Division Into Zones.....	1210
3.2 Zone Boundaries	1210
4. RURAL ZONING REGULATIONS	1412
4.1 RURAL RESIDENTIAL ZONE (RR)	1412
Permitted Uses	1412
Residential Site Density.	1412
Lot Coverage.....	1412
Building Setbacks.....	1412
Subdivision Lot Size Requirements	1513
4.2 RURAL GENERAL ZONE (RG).....	1513
Permitted Uses	1513
Residential Site Density.	1513
Lot Coverage.....	1513
Building Setbacks.....	1614
Subdivision Lot Size Requirements	1614
4.3 RURAL AGRICULTURAL SALES ZONE (RAS)	1614
Permitted Uses	1614
Site Density.	1614
Building Setbacks.....	1614
Subdivision Lot Size Requirements	1715
4.4 RURAL COMPREHENSIVE DEVELOPMENT ZONE (RCD).....	1715

Permitted Uses	1715
Residential Site Density	1715
Building Setbacks.....	1715
Subdivision Lot Size Requirements	1916
4.5 MULTIPLE FAMILY RESIDENTIAL ZONE (MFR)	1916
Permitted Uses	1916
Lot Coverage.....	1916
Setback Provisions	1916
Site Density	1916
Subdivision Lot Size Requirements	1916
4.6 COMMUNITY SERVICES ZONE (CS)	2017
Permitted Uses	2017
Lot Coverage.....	2017
Setback Provisions	2017
Subdivision Lot Size Requirements	2017
4.7 PUBLIC UTILITIES ZONE (PU).....	2118
Permitted Uses	2118
Lot Coverage.....	2118
Setback Provisions	2118
Subdivision Lot Size Requirements	2118
4.8 COMMUNITY PARK ZONE (CP)	2218
Permitted Uses	2218
Permitted Structures	2319
5. COMMERCIAL ZONING REGULATIONS.....	2420
5.1 COMMERCIAL RECREATION AND ACCOMODATION ZONE (CRA)	2420
Permitted Uses	2420
Lot Coverage.....	2420
Site Density	2420
Building Setbacks.....	2521
Subdivision Lot Size Requirements	2521
5.2 COMMERCIAL ZONE (C)	2521
Permitted Uses	2521
Lot Coverage.....	2521
Building Setbacks.....	2521
Residential Site Density	2621
Subdivision Lot Size Requirements	2622
6 INDUSTRIAL ZONING REGULATIONS.....	2723
6.1 INDUSTRIAL STORAGE AND REPAIRS ZONE (ISR).....	2723
Uses Permitted	2723
Height.....	2723
Lot Coverage.....	2723
Building Setbacks.....	2824
Subdivision Lot Size Requirements	2824
6.2 INDUSTRIAL COMPREHENSIVE ZONE (IC).....	2824
Permitted Uses	2824
Height.....	2824
Lot Coverage.....	2924
Building Setbacks.....	2924
Subdivision Lot Size Requirements	3025
7. FARMLAND ZONING REGULATIONS.....	3126
7.1 FARMLAND ZONE (F)	3126
Permitted Uses	3126
Lot Size and Site Density	3126
Building Setbacks.....	3126
Special Building Setback.....	3126

Subdivision Lot Size Requirements	3226
7.2 FARM RESORT ZONE (F1)	3227
Permitted Uses	3227
Height.....	3227
Site Coverage	3227
Site Density	3227
Siting of Uses, Buildings and Structures	3327
Site Area Restrictions.....	3328
Subdivision Lot Size Requirements	3328
7.3 FARM RETREAT ZONE (F2)	3328
Permitted Uses	3328
Lot Coverage.....	3328
Site Density	3328
Siting of Uses, Buildings and Structures	3429
Subdivision Lot Size Requirements	3429
8. WATERSHED ZONING REGULATIONS	3530
8.1 WATERSHED ZONE (W).....	3530
Permitted Uses	3530
Buildings Setbacks.....	3530
Subdivision Lot Size Requirements	3530
9. FORESTLAND ZONING REGULATIONS	3631
9.1 FOREST RESERVE (FR) ZONE.....	3631
Permitted Uses	3631
Lot Size Requirements	3631
9.2 FOREST GENERAL ZONE (FG).....	3631
Permitted Uses	3631
Height.....	3832
Building Setbacks.....	3832
Site Density	3832
Lot Size Requirements	3832
9.3 FOREST RESIDENTIAL ZONE (FR1)	3832
Permitted Uses	3832
Height.....	3832
Building Setbacks.....	3832
Site Density	3932
Lot Size Requirements	3933
10. WILDERNESS RESERVE ZONING REGULATIONS	4034
10.1 WILDERNESS RESERVE (WR) ZONE	4034
Uses Permitted	4034
Building Setbacks.....	4034
Site Density	4034
Lot Coverage.....	4034
Subdivision Lot Size Requirements	4034
11. WATER ZONING REGULATIONS	4135
11.1 WATER ZONE (WA).....	4135
Permitted Uses	4135
Setbacks of Floats and Wharves	4135
Buildings Prohibited	4135
Commercial and Industrial Activity Prohibited	4135
Site Specific Regulations	4236
11.2 WATER HARVEST ZONE (WH)	4236
Permitted Uses	4236
Setbacks of Floats and Wharves	4236
Permitted Buildings	4337
11.3 WATER GENERAL COMMERCIAL ZONE (WGC)	4337

Permitted Uses	4337
Setbacks of Floats and Wharves	4337
11.4 WATER PUBLIC UTILITY ZONE (WPU)	4337
Permitted Uses	4337
Setbacks of Floats and Wharves	4338
11.5 OPEN WATERS ZONE (WO)	4438
Permitted Uses	4438
<u>11.6 National Park Reserve Zone</u>	
<u>11.7 National Park Reserve Marine Zone</u>	
12. SUBDIVISION REGULATIONS	4639
Compliance with Minimum and Average Lot Area	4639
Covenant Against Further Subdivision and Development	4639
Undersized Parcels	4740
Parcel Size calculations	4740
Lot Size Exemptions	4740
Lot Width	4841
Panhandle Lots	4841
Lots in More than One Zone	4841
Subdivision Capacity of Split Zoned Lots	4841
13. SIGN REGULATIONS	5043
14. OFF STREET PARKING REGULATIONS	5144
Off street parking	5144
15. INTERPRETATION	5446
Definitions	5446
16. SHORT TITLE AND REPEAL	6151

**Saturna Island Local Trust Committee
Bylaw No. 78**

A bylaw to regulate the use of land, buildings and structures, the subdivision of land, the provision of off street parking spaces, screening and landscaping, and the erection of signs in the Saturna Island Local Trust Area

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

PART 1

ADMINISTRATION

1.1 Compliance

- 1.1.1 No person may use or permit any land, water surface, *building or structure* to be used or occupied, or subdivide any land, except as permitted by this bylaw.
- 1.1.2 No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as expressly permitted by this Bylaw.
- 1.1.3 Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their ~~undertaking~~ use of land, buildings or structures or the subdivision of land.
- 1.1.4 The use of land, building and structures that is lawful at the time of the adoption of this Bylaw, although not conforming to the provisions of this Bylaw may be continued subject to Section 528 of the Local Government Act.
- 1.1.5 Any existing lot that has less area than the minimum lot area specified in the applicable zone for the creation of lots by subdivision may be used for any use permitted in that zone unless otherwise specified in this Bylaw.
- 1.1.6 No land may be subdivided, no building, structure or land may be used, and no building or structure may be sited in a manner which renders the existing use, building or structure illegal or non-conforming.

1.2 Violation

- 1.2.1 ~~Any person who does any act or thing or permits any act or thing to be done in contravention of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw, is deemed to have violated provisions of this Bylaw.~~

Every person commits an offence under this Bylaw, who, being an owner or occupier of land or of the surface of water in the Saturna Island Local Trust Area:
 - (1) violates any of the provisions of this Bylaw;
 - (2) causes or permits any act or thing to be done in contravention or violation of any of the provisions of this Bylaw;
 - (3) neglects or omits to do anything required under this Bylaw;
 - (4) carries out, causes or permits to be carried out any development of land or the surface of water in a manner prohibited by or contrary to any of the provisions of this Bylaw;

(5) fails to comply with an order, direction or notice given under this Bylaw; or
(6) prevents or obstructs or attempts to prevent or obstruct a person authorized
under Section 1.4 from entering on the property.

1.3 Penalty

~~1.3.1 Any person who violates any of the provisions of this Bylaw is, upon summary conviction, liable to a penalty of not more than two thousand dollars (\$2000.00) and the cost of prosecution. Each day that such violation continues, or is allowed to continue, constitutes a separate offence.~~

1.3.1 Every person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty as provided in the Offence Act and the costs of prosecution.

1.3.2 Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

1.4 Inspection and Enforcement

~~1.4.1 The Bylaw Investigations Officer and any other officer of the Islands Trust who may be appointed, are authorized to enter, at all reasonable times, upon any property subject to the provisions of this Bylaw, for the purpose of administering or enforcing this Bylaw.~~

The Islands Trust Bylaw Enforcement Officer or any other person designated by the Saturna Island Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed.

1.5 Severability

- 1.5.1 If any provision of this Bylaw is for any reason held to be invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

1.6 Metric Units of Measurement

- 1.6.1 Metric dimensions are used in this Bylaw. Imperial equivalents provided are approximate and for convenience only, and do not form part of this Bylaw.

1.7 Numbering

- 1.7.1 In the numbering system used in this Bylaw, the first number indicates parts of the Bylaw; the second indicates Sections; the third indicates Subsections; the fourth indicates Articles; and, the fifth indicates clauses as follows:

18	Part
18.1	Section
18.1.1	Subsection
18.1.1(1)	Article
18.1.1(1)(a)	Clause

PART 2

GENERAL REGULATIONS

2.1 Uses Permitted in any Zone

2.1.1 The following uses are permitted in every *zone* except the Wilderness Reserve Zone:

- 2.1.1(1) *public service uses*
- 2.1.1(2) ~~approved~~ navigational aids
- 2.1.1(3) natural area parks and reserves
- 2.1.1(4) *accessory uses, buildings and structures*
- 2.1.1(5) *passive recreation*
- 2.1.1(6) roadside stands for sale of produce
- 2.1.1(7) water storage tanks

2.2 Prohibited Uses

2.2.1 Only the uses, buildings and structures expressly permitted in this Bylaw are permitted in the relevant zones. Without limiting the generality of the foregoing, the following uses, buildings and structures are prohibited in all zones:

- 2.2.1(1) Except in the Farmland Zone and land within the Agricultural Land Reserve, on a *lot* having an area of less than 1.0 hectare (2.5 acres) the keeping of cattle, sheep, goats, pigs, donkeys or similar animals, bees, llamas, ostriches and emus, and more than one horse
- 2.2.1(2) Other than on land within the Agricultural Land Reserve, *intensive farm use* operations
- 2.2.1(3) Commercial airstrips and helicopter landing pads except for emergency landing sites
- 2.2.1(4) ~~Disposal of any waste matter on land and in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the Sewage Disposal Regulation or the Waste Management Act~~

2.3 General Height Regulations

2.3.1 No *building* or *structure* used for *farm use* purposes may exceed 15 metres (50 feet) in *height* and no other *building* or *structure* may exceed 9 metres (30 feet) in *height* unless otherwise specifically permitted in the Bylaw. (Note: The Industrial Zones permit buildings up to a maximum of 15 metres in height.)

2.3.2 The *height* restrictions for *buildings* and *structures* specified in this Bylaw may be exceeded for retaining walls, wind generators, radio and television antennas, chimney stacks, flag poles, lightning poles, ~~barns~~, farm silos, water towers, electrical transmission towers, church steeples, fire hose towers and fire alarm towers, provided that the *lot coverage* of such *structures* does not exceed 1% or, if located on a *building*, they do not occupy more than 10% of the roof area of the *building*

2.4 Accessory Buildings

- 2.4.1 Where a *building* or *structure* is attached to ~~the principal~~ *an accessory building* on a *parcel* by a *breezeway* attached to both *buildings*, it is to be considered a part of the *principal building* and is not an *accessory building*. The distance of the *breezeway* between the *building* or *structure* and the *principal building* is not to exceed 5 metres (16.4 feet).
- 2.4.2 *Accessory buildings* shall be subject to the same setback requirements as the *principal building* and no *accessory building* shall be located ~~less than within~~ 3 metres (10 ft.) ~~from~~ *of* any *principal building*. (Note: See *Section 2.6* for setbacks between a residence and a *cottage*)
- 2.4.3 The maximum combined *floor area* of *accessory buildings* and *structures* other than *cottages* shall not exceed 140 square metres (1500 sq. ft.) in respect of each *constructed permitted residence* on a lot. For clarity, the reference to *residence* in this subsection does not include a *cottage*.
- 2.4.4 The following buildings and structures may be constructed or placed on a lot prior to the construction of a principal residence or the commencement of a principal residential use on the same lot:
- 2.4.4(1) one storage building not exceeding 61 square metres (656 sq. ft.) in floor area, and
- 2.4.4(2) one utility building or pumphouse not exceeding 9.3 square metres (100 sq. ft.) in floor area.

Any other accessory building or structure may only be constructed where a valid building permit has been issued for the construction of a principal use building on the same lot.

2.5 Setbacks from Watercourses and Natural Boundaries

- ~~2.5.1 No building except a boathouse or pumphouse or marine related structure, nor any mobile structure may be located within 7.6 metres (25 ft.) of the natural boundary of the sea or any natural watercourse.~~
- ~~2.5.1 No building or structure other than one referred to in Subsection 2.5.2 and 2.5.3 may be sited, within 7.6 metres (25 feet) upland of the natural boundary of the sea nor 7.6 metres (25 feet) upland of the natural boundary of a watercourse, and for this purpose paved areas of asphalt, concrete or similar material are "structures".~~
- ~~2.5.2 Despite subsection 2.5.1, fences, stairways, wharf and dock ramps and their footings can be sited within 7.6 metres (25 feet) of the natural boundary of the sea.~~
- ~~2.5.3 Despite subsection 2.5.1, fences and pumphouses can be sited withing 7.6 metres (25 feet) of the natural boundary of a watercourse.~~

2.6 Setbacks between Cottages and Other Residences

- 2.6.1 Notwithstanding Subsection 2.4.2, no *cottage* may be located within 5 metres (16 feet) of a *residence* or other *cottage*.

2.7 Covenants Against Buildings and Subdivision

- 2.7.1 Where, under this bylaw, an owner of land is required ~~or authorized~~ to grant a covenant restricting subdivision or development, the covenant must be granted to the Saturna Island Local Trust Committee in priority to all financial charges. The covenant must be delivered in a form that will be accepted for registration by the Registrar of Titles and is satisfactory to the Trust Committee prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the ~~covenant holder~~ covenantor.

2.8 Enforcement of Siting Regulations - Other Permits

~~2.8.1 Unless the Saturna Island Local Trust Committee otherwise decides, every applicant for a development permit or development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the lot of all existing and proposed buildings, structures and sewage absorption fields in relation to the lot and zone boundaries, watercourses, wells and the sea, and in relation to other buildings on the lot.~~

Every applicant for a development permit, temporary use permit or development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the lot of all existing and proposed buildings, structures and sewage absorption fields in relation to lot and zone boundaries, watercourses, wells and the sea, and in relation to other buildings on a lot unless an Islands Trust staff member determines that the provision of such a plan is not reasonably necessary to establish whether the proposed buildings, structures and sewage absorption fields comply with the siting requirements of this or any other bylaw.

2.9 Non-conforming Use

~~2.9.1 A lawful use of premises existing at the time of the adoption of this Bylaw, although such use does not conform to the provisions of this Bylaw, may be continued, subject to the provisions of the Section 911 of the Local Government Act respecting non-conforming uses.~~

2.10 Provisional Residence while Constructing

- 2.10.1 Where a valid *building* permit has been issued for the construction of a residence, one travel trailer or camper or an *accessory building* may be used for the provisional residence of the owner or builder. -However, as soon as the residence is occupied the travel trailer, camper or *accessory building* must not be used for residential purposes.

2.11 Cottages

- 2.11.1 On those *parcels* where a *residence* and a *cottage* are permitted uses, a *cottage* may be constructed prior to the construction of a *residence*.

2.12 Determination of Residential Density - Lots in More than One Zone

~~*[Note: The determination of residential density is based on the gross acreage of the lot]~~

- 2.12.1 Where a *lot* is located in two or more *zones*, additional *residences* may only be

constructed in compliance with the density regulation for the *zone* in which the *residence* is to be constructed, ~~unless otherwise called for in the OCP such as, locating buildings outside of arable land.~~

Without limiting the generality of section 2.12.1, the following provisions 2.12.2 and 2.12.3 apply:

- 2.12.2 Where the zoning on a *lot* contains provisions of both the Farmland and Rural *zones*, site density shall be the combined area of the Rural and Farmland portions of the *parcel* as though the sum total of the land were all in the Rural Zone provided that;
- a) all *residential uses* are located on the rural *zone* portion of the *parcel*;
 - b) maximum density shall be 5 primary residences and 5 *cottages*; and
 - c) where necessary, a covenant is to be placed on the other *zone* areas prohibiting further residential construction.
- 2.12.3 Where a *lot* contains both Watershed and either Rural or Forest *zones* maximum permitted residential density shall be one primary residence per 10.12 hectares (25 acres) of Watershed; provided that:
- a) the residential density doesn't exceed the *subdivision capacity*;
 - b) all *residential uses* are restricted to the Rural or Forest zoned portions of the lot; and
 - c) where necessary, a covenant is to be placed on the Watershed zoned area prohibiting further development.

2.13 Use of Common Property

- 2.13.1 Land comprising the common property in a strata plan is not a "lot" for the purposes of the density regulations set out in this Bylaw, but may be used for accessory uses to principal uses located on strata lots in the same strata plan.

~~2.14 Use of Crown Foreshore~~

~~2.14.1 All uses must be authorized by this Bylaw and a crown lease obtained from Land and Water BC Inc.~~

2.15 Measurements of Setbacks

- 2.15.1 All setbacks of *buildings* and *structures* must be measured on a horizontal plane from the ~~building or structure natural boundary, lot line or other feature specified to the point specified in this Bylaw nearest portion of the building or structure in question.~~
- 2.15.2 Steps, eaves, gutters, cornices, sills, chimneys, or other similar features, may project up to 1 metre into the setback area or 0.5 metres in the case of a side yard setback area less than 3 metres in width; and balconies, decks and sun shades, may project up to 1 metre into the required setback area.

2.16 Home Occupation Regulations

- 2.16.1 A *home occupation* use other than a horticultural use must be carried out wholly within a *residence* or within a permitted *accessory building*. The combined floor area of all *accessory buildings* used in ~~the~~ a *home occupation* must not exceed 140 sq. metres (1500 sq feet).

- 2.16.2 There shall not be carried on as a *home occupation*, any occupation which by reason of its nature, emits or causes to be produced or emitted, noises, dust, smoke, gas or other effluents in such quantities or under such conditions as to be ~~noxious or offensive~~ detectable at the lot line.
- 2.16.3 There may be no exterior indication of the existence of the *home occupation* either by:
- 2.16.3(1) storage exterior to a *building* or *structure* of any material used in the processing or resulting from the processing of any product unless such storage areas are screened by a *landscape screen* or fence not less than 2 metres in *height*; or
 - 2.16.3(2) displays, lighting; or
 - 2.16.3(3) ~~by~~ any other variation from the residential character of the *residence* or *accessory building*, with the exception of signs permitted by this Bylaw.
- 2.16.4 A *home occupation* is not permitted unless the premises on which it is conducted are concurrently occupied as a *residence*. A person or persons ~~residing~~ in the *residence* must operate the *home occupation*. Not more than two additional persons (two full time equivalent positions) not residing in the residence, may be employed in the *home occupation*.

2.16.5 The following activities are not permitted:

2.16.5(1) the serving of food or drink products on the premises as part of a *home occupation* except for bed and breakfast *home occupations* as noted in subsection 2.16.6; and,

2.16.5(2) the retail sale of liquor, ~~other than the sale of liquor produced on the premises having a display and sales floor area not exceeding 10 m².~~

2.16.6 The following additional regulations apply to bed and breakfast *home occupations*:

2.16.6(1) not more than 3 bedrooms may be used to accommodate guests;

~~2.16.6(2) in addition to the 2 off-street parking spaces required for the residence, one additional off-street parking space for each bedroom used for bed and breakfast accommodation must be provided;~~

2.16.6(3) a bed and breakfast *home occupation* must be conducted solely on the property;

2.16.6(4) ~~breakfast~~ breakfast may be served on the premises to paying guests;

2.16.6(5) up to twelve special events per calendar year may be catered on the premises by the bed and breakfast operator; and,

2.16.6(6) occasional dinners may be served on the premises to paying guests, ~~staying more than two consecutive nights.~~

2.16.7 The operator of every *home occupation* must comply with all licensing, health and other applicable regulations of British Columbia and the Capital Regional District, including building, public health, noise, air quality, and water quality regulations.

2.16.8 ~~Sufficient off-street parking spaces must be provided to accommodate customers and employees of any home occupation, in addition to the 2 off-street parking spaces required for the residence as defined in Section 14 – Off-Street Parking Regulations.~~

2.16.9 *Home occupations* involving retail sales of products not made or grown on the premises may have not more than 25% of the built premises (*residential and accessory buildings*), to a maximum of 30 sq metres (323 sq ft) dedicated to the presentation and sale of those products.

2.16.10 The following additional regulations apply to the short term rental of a *cottage* as a *home occupation*:

2.16.10(1) no more than one *cottage* per constructed *residence* may be used as a *short term vacation rental* at any one time;

2.16.10(2) despite subsection 2.16.1 the total combined floor area per lot of *cottages* being used for *short term vacation rentals* under the *home occupation* regulations can exceed 140 sq. metres (1500 sq. feet).

2.17 Home Based Industry Regulations

2.17.1 A *home based industry* other than a horticultural use must be carried out wholly within a *residence* or within a permitted *accessory building*. The combined floor areas of all *accessory buildings* used in the *home based industry* must not exceed 140 m² (1500 ft²).per ~~permitted-constructed~~ residence

2.17.2 There shall not be carried on as a *home based industry*, any use which by reason of its nature, emits or causes to be produced or emitted, noises, dust, smoke, gas or other effluents in such quantities or under such conditions as to be ~~noxious or offensive~~

detectable at the lot line.

2.17.3 A home based industry use:

2.17.3(1) is not permitted on any lot less than 2 hectares (5 acres) in area;

2.17.3(2) must ~~be sited not less than~~ not be sited within 22.5 metres (75 feet) ~~from~~ of any lot line ~~or~~ nor be sited within 7.5 metres (25 feet) ~~from~~ of the sea; and

2.17.3(3) must be screened from view from abutting lots and from public lands and ~~public road rights-of-way~~ public roads.

2.17.4 The hours of operation for a home based industry use are limited to 7:00 a.m. to 7:00 p.m. Operation is permitted outside those hours when there is no discernible ~~negative~~ impact, in terms of noise, light, smell, dust, smoke, gas or other effluents, ~~on the surrounding neighbourhood~~ detectable at the lot line.

2.17.5 There may be no exterior indication of the existence of the home based industry either by:

2.17.5(1) storage exterior to a building or structure of any material used in the processing or resulting from the processing of any product unless such storage areas are screened by a landscape screen or fence not less than 2 metres in height; or

2.17.5(2) displays, lighting; or

2.17.5(3) by any other variation from the residential character of the residence or accessory building, with the exception of signs permitted by this Bylaw.

2.17.6 A home based industry is not permitted unless the premises on which it is conducted are concurrently occupied as a residence. A person or persons ~~residing in the residence~~ must operate the home based industry. Not more than two additional persons (two full time equivalent positions) not residing in the residence, may be employed in the home based industry.

2.17.7 The following activities are not permitted as part of a home based industry:

2.17.7(1) the serving of food or drink products on the premises; and,

2.17.7(2) the retail sale of liquor, ~~other than the sale of liquor produced on the premises~~ having a display and sales floor area not exceeding 10 m².

2.17.8 ~~The operator of every home based industry must comply with all licensing, health and other applicable regulations of British Columbia and the Capital Regional District, including building, public health, noise, air quality, and water quality regulations.~~

2.17.9 ~~Sufficient off street parking spaces must be provided to accommodate customers and employees of any home based industry, in addition to the 2 off street parking spaces required for the residence as defined in Section 14 – Off Street Parking Regulations.~~

2.17.10 Home based industries involving retail sales of products not made or grown on the premises may have not more than 25% of the built premises (residence and accessory buildings) to a maximum of 40 sq metres (430 sq ft) dedicated to the presentation and sale of those products.

2.18 Water Storage

A building permit shall not be issued for any new residential building, visitor accommodation unit, or addition to a residential building or visitor accommodation unit in the water management area depicted on Schedule C unless a building on the lot is equipped with a water catchment system and cistern(s) for the storage of rainwater. Minimum cistern capacity is required as follows:

A minimum cistern capacity of 21820 litres (4800 gallons) is required for any new construction of a residence or visitor accommodation unit, or any addition to a residence or visitor accommodation unit that exceeds 11.6 square metres (125 square feet) of floor area.

- 2.19** Unless permitted elsewhere in this bylaw no lot may be used for:
- (1) the storage of more than two unlicensed motor vehicles (other than farm and forest equipment and vehicles), unless the vehicles are stored within a permitted building that is completely enclosed;
 - (2) the wrecking or storage of derelict or abandoned vehicles, trailers or other discarded machinery or equipment; and
 - (3) the storage of detached or salvaged motor vehicle parts or scrap, unless the parts are stored within a permitted building that is completely enclosed.

PART 3

ESTABLISHMENT OF ZONES

3.1 Division Into Zones

The Saturna Island Local Trust Area shown on Schedule A is divided into the zones identified in Column I and described in abbreviated form in Column II.

	COLUMN I	COLUMN II
	Rural Residential	RR
	Rural General	RG
	Rural Agricultural Sales	RAS
	Rural Comprehensive Development	RCD
	Multiple Family Residential	MFR
	Community Services	CS
	Public Utilities	PU
BL#108	Community Park	CP
	Commercial Recreation and Accommodation	CRA
	Commercial	C
	Industrial Storage and Repairs	ISR
	Industrial Comprehensive	IC
	Farmland	F
	Farm Resort	F1
BL#82	Farm Retreat	F2
	Watershed	W
	Forest Reserve	FR
	Forest General	FG
	Forest Residential	FR1
	Wilderness Reserve	WR
	Water	WA
	Water Harvest	WH
	Water General Commercial	WGC
	Water Public Utility	WPU
	Open Water	WO
	National Park Reserve	NPR
	National Park Reserve Marine	NPRM

3.2 Zone Boundaries

- 3.2.1 The extent of each zone is shown on Schedule B and the interpretation of Schedule B is subject to Sections 3.2.2 to 3.2.4 inclusive.
- 3.2.2 The boundary between land and water zones is the surveyed lot line and where there is no survey plan the boundary is the *natural boundary*.
- 3.2.3 If a zone boundary follows a highway or other right of way, a creek, or a stream, the centre line of the highway, creek, or stream is the zone boundary.

3.2.4 If a *zone* boundary does not coincide with a *lot* boundary, *natural boundary*, or the centre line of a highway, creek, or stream, and where distances are not specifically indicated on Schedule B, the location of the *zone* boundary must be determined by scaling from Schedule B.

| 3.2.5 Unless otherwise indicated on Schedule B, marine *zones* extend from the *natural boundary* of the sea to the boundary of the Saturna Island Local Trust Area as described in Schedule A to the Islands Trust Regulation B.C. Reg. 119/90.

4. RURAL ZONING REGULATIONS

4.1 RURAL RESIDENTIAL ZONE (RR)

Permitted Uses

4.1.1 In the **Rural Residential (RR) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 4.1.1(1) *residential*;
- 4.1.1(2) *home occupations*.

4.1.2 In addition to the uses permitted above, the following uses shall be permitted on ~~parcels~~ lots 1.0 ha (2.5 acres) in area or larger:

- 4.1.2(1) *farm use*;
- 4.1.2(2) the harvesting of trees and the carrying out of all *silviculture* practices; and
- 4.1.2(3) portable *temporary* sawmills ~~and log~~ chippers and other similar machinery used for the processing of logs harvested on the *parcel* only.

~~Residential Site~~ Residential Density.

4.1.3 On a ~~parcel/ lot~~ having an area of 1.21 hectares (3 acres) or less the maximum density is one (1) *residence*.

4.1.4 On a ~~parcel/ lot~~ greater than 1.21 hectares (3 acres) in area the maximum density is one (1) *residence* and one (1) *cottage*.

Lot Coverage

4.1.5 On lots less than .4 hectare (one acre) in area, lot coverage for buildings and structures shall not exceed 20 %.

Building Setbacks

4.1.6 No *building* or *structure* except a fence or *pumphouse* shall be located within 7.6 metres (25 ft.) of any *front lot line* or *rear lot line*.

4.1.7 No *building* or *structure* or part thereof except a fence or *pumphouse* shall be located ~~closer than~~ within a distance of 3 metres (10 ft.) measured from the *interior side lot line* to the furthest projection of the *building*, nor, ~~subject to the regulations adopted pursuant to the Highways Act, closer than~~ within 4.5 metres (15 ft.) ~~from~~ of an *exterior side lot line*.

4.1.8 No enclosure or *structure* for housing animals and poultry shall be ~~closer than~~ within 7.6 metres (25 ft.) ~~to~~ of any property line.

Comment [GR1]: Will make consistent throughout Bylaw

Subdivision Lot Size Requirements

Comment [GR2]: Will make consistent throughout bylaw

- 4.1.8 No *lot* having an area less than 0.81 hectares (2 acres) may be created by subdivision in the Rural Residential Zone except where a proposed *lot* fronts on the ocean, it may have an area not less than 0.4 hectares (1 acre).
- 4.1.9 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

4.2 RURAL GENERAL ZONE (RG)

Permitted Uses

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

Residential Site Density.

- 4.2.4 On a ~~parcel/lot~~ 1.21 hectares (3 acres) in area or less the maximum density is one (1) *residence*.
- 4.2.5 On a ~~parcel/lot~~ having an area greater than 1.21 hectares (3 acres) and less than 4.05 hectares (10 acres) the maximum density is one (1) *residence* and one (1) *cottage*.
- 4.2.6 On ~~parcels~~ lots having an area of 4.05 hectares (10 acres) or greater one (1) *residence* and one (1) *cottage* per 2.02 hectares (5 acres) are permitted up to a maximum density of five (5) ~~units~~ and five (5) cottages per lot parcel.

Lot Coverage

- 4.2.7 On lots having an area less than .4 hectare (one acre), lot coverage for buildings and structures shall not exceed 20%.

Building Setbacks

- 4.2.8 No *building* or *structure* or part thereof except a fence or *pumphouse* shall be located within 7.6 metres (25 ft.) of any *front lot line* or *rear lot line*.
- 4.2.9 No *building* or *structure* or part thereof except a fence or *pumphouse* shall be ~~located~~ sited within 3 metres (10 feet) of any ~~interior side lot line~~ nor ~~subject to the regulations adopted pursuant to the Highways Act, shall be located~~ sited closer than within 4.5 metres (15 ft.) ~~from of~~ an *exterior side lot line*.
- 4.2.10 No enclosure or *structure* for housing animals and poultry shall be ~~sited closer than within~~ 7.6 metres (25 ft.) ~~teof~~ any ~~property lot~~ line.

Comment [GR3]: Will change located to sited wherever it appears

Subdivision Lot Size Requirements

- 4.2.11 No *lot* having an area less than 0.81 hectares (2 acres) may be created by subdivision in the Rural General Zone .
- 4.2.12 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

4.3 RURAL AGRICULTURAL SALES ZONE (RAS)

Permitted Uses

- 4.3.1 In the **Rural Agricultural Sales (RAS) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.
- 4.3.1(1) retail sales of horticultural and landscaping products;
- 4.3.1(2) *farm use*;

Site Density. Lot Coverage

- 4.3.2 Lot coverage ~~requirement~~ for buildings and structures and parking areas shall not exceed 30 %.

Comment [GR4]: Change heading so lot coverage is not considered density. Want to be clear throughout bylaw that density is number of residences and cottages permitted and number of lots permitted by subdivision.

Building Setbacks

- 4.3.3 No *building* or *structure* except a fence or *pumphouse* shall be ~~located~~ sited within 7.6 metres (25 ft.) of any *front lot line* or *rear lot line*.
- 4.3.4 No *building* or *structure* or part thereof except a fence or *pumphouse* shall be sited within ~~located closer than a distance of~~ 3 metres (10 ft.) measured from the *interior side lot line* to the furthest projection of the *building*, nor, ~~subject to the regulations adopted pursuant to the Highways Act, closer than~~ sited within 4.5 metres (15 ft.) ~~from of~~ an *exterior side lot line*.

- 4.3.5 No enclosure or *structure* for housing animals ~~and or~~ poultry shall be sited closer than within 7.6 metres (25 ft.) ~~to of~~ any ~~property- lot~~ line.

Subdivision Lot Size Requirements

- 4.3.6 No lot having an area less than 2.02 hectares (5 acres) may be created by subdivision.

4.4 RURAL COMPREHENSIVE DEVELOPMENT ZONE (RCD)

Permitted Uses

- 4.4.1 In the **Rural Comprehensive Development (RCD) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 4.4.1(1) *residential*;
- 4.4.1(2) *home occupations and home based industry*;
- 4.4.1(3) *farm use*;
- 4.4.1(4) the harvesting of trees and silvicultural ~~ale~~ practices;
- 4.4.1(5) portable *temporary* sawmills ~~and log~~ chippers and other similar machinery used for processing of logs harvested on the *lot* only.

Residential Site Density.

- 4.4.2 One (1) *residence* is permitted per 2.02 hectares (5 acres) of *lot* area.
- BL #76 4.4.3 On the land commonly known as "Old Point Farm" and legally described as Sections 6 and 7, Saturna Island, Cowichan District and Lot 1, Plan 11378, Section 18, Saturna Island, Cowichan District the maximum density is 28 residences.
- BL #81 4.4.4 On the land commonly known as "Blackbird Hill Estates" and legally described as Lot A, Sections 17 and 18, Plan VIP74669, Saturna Island, Cowichan District the maximum density is 7 residences.

Lot Coverage

- 4.4.5 Lot coverage for buildings and structures and parking areas shall not exceed 20%.

Building Setbacks

- 4.4.~~56~~ No *building* or *structure* except a fence or *pumphouse* shall be ~~located-sited~~ within 7.6 metres (25 ft.) of any *front lot line* or *rear lot line*.
- 4.4.~~67~~ No *building* or *structure* or part thereof except a fence or *pumphouse* shall be ~~located~~ sited closer than a distance of within 3 metres (10 ft.) measured from the *interior side lot line* to the furthest projection of the *building*, nor, ~~subject to the regulations adopted pursuant to the Highways Act, closer than-sited within~~ 4.5 metres (15 ft.) ~~from of~~ an *exterior side lot line*.
- 4.4.~~78~~ No enclosure or *structure* for housing animals and poultry shall be ~~sited closer than within~~ 7.6 metres (25 ft.) to any ~~property-lot~~ line.

Subdivision Lot Size Requirements

4.4.89 No lot having an area less than 12.14 hectares (30 acres) may be created by subdivision. ~~in the Rural Comprehensive Development Zone~~

4.4.910 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

Comment [GR5]: Will put this wording in all other zones to be consistent.

4.5 MULTIPLE FAMILY RESIDENTIAL ZONE (MFR)

Permitted Uses

4.5.1 In the **Multiple Family Residential (MFR) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

4.5.1(1) residential for the purpose of providing affordable, senior or special need housing. ~~Senior Citizen Housing sponsored by a Public or Quasi Public Society Incorporated under the Society Act.~~

Lot Coverage

4.5.2 Buildings and structures shall not cover more than 33 percent of the ~~parcel of land lot~~ on which they are located.

Setback Provisions

4.5.3 No building or structure or part thereof except a fence or a pumphouse shall be ~~located~~ sited within 7.6 metres (25 ft.) of any front or rear lot line.

4.5.4 No building or structure or part thereof except a fence or a pumphouse shall be ~~located~~ sited closer than a distance of within 6.1 metres (20 ft.) ~~measured~~ from any interior side lot line ~~to the farthest projection of the building~~, nor, ~~subject to regulations adopted pursuant to the Highways Act, closer than sited within~~ 7.6 metres (25 ft.) ~~from of~~ an exterior side lot line.

~~Site~~ Residential Density

4.5.5 There shall not be more than four (4) residential units per 0.4 hectares (one acre) in the Multiple Family Residential Zone.

Subdivision Lot Size Requirements

4.5.6 No lot having an area less than 0.81 hectares (2 acres) may be created by subdivision.

4.5.7 No subdivision plan may be approved unless the lots created by the subdivision have an

average area of at least 2.02 hectares (5 acres).

4.6 COMMUNITY SERVICES ZONE (CS)

Permitted Uses

4.6.1 In the **Community Services (CS) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 4.6.1(1) community halls
- 4.6.1(2) churches
- 4.6.1(3) ~~public schools~~ schools
- 4.6.1(4) libraries
- 4.6.1(5) fire halls, police and ambulance stations
- 4.6.1(6) cemeteries.

Lot Coverage

4.6.2 *Buildings and structures* shall not cover more than 33 percent of the ~~parcel of land~~ lot on which they are located.

Setback Provisions

4.6.3 No *building or structure* or part thereof except a fence or a *pumphouse* shall be ~~located~~ sited within 7.6 metres (25 ft.) of any front or rear lot line.

4.6.4 No *building or structure* or part thereof except a fence or a *pumphouse* shall be ~~located~~ sited ~~closer than a distance of~~ within 6.1 metres (20 ft.) ~~measured from~~ of any interior side lot line ~~measured from to the farthest projection of the building~~, nor, ~~subject to regulations adopted pursuant to the Highways Act, closer than~~ sited within 7.6 metres (25 ft.) ~~from~~ of an exterior side lot line.

Subdivision Lot Size Requirements

4.6.5 No lot having an area less than 2.02 hectares (5 acres) may be created by subdivision.

BL#96

4.6.6 Site Specific Regulations

4.6.6(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	Column 2	Column 3
Site-Specific Zone Reference	Legal Description	Site Specific Regulations

Comment [GR6]: Will structure bylaw so all site specific regulations are shown in this format.

CS(a)	Lot SA 1 and 2, Section 8, Plan VIP67333EPP17444, Saturna Island, Cowichan District. <u>(Recreation Centre and Firehall)</u>	(1) Despite 4.6.5, no lot having an area of less than 0.2 ha (.5 acre) may be created by subdivision. (2) Despite 4.6.5 no subdivision plan may be -approved unless the lots created by the subdivision have an average area of at least 0.8 ha (2 acres).
-------	--	--

Comment [GR7]: identify on map

4.7 PUBLIC UTILITIES ZONE (PU)

Permitted Uses

4.7.1 In the **Public Utilities (PU) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 4.7.1(1) highways maintenance yard
- 4.7.1(2) hydro maintenance yard
- 4.7.1(3) telephone maintenance yard
- 4.7.1(4) water supply facilities
- 4.7.1(5) recycling facilities

Lot Coverage

4.7.2 *Buildings and structures* shall not cover more than 33 percent of the ~~parcel of land/lot~~ on which they are located.

Setback Provisions

- 4.7.3 No *building or structure* or part thereof except a fence or a *pumphouse* shall be ~~located~~ sited within 7.6 metres (25 ft.) of any front or *rear lot line*.
- 4.7.4 No *building or structure* or part thereof except a fence or a *pumphouse* shall be ~~located~~ sited closer than a distance of within 6.1 metres (20 ft.) ~~measured from of~~ any *interior side lot line* measured from to the farthest projection of the building, nor, ~~subject to regulations adopted pursuant to the Highways Act, closer than~~ sited within 7.6 metres (25 ft.) ~~from of~~ an *exterior side lot line*.

Subdivision Lot Size Requirements

4.7.5 No lot having an area less than 2.02 hectares (5 acres) may be created by subdivision.

4.8 COMMUNITY PARK ZONE (CP)

BL#108

Permitted Uses

4.8.1 In the **Community Park Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

4.8.1(1) Playgrounds; and

4.8.1(2) Picnic facilities.

Formatted: Indent: Left: 0", First line: 0",
Tab stops: Not at 0.56" + 1" + 1.19" + 1.38"

Permitted Structures

- 4.8.2 No buildings or structures other than playground structures, picnic tables, picnic shelters, toilets and storage buildings may be constructed."

Lot Coverage

- 4.8.3 Buildings and structures shall not cover more than 5 percent of the parcel of land lot on which they are located.

Setback Provisions

- 4.8.4 No building or structure or part thereof except a fence or a pumphouse shall be located sited within 7.6 metres (25 ft.) of any front or rear lot line.
- 4.8.5 No building or structure or part thereof except a fence or a pumphouse shall be located sited closer than a distance of within 6.1 metres (20 ft.) measured from of any interior side lot line measured from to the farthest projection of the building, nor, subject to regulations adopted pursuant to the Highways Act, closer than sited within 7.6 metres (25 ft.) from of an exterior side lot line.

5. COMMERCIAL ZONING REGULATIONS

5.1 COMMERCIAL RECREATION and ACCOMODATION ZONE (CRA)

Permitted Uses

5.1.1 In the **Commercial Recreation and Accommodation (CRA) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

5.1.1(1) *visitor accommodation*;

5.1.1(2) ~~1a~~ restaurant;

5.1.1(3) ~~1a~~ neighbourhood pub;

5.1.1(4) ~~a~~ retail use which is *accessory* to any of the above uses;

5.1.1(5) ~~an~~ accessory residential use together with any of the uses listed in this subsection which shall not exceed one self-contained residential unit for the caretaker, owner or operator.

5.1.2 Despite Subsection 5.1.1 on the CRA zoned area of the parcel legally described as Lot ~~1A~~, Section 18, Plan ~~14913~~ VIP 75287, ~~Cowichan District~~, Saturna Island, Cowichan District (commonly know as the Lighthouse Pub building) the only uses permitted in addition to those set out in Section 2.1 are: *visitor accommodation*; restaurants and cafes; neighbourhood pub; retail stores; ~~personal services~~; ~~professional offices~~; and, an accessory residential use together with any of the uses listed in this subsection which shall not exceed one self-contained residential unit for the caretaker, owner or operator.

5.1.3 Despite Subsection 5.1.1 and 5.1.2 on the CRA zoned area of the parcel legally described as ~~Section 13&14, Portion Saturna island, except plan 13357-14023-20126-20127-21418-38382-51385-VIP53200-VIP55663-VIP58068, ex-VIP60837-fraction 1/4 of sec 13 & s 1/2 of sec 14 the South 1/2 of Section 14, Except parts in Plans 13357, 14023, 20126, 38382, 51385, VIP53200, VIP55663, VIP58068 and VIP60837, - Cowichan District~~, Saturna Island, Cowichan District (commonly known as East Point Resort Ocean Cottages Ltd.) the only uses permitted in addition to those set out in Section 2.1 are: *visitor accommodation*; a restaurant; a retail use which is *accessory* to any of the above uses; boat ramp and boat rentals; and, an accessory residential use together with any of the uses listed in this subsection which shall not exceed one self-contained residential unit for the caretaker, owner or operator.

5.1.4 Despite Subsection 5.1.1, 5.1.2 and 5.1.3 On the CRA zoned area of the parcel described as Lot B, Section 18, Plan VIP75287, Saturna Island, Cowichan District residential use is permitted provided that there is no more than one residence on the lot.

Lot Coverage

5.1. ~~45~~ 45 Buildings and structures shall not cover more than ~~40~~ 30 percent of the CRA zoned portion of land on which they are located.

Site Density

5.1. ~~56~~ 56 For the CRA zoned portion of a parcel of land on which *accommodation units* and *sleeping units* are permitted, the number of accommodation units shall not exceed three

per 0.4 ha (1 acre) and the number of bedrooms shall not exceed six per 0.4 ha (1 acre) nor twelve per building.

~~(Note: These site density requirements apply to commercial accommodation establishments existing legally prior to the adoption of the Official Community Plan (OCP), Bylaw No. 70. The density of new commercial accommodation establishments is to be consistent with policy D.1.A.3 of the OCP).~~

Building Setbacks

5.1.67 No *building* or *structure* except a fence shall be ~~located~~-sited within 7.6 metres (25 ft.) of any front or rear lot line.

5.1.78 No *building* or *structure* except a fence shall be ~~located~~-sited within 3 metres (10 ft.) of any interior side lot line, nor, ~~subject to regulations adopted pursuant to the Highways Act,~~ sited within 4.6 metres (15 ft.) of an exterior side lot line.

Subdivision Lot Size Requirements

5.1.89 No lot having an area less than 2.02 hectares (5 acres) may be created by subdivision.

5.2 Commercial Zone (C)

Permitted Uses

5.2.1 In the **Commercial (C) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 5.2.1(1) retail stores and shops;
- 5.2.1(2) professional or business offices including medical or dental clinics;
- 5.2.1(3) barber shops, beauty parlours, shoe repair shops, electric and electronic repair shops, launderette, laundry and dry cleaning shops;
- 5.2.1(4) printers and publishers;
- 5.2.1(5) restaurants, cafes, bakeries;
- 5.2.1(6) places of indoor recreation; and
- 5.2.1(7) *residential*.

Lot Coverage

5.2.2 *Buildings* and *structures* shall not cover more than 33 percent of the ~~parcel of land~~-lot on which they are located.

Building Setbacks

5.2.3 No *building* or *structure* except a fence shall be ~~located~~-sited within 7.6 metres (25 ft.) of any front or rear lot line.

5.2.4 No *building* or *structure* except a fence shall be ~~located~~-sited within 3 metres (10 ft.) of any interior side lot line, nor, ~~subject to regulations adopted pursuant to the Highways Act,~~ sited within 4.6 metres (15 ft.) of an exterior side lot line.

Residential Site Density

- 5.2.5 On the Commercial zoned portion of a lot, a maximum of three self-contained residential units are permitted.

Subdivision Lot Size Requirements

- 5.2.6 No lot having an area less than 0.4 hectares (1 acre) may be created by subdivision.
- 5.2.7 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

6 INDUSTRIAL ZONING REGULATIONS

6.1 INDUSTRIAL STORAGE AND REPAIRS ZONE (ISR)

Uses Permitted

6.1.1 In the **Industrial Storage and Repairs (ISR) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 6.1.1(1) warehouses;
- 6.1.1(2) storage yards;
- 6.1.1(3) contractor's yards and workshops;
- 6.1.1(4) building materials and supplies sales;
- 6.1.1(5) freight service;
- 6.1.1(6) motor vehicle sales and repairs;
- 6.1.1(7) machinery and parts sales, rentals and repairs;
- 6.1.1(8) wood, metal and plastic fabricating;
- 6.1.1(9) welding and machine shops;
- 6.1.1(10) boat *building* and repairs;
- 6.1.1(11) *off street parking* lots;
- 6.1.1(12) marinas for the accommodation, maintenance and servicing of boats including refueling;
- 6.1.1(143) ~~one residential unit in conjunction with-~~ accessory to an industrial use for the accommodation of the owner, operator or an employee of the principal use is permitted.

6.1.2 In addition to the uses permitted in subsection 6.1.1, on the ISR portion of the lot legally described as Lot 17, Plan 18592, Section 8, Cowichan District, Saturna Island the following use is permitted: retail sale of fuels.

6.1.3 Despite subsection 6.1.1, on the ISR portion of the lot legally described as Lot ~~1A~~, Section 18, Plan ~~14515~~ VIP75287, Cowichan District, Saturna Island the only uses permitted in addition to those set out in Section 2.1 are: boat *building* and repairs; marinas for the accommodation, maintenance and servicing of boats including refueling; service stations; bulk fuel storage tanks; garden centre, tent sites for no more than 10 tents; off street parking lots; and, one *residential unit* in conjunction with an industrial use for the accommodation of the owner, operator or an employee of the principal use is permitted.

Height

6.1.4 No *building* shall exceed 15 metres (50 ft.) in *height*.

Lot Coverage

6.1.5 *Buildings* and *structures* shall not cover more than 33 percent of the ~~parcel of land- lot~~ on which they are located.

Building Setbacks

- 6.1.6 No building or structure except a fence shall be ~~located~~ sited within 7.6 metres (25 ft.) of any front or rear lot line.
- 6.1.7 No building or structure except a fence shall be ~~located~~ sited closer than within a distance of 3 metres (10 ft.) from ~~of~~ any interior side lot line, nor, ~~subject to regulations adopted pursuant to the Highways Act,~~ sited closer than within 4.6 metres (15 ft.) ~~from of~~ an exterior side lot line.

Subdivision Lot Size Requirements

- 6.1.8 No lot having an area less than 0.4 hectares (1 acre) may be created by subdivision.
- 6.1.9 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

6.2 INDUSTRIAL COMPREHENSIVE ZONE (IC)

Permitted Uses

- 6.2.1 In the **Industrial Comprehensive (IC) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 6.2.1(1) warehouses;
6.2.1(2) storage yards;
6.2.1(3) contractor's yards and workshops;
6.2.1(4) building materials and supplies sales;
6.2.1(5) freight service;
6.2.1(6) motor vehicle sales and repairs;
6.2.1(7) machinery and parts sales, rentals and repairs;
6.2.1(8) wood, metal and plastic fabricating;
6.2.1(9) welding and machine shops;
6.2.1(10) boat building and repairs;
6.2.1(11) off street parking lots;
6.2.1(12) marinas for the accommodation, maintenance and servicing of boats including refueling;
6.2.1(13) one residential unit accessory to an industrial use for the accommodation of the owner, operator or an employee of the principal use is permitted.
- ~~6.2.1(1) All of the uses in the Industrial Storage and Repairs (ISR) Zone;~~
~~6.2.1(214) services stations;~~
~~6.2.1(315) bulk fuel storage tanks and sale of fuels~~
~~6.2.1(416) sawmills, and related wood products processing; and,~~
~~6.2.1(517) manufacturing.~~

Height

6.2.2 No *building* shall exceed 15 metres (50 ft.) in *height*.

Lot Coverage

6.2.3 *Buildings* and *structures* shall not cover more than 33 percent of the ~~parcel of land~~ lot on which they are located.

Building Setbacks

6.2.4 No *building*, *structure* or storage of materials except a fence shall be ~~located~~ sited within 7.6 metres (25 ft.) of any front or *rear lot line*.

- 6.2.5 No *building* or *structure* except a fence shall be ~~located- sited closer than a distance of~~ within 3 metres (10 ft.) ~~from of~~ any *interior side lot line*, nor, ~~subject to regulations adopted pursuant to the Highways Act, sited closer than within~~ 4.6 metres (15 ft.) ~~from of~~ an *exterior side lot line*.

Subdivision Lot Size Requirements

- 6.2.6 No lot having an area less than 0.4 hectares (1 acre) may be created by subdivision.
- 6.2.7 No subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.02 hectares (5 acres).

7. FARMLAND ZONING REGULATIONS

7.1 FARMLAND ZONE (F)

Permitted Uses

7.1.1 In the **Farmland (F) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited. Uses that are inconsistent with permitted uses under the *Agricultural Land Commission Act* or Regulations will require approval from the Agricultural Land Commission.

- 7.1.1(1) *farm use*;
- 7.1.1(2) the harvesting of trees and the carrying out of all silvicultural practices;
- 7.1.1(3) portable wood chippers and sawmills only for the processing of logs harvested on the *parcel*;
- 7.1.1(4) *residential*;
- 7.1.1(5) sleeping accommodation for farm employees;
- 7.1.1(6) fish farming;
- 7.1.1(7) *home occupations and home based industry*.

Lot Size and Site Density

7.1.2 The maximum density is one *residence* on ~~parcels~~ lots having an area of 20.24 ha (50 acres) or less and one *residence* and one *cottage* on ~~parcels~~ lots having an area greater than 20.24 ha (50 acres).

7.1.3 ~~Notwithstanding 7.1.2, no residential buildings may be located on arable portions of a parcel except if the total parcel is arable.~~

Lot Coverage

7.1.4 Buildings and structures shall not cover more than 33 percent of the parcel of land lot on which they are located.

Building Setbacks

7.1. ~~45~~ No *building* or *structure* except a fence or *pumphouse* shall be ~~located~~ sited within 7.6 metres (25 ft.) of any *front lot line* or *rear lot line*.

7.1. ~~57~~ No *building* or *structure* or part thereof except a fence or *pumphouse* shall be ~~located~~ sited closer than a distance of within 6.1 metres (20 ft.) ~~measured from the of an interior side lot line measured from to~~ the farthest projection of the *building*, nor, ~~subject to regulations adopted pursuant to the Highways Act, sited closer than within~~ 6.1 metres (20 ft.) ~~from of the an~~ exterior side lot line.

Special Building Setback

7.1. ~~68~~ No *building* or *structure* associated with *farm uses* except a fence or a *pumphouse*

shall be ~~located-sited~~ within 30 metres (100 ft.) of a *front lot line*, nor ~~sited~~ within 15 metres (50 ft.) ~~from of an the~~ interior, exterior or *rear lot line*, measured from the *lot line* to the farthest projection of the *building*, ~~except where the interior or rear lot line abuts the FR, FG, W or WR zones.~~

Subdivision Lot Size Requirements

- 7.1.7 No *lot* having an area less than 20.24 hectares (50 acres) may be created by subdivision in the *zone*.

7.2 FARM RESORT ZONE (F1)

BL #82

Permitted Uses

- 7.2.1 In the Farm Resort (F1) Zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.
- 7.2.1(1) *farm use*;
 - 7.2.1(2) *vinting and bottling of wines and ciders*;
 - 7.2.1(3) *accessory to the vinting and bottling of wines and ciders, the sale of wine and cider including tasting facilities*
 - 7.2.1(4) *accessory to the vinting and bottling of wines and ciders, a restaurant and premises licensed under the *Liquor Control and Licensing Act* for the sale and consumption of beverages on the premises*;
 - 7.2.1(5) *accessory to the farm use, visitor accommodation of the traveling and ~~vacationing public in accommodation units and sleeping units~~ for farm employees*; and
 - 7.2.1(6) ~~an accessory residential use which shall not exceed one self-contained residential unit and one cottage.~~

Height

- 7.2.2 No building shall exceed 9 metres (30 feet) in height, except a barn which shall not exceed 15 metres (49.2 ft.) in height.

Site Coverage

- 7.2.3 Buildings and structures and required parking areas shall not cover more than two percent (2%) of the ~~parcel of land lot~~ on which they are located.

Site Density

- 7.2.4 *Visitor Accommodation* use shall not exceed five *accommodation units* and the total number of bedrooms shall not exceed twenty nor twelve bedrooms per building.
- 7.2.5 Residential use shall not exceed one self-contained residence and one cottage.

Siting of Uses, Buildings and Structures

- 7.2.6 No use other than farm use shall be located on any land that is south of Quarry Trail, except for three non-agricultural buildings provided that: not more than one shall contain a restaurant, not more than one shall contain transient accommodation and not more than one shall contain residential use.
- 7.2.7 No building or structure except a fence or pumphouse shall be ~~located~~sited within 7.6 metres (25 feet) of any front or rear lot line.
- 7.2.8 No building or structure except a fence shall be sited within 6.1 metres (20 feet) of any interior side lot line or exterior side lot line.

Site Area Restrictions

- 7.2.9 The minimum site area for all of the uses set out in Section 7.2.1 is 31.5 hectares (78 acres), and for the purposes of this regulation a "site" may not comprise more than one parcel."

Subdivision Lot Size Requirements

- 7.2.10 No lot having an area less than 31.5 hectares (78 acres) may be created by subdivision.

7.3 FARM RETREAT ZONE (F2)

Permitted Uses

- 7.3.1 In the Farm Retreat (F2) Zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited. Uses that are inconsistent with permitted uses under the *Agricultural Land Commission Act* or regulations will require approval from the Provincial Agricultural Land Commission.
 - 7.3.1(1) *Farm use;*
 - 7.3.1(2) *Educational and instructional uses;*
 - 7.3.1(3) *Residential;*
 - 7.3.1(4) Accessory to 1 ~~and~~or 2 above, *Visitor Accommodation* and special events, such as, but not limited to weddings, reunions and retreats;
 - 7.3.1(5) Accessory to 1, 2 or 4 above, the serving of food and drink;
 - 7.3.1(6) Accessory to 1, 2 or 4 above, retail and rental uses;
 - 7.3.1(7) Accessory to 3 above, *home occupations*.

Lot Coverage

- 7.3.2 Buildings, structures and required parking areas associated with non-farm uses shall not cover more than two percent (2%) of the ~~parcel of land~~ lot on which they are located.

Site Density

7.3.3 Visitor accommodation use shall not exceed 8 sleeping units and 4 campsites.

(Information Note: Subsection 7.3.3 does not apply to rooms that may be used as part of a bed and breakfast home occupation in any of the permitted residences.)

7.3.4 On the parcel of land legally described as Lot B, Plan 11380, Section 7 and Lot 1, Plan 51011, Section 8 both in Cowichan District, Saturna Island the maximum ~~residential site density on the parcel shall not exceed 7 residences and 7 cottages. number of residences is 7 and the maximum number of cottages is 7.~~

Siting of Uses, Buildings and Structures

7.3.5 No building or structure except a fence shall be ~~located~~ sited within 12 metres (40 ft.) of any front lot line.

7.3.6 No building or structure except a fence shall be ~~located~~ sited within 3 metres (10 ft.) of any interior or rear lot line.

7.3.7 No building or structure associated with an intensive farm use, except a fence or pumphouse, shall be ~~located~~ sited within 30 metres (100 ft) ~~from~~ of a front lot line.

~~7.3.8 No use other than farm use shall be located on arable portions of the land.~~

~~7.3.9 Buildings, structures and uses associated with any of the uses listed in sub-sections 7.3.1 (4) through 7.3.1 (6) with the exception of campsites are restricted to that area shown as "Accommodation Area" on the attached site plan.~~

Subdivision Lot Size Requirements

7.3.10 No lot having an area less than 20.24 hectares (50 acres) may be created by subdivision.

8. WATERSHED ZONING REGULATIONS

8.1 WATERSHED ZONE (W)

Permitted Uses

8.1.1 In the **Watershed (W) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 8.1.1(1) growing and harvesting of forest products; and,
- 8.1.1(2) accessory buildings.

Lot Coverage

8.1.2 Buildings, structures and required parking areas shall not cover more than two percent (2%) of the parcel of land lot on which they are located.

Buildings Setbacks

8.1.23 No *building* or *structure* except a fence or a *pumphouse* shall be ~~located-sited~~ within 7.6 metres (25 ft.) of any *front lot line*, nor ~~sited~~ within 3 metres (10 ft.) of any interior side or *rear lot line*, nor ~~sited~~ within 4.6 metres (15 ft.) of any *exterior side lot line*, nor ~~sited~~ within 61 metres (200 ft.) of any *watercourse* or body of fresh water.

Subdivision Lot Size Requirements

8.1.34 No *lot* having an area less than 10.12 hectares (25 acres) may be created by subdivision in this *Zone*

9. FORESTLAND ZONING REGULATIONS

Information Note: Pursuant to Forest Policies in the Saturna Island Official Community Plan (Bylaw No. 70, properties may be rezoned to Forest Residential Zone providing an opportunity to cluster and concentrate permitted residential development. Every rezoning to Forest Residential Zone is to entail a simultaneous rezoning of the residual forest lands to Forest Reserve Zone. The reserve area would be for forestry and conservation purposes. All Forest Subdivision Capacity attributable to the forestlands is to be transferred to the Forest Residential zoned area, and result in the subdivision capacity of the area zoned Forest Reserve to be nil.

9.1 FOREST RESERVE (FR) Zone

Permitted Uses

9.1.1 In the **Forest Reserve (FR) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 9.1.1(1) ~~green space; silviculture;~~
- 9.1.1(2) ~~the harvesting of trees and the carrying out of all silvicultural practices;~~
- 9.1.1(3) portable wood chippers and sawmills for logs harvested on the *parcel*; and,
- 9.1.1(4) *farm use* on land within the Agricultural Land Reserve.

Lot Coverage

~~7.3.2 Buildings, structures and required parking areas shall not cover more than two percent (2%) of the parcel of land lot on which they are located.~~

Lot Size Requirements.

9.1.2 Minimum *lot* size shall be 20.24 hectares (50 acres).

9.2 FOREST GENERAL ZONE (FG)

Permitted Uses

9.2.1 In the **Forest General (FG) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 9.2.1(1) *residential*;
- 9.2.1(2) the harvesting of trees and the carrying out of all silvicultural practices;
- 9.2.1(3) *grazing, accessory to the growing of trees*
- 9.2.1(4) portable wood chippers and sawmills for logs harvested on the *parcel*;
- 9.2.1(5) television and radio antennas;

- 9.2.1(6) *home occupations and home based industry*; and,
- 9.2.1(7) *farm use* on land within the Agricultural Land Reserve.

Height

- 9.2.2 No *building* shall exceed 9 metres (30 ft.) in *height*.

Building Setbacks

- 9.2.3 No *building* or *structure* except a fence or a *pumphouse* shall be ~~located-~~sited within 7.6 metres (25 ft.) of any front or rear *lot line*, nor sited within 3 metres (9.8 ft.) of any *interior side lot line*, nor sited within 4.6 metres (15 ft.) of any *exterior side lot line*.

Site Density

- 9.2.4 The permitted site density shall be one *residence* and one *cottage* per *parcel*.

Lot Size Requirements

- 9.2.5 No *lot* having an area less than 20.24 hectares (50 acres) may be created by subdivision in this *Zone*.

9.3 FOREST RESIDENTIAL ZONE (FR1)

Permitted Uses

- 9.3.1 In the **Forest Residential (FR1) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

- 9.3.1(1) *residential*;
- 9.3.1(2) the harvesting of trees and the carrying out of all silvicultural practices;
- 9.3.1(3) grazing, accessory to the growing of trees
- 9.3.1(4) portable sawmills for sawing of logs harvested on the property;

Lot Coverage

- 7.3.2 Buildings, structures and required parking areas shall not cover more than twenty percent (20%) of the parcel of land lot on which they are located.

Height

- 9.3.2 No *building* shall exceed 9 metres (30 ft.) in *height*.

Building Setbacks

- 9.3.3 No *building* or *structure* except a fence or a *pumphouse* shall be ~~located-~~sited within 7.6 metres (25 ft.) of any front or rear *lot line*, nor sited within 3 metres (9.8 ft.) of any *interior side lot line*, nor sited within 4.6 metres (15 ft.) of any *exterior side lot line*.

Site Density

- 9.3.4 The permitted site density shall be one *residence* on lots having an area less than 1.21 hectares (3 acres) and a maximum of one residence and one *cottage* on lots having an area of 1.21 hectares (3 acres) or more.
- 9.3.5 Notwithstanding Subsection 9.3.4, on the FR1 zoned portion of the land legally described as the south-west ¼ of Section 8, Plan 23285, Cowichan District, Saturna Island a maximum of 5 *residences* and 5 *cottages* is permitted. Residences are not permitted on the area of land zoned Forest Reserve.

~~9.3.6 Notwithstanding Subsection 9.3.4, on the parcel of land commonly known as "Old Point Farm" and legally described as Sections 6 and 7, Saturna Island, Cowichan District a maximum of 13 residences and 13 cottages is permitted. Residences are not permitted on the area of the parcel zoned Farmland.~~

Lot Size Requirements

- 9.3.7 The minimum *lot* area required for subdivision shall be 0.81 hectares (2 acres) and the maximum *lot* area required for subdivision is not to exceed 1.21 hectares (3 acres) plus 1.21 hectares (3 acres) for each additional *lot* permitted by the *parcel's* remaining *Subdivision Capacity*.

BL#91

- 9.3.8 Notwithstanding 9.3.7, no more than five lots (not to exceed three acres each) may be created in the Forest Residential portion of Lot 1, Section 8, Plan 23285, Saturna Island.

10. WILDERNESS RESERVE ZONING REGULATIONS

10.1 Wilderness Reserve (WR) Zone

Uses Permitted

10.1.1 In the **Wilderness Reserve (WR) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.

10.1.1(1) *residential*;

10.1.1(2) *ecological reserves*

Building Setbacks

10.1.2 No *building* or *structure* except a fence or a *pumphouse* shall be ~~located~~sited within 7.6 metres (25 ft.) of any *front lot line*, nor sited within 3 metres (10 ft.) of any interior side or *rear lot line*, nor sited within 4.6 metres (15 ft.) of any *exterior side lot line*.

Site Density

10.1.3 The maximum density permitted shall be one *residence*.

Lot Coverage

10.1.4 *Buildings* or *structures* shall not cover more than 1% of ~~the parcel of land~~lot on which they are located.

Subdivision Lot Size Requirements

10.1.5 No lot having an area less than 64.7 hectares (160 acres) may be created by subdivision.

11. WATER ZONING REGULATIONS

(Note: All uses of the Crown foreshore must be authorized by this Bylaw and a crown lease obtained from Land and Water BC Inc.)

11.1 WATER ZONE (WA)

Permitted Uses

11.1.1 In the **Water (WA) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited:

- 11.1.1(1) private or communal floats, wharves, piers and walkways *accessory to residential use* and providing access to properties adjacent to the foreshore;
- 11.1.1(2) sea walls, breakwaters, ramps, dolphins and pilings necessary for the establishment or maintenance of the uses permitted in this Section;
- 11.1.1(3) log dumping where the logs originate on the abutting upland *parcel*;
- 11.1.1(4) Ocean loop geo-exchange systems for the purpose of domestic heat and cooling *accessory to the residential use* of the upland property.

Comment [GR8]: Sea walls and breakwaters have been removed from most bylaws in favour of a green shores approach to protecting the shore.

Setbacks of Floats and Wharves

11.1.2 Floats and wharves shall be set back 3 metres (10 ft.) from the projection of any side lot line and shall be located within the boundaries of water leases and licenses of occupation.

Buildings Prohibited

11.1.3 Other than posts to carry lighting fixtures or safety supports, no *buildings*, including a *boathouse*, shelter or *structure* shall be erected on any float or wharf.

Commercial and Industrial Activity Prohibited

11.1.4 Private floats and wharves shall be used for private access only and no commercial or industrial activity or use shall be permitted.

BL 110

Site Specific Regulations

BL #95

11.1.5 The regulations listed in Column 3 of the following table only apply to the land identified 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	Column 2	Column 3
Site-Specific Zone Reference	Legal Description	Site Specific Regulations
WA(a)	Portion of Unsurveyed Crown Foreshore or land covered by water being part of the beds of Breezy Bay and Plumper Sound, Saturna Island, Cowichan District.	(1) Despite subsections 11.1.1 and 11.1.4 and in addition to the uses permitted in the Water Zone (WA), a float, wharf and walkway is permitted accessory to the uses permitted on Strata Lot 32, Section 5, Plan VIS3488, Saturna Island, Cowichan District. (2) For certainty the commercial use of the float, wharf and walkway structure is to be limited to the loading, unloading and moorage of boats, used by guests and owners of Strata Lot 32, Section 5, Plan VIS3488, Saturna Island, Cowichan District and no other commercial use of the dock is permitted."

11.2 — WATER HARVEST ZONE (WH)

Permitted Uses

~~11.2.1 In the Water Harvest (WH) Zone the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited:~~

~~11.2.1(1) accessory floats and walkways necessary for the harvesting operations permitted in this part;~~

~~11.2.1(2) sea walls, breakwaters, ramps, dolphins and pilings necessary for the establishment or maintenance of the uses permitted in this part;~~

~~11.2.1(3) aquaculture, excluding fin fish farming;~~

~~11.2.1(4) signs related to the marine area.~~

Setbacks of Floats and Wharves

~~11.2.2 Floats or wharves shall be set back 3 metres (10 ft.) from the projection of any side lot line of an abutting upland property and shall be located within the boundaries of water leases or licenses of occupation.~~

Permitted Buildings

~~11.2.3 One building not exceeding 46.5 square metres (500 sq. ft.) in total area, and not exceeding 4.5 metres (15 ft.) in height is permitted on a parcel in this zone. Such a building shall have non-reflective exterior covering.~~

11.3 WATER GENERAL COMMERCIAL ZONE (WGC)

Permitted Uses

11.3.1 In the **Water General Commercial (WGC) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited:

- 11.3.1(1) boat rentals and boat sales;
- 11.3.1(2) boat *building*, repair and sales;
- 11.3.1(3) marinas and yacht clubs;
- 11.3.1(4) *boathouses* and shelters;
- 11.3.1(5) mooring facilities for water taxis, pleasure craft, ferries, fishing boats or sea planes;
- 11.3.1(6) marine fuelling stations;
- 11.3.1(7) sea walls, breakwaters, slips, docks, ramps, dolphins and pilings necessary for the establishment or maintenance of the uses permitted in this part; and
- 11.3.1(8) log dumping, booming and storage.

Setbacks of Floats and Wharves

11.3.2 Floats and wharves shall be located within the boundaries of water leases or licenses of occupation.

11.4 WATER PUBLIC UTILITY ZONE (WPU)

Permitted Uses

11.4.1 In the **Water Public Utility (WPU) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited:

- 11.4.1(1) ferry docks;
- 11.4.1(2) government wharves;
- 11.4.1(3) *boathouses* and shelters;
- 11.4.1(4) mooring facilities for water taxis, pleasure craft, ferries, fishing boats or sea planes;
- 11.4.1(5) marine fuelling stations; and,
- 11.4.1(6) sea walls, breakwaters, slips, docks, ramps, dolphins and pilings necessary for the establishment or maintenance of the uses permitted in this part;

Setbacks of Floats and Wharves

- 11.4.2 Floats and wharves shall be located within the boundaries of water leases or licenses of occupation.

11.5 OPEN WATERS ZONE (WO)

Permitted Uses

- 11.5.1 In the Open Waters (WO) Zone, the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited:
- 11.5.1(1) marine navigation
 - 11.5.1(2) marine navigational aids
 - 11.5.1(3) marker buoys
 - 11.5.1(4) aquaculture, excluding fin-fish farming
 - 11.5.1(5) Ocean loop geo-exchange systems for the purpose of domestic heat and cooling accessory to the *residential use* of the upland property.

BL 110

11.6 NATIONAL PARK RESERVE ZONE (NPR)

Information Note: The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the *Canada National Parks Act* and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands in the National Park Reserve.

11.6.1 Subdivision Requirements

11.6.1(1) The minimum lot size is 65 hectares.

11.6.2 Permitted Uses

In addition to the uses permitted in Section 2.1 of this Bylaw, the following uses and no others are permitted in the National Park Reserve (NPR) Zone:

11.6.2(1) informational, interpretive, cultural, and historical uses and facilities;

11.6.2(2) natural and cultural resource management and protection;

11.6.2(3) camping and picnicking areas;

11.6.2(4) park operations and maintenance facilities;

11.6.3 Lot Coverage

11.6.3(1) Lot coverage may not exceed 5 percent.

11.6.4 Setbacks

11.6.4(1) No building or structure may be located within 7.6 metres of any lot line.

11.6.5 Height

11.6.5(1) No building or structure may exceed 9 metres in height.

11.7 NATIONAL PARK RESERVE ZONE (NPR)

Information Note: The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the Canada National Parks Act and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands in the National Park Reserve.

11.7.1 Permitted Uses

11.7.1(1) Marine Navigational Aids

11.7.1(2) Natural and cultural resource management and protection

11.7.1(3) Docks, wharfage and moorage accessory to the upland National Park Reserve zone.

12. SUBDIVISION REGULATIONS

Compliance with Minimum and Average Lot Area

- 12.1 The average *lot* area of every subdivision must equal or exceed the applicable minimum and average *lot* area specified by this Bylaw and for that purpose the average *lot* area of the proposed subdivision is the sum of the areas of the proposed lots divided by the number of proposed lots.
- 12.2 ~~For the purposes of determining compliance with average lot size regulations set out in the zoning designation of this bylaw, areas of land that are designated as park on the subdivision plan may be included in the total area of lots being created, and the park is deemed not to be a lot being created:~~
- ~~12.2.1 where the owner of land being subdivided is providing land for a school site pursuant to an agreement under s.942 of the Local Government Act as well as park land pursuant to s.941 of the Local Government Act, the total amount being provided as park land pursuant to the agreement and the Local Government Act; and~~
- ~~12.2.2 if s.941(1) of the Local Government Act applies to the subdivision, 5 percent of the land being subdivided and if the subdivision is one described in s.941(5) of the Local Government Act as being exempt from s.941(1) any area of land dedicated as park on the subdivision plan may be included in the total area of lots being created for the purposes of determining such compliance.~~

Covenant Against Further Subdivision and Development

- 12.3 When a subdivision is proposed that yields the maximum number of lots permitted by the applicable minimum and average *lot* sizes specified by this Bylaw, and one or more of the lots being created has an area equal to or greater than twice the applicable average *lot* size, the applicant must grant a covenant ~~complying in respect of every~~ complying with s.2.7 of this bylaw in respect of such *lot* prohibiting further subdivision of the *lot* and prohibiting the construction, erection, or occupancy on the *lot* of more than one *residence* and where a *cottage* is a permitted use, more than one such *cottage*.
- 12.4 When a subdivision is proposed that yields fewer than the maximum number of lots permitted by the applicable average *lot* sizes specified by this Bylaw, and:
- 12.4.1 one or more of the lots being created has an area equal to or greater than twice the applicable average *lot* size; and
- 12.4.2 one or more of the lots being created has an area less than the applicable average *lot* size;
- The applicant must grant a covenant complying with s. 2.7 of this Bylaw in respect of every *lot* referred to above prohibiting:
- 12.4.3 the subdivision of the *lot* so as to create a greater total number of lots by subdivision and re-subdivision of the original *lot* than would have been created had the first subdivision created the maximum number of lots permitted by the applicable minimum and average *lot* sizes specified by this Bylaw; and
- 12.4.4 the construction, erection, or occupancy on the *lot* of *residences* and, where

permitted by this Bylaw, *cottages* so as to create a greater density of such development on the original *lot* than would have been created had the original *lot* been developed to the greatest density permitted by this Bylaw.

Undersized Parcels

~~12.5 — Some parcels of land that are shown on a plan deposited in the Land Title Office prior to the passing of this Bylaw may have less than the minimum area required in this land use bylaw. The lot may be used for any of the uses permitted in the zone in which the lot is situated, subject to all the other regulations for the zone and sewage is disposed satisfactory to the Medical Health Officer.~~

Parcel Size calculations

- 12.6 ~~Where a parcel proposed to be subdivided is subject to a registered covenant in favour of the Saturna Island Local Trust Committee limiting the number of parcels into which it may be subdivided the maximum number of new parcels that may be created by subdivision of that parcel is the number specified in the covenant.~~
- 12.7 For the purpose of the ~~Strata Property Bare Land Strata~~ Regulations, the average *parcel* size ~~shall be the average parcel size as~~ specified in the *zone* ~~and~~ where the *parcel* proposed to be subdivided ~~lies is located~~, within two or more *zones* the average *parcel* size shall be the area of the original *lot* divided by the number of lots authorized by the *zones*.
- 12.8 Where a *parcel* proposed to be subdivided is subject to a registered covenant in favour of the Saturna Island Local Trust Committee limiting the number of *parcels* into which it may be subdivided, the average *parcel* size for the purpose of the Strata Property Regulations shall be as specified in the covenant.

Lot Size Exemptions

- 12.9 The average and minimum *lot* sizes specified in the *zones* shall not apply as described in sections 12.9.1 to 12.9.6:
- 12.9.1 Where the *parcel* being created is to be used solely for the unattended equipment necessary for the operation of:
- 12.9.1(1) a community water or sewer system;
 - 12.9.1(2) a community gas distribution system;
 - 12.9.1(3) a community radio or television receiving antenna;
 - 12.9.1(4) a telecommunication relay station;
 - 12.9.1(5) an automatic telephone exchange;
 - 12.9.1(6) an air or marine navigational aid;
 - 12.9.1(7) electrical substations or wind or hydro generating stations; and
 - 12.9.1(8) any other similar public service facility or utility.
- 12.9.2 Where the land proposed to be subdivided is entirely within a *zone* in which none of the uses permitted would generate sewage, and the owner registers a covenant in favour of the Saturna Island Local Trust Committee prohibiting any use of the land that would generate sewage;
- 12.9.3 Where a *parcel* being created is for dedicated park use only;

12.9.4 To subdivisions for the provision of a residence for a relative under Section ~~946~~ 514 of the *Local Government Act* provided the land:

- 12.9.4(1) is not within the Agricultural Land Reserve;
- 12.9.4(2) has not been subdivided previously under ~~514 Section 946 of the~~ 514 *Local Government Act*; and
- 12.9.4(3) has a minimum *lot* size of 8.1 hectares; such a subdivision shall be subject to all the requirements of that Section.

12.9.5 Where the subdivision will consolidate two or more *parcels* or ~~to~~ annex a portion of a *lot* where it is separated from the main portion of the *lot* by a road, *watercourse* or topographical feature so as to render it useless to the main portion.

12.9.6 Where the subdivision:

- 12.9.6(1) adjusts the boundary between two or more *parcels*,
- 12.9.6(2) no additional *parcels* are created, and
- 12.9.6(3) no *parcel* is increased in area such that it may be further subdivided under this Bylaw.

Lot Width

12.10 No lot may have a width less than one third of its depth.

Panhandle Lots

12.11 The minimum width of the access strip of a panhandle lot is:

- 12.11.1 6 metres in the case of a lot that has insufficient area to be further subdivided under the provisions of this bylaw; and
- 12.11.2 20 metres in the case of a lot that has sufficient area to be further subdivided under the provisions of this bylaw.

Lots in More than One Zone

12.12 If a lot is located in two or more zones, for the purposes only of the minimum and average lots size regulations of Parts 4 through 11 of this bylaw the portions of the lot that have different zoning designations must be considered as if they were separate lots unless specific regulations pertaining to split zoned lots ~~applies~~ apply.

Subdivision Capacity of Split Zoned Lots

12.13 **Rural together with Farmland, Forest or Watershed**

Where a lot contains areas of Rural zoned land together with any ~~Heritage Forest,~~ Farmland, Forest or Watershed zoned lands ~~as designated in the Saturna Island Official Community Plan, Bylaw No. 70,~~ the subdivision capacity from these ~~designations~~ zones, if any, may be transferred to the Rural zoned portion of the lot. The Saturna Island Local Trust Committee will require the placing of a restrictive covenant reflecting the reduction in subdivision capacity and residential building density on the contributing areas.

12.14 **Forest together with Farmland or Watershed**

Where a lot contains areas of Forest zoned land together with any ~~Heritage Forest,~~ Farmland, or Watershed zoned lands ~~as designated in the Saturna Island Official Community Plan, Bylaw No. 70,~~ the subdivision capacity from these designations, if any, may be transferred to the Forest designated portion of the lot. The Saturna Island Local Trust Committee will require the placing of a restrictive covenant reflecting the reduction in subdivision capacity and residential building density on the contributing areas.

Comment [GR9]: The heritage forest is not shown on the LUB map, only the OCP maps. May want to create a specific heritage zone in the LUB if its meant to be distinct from forest zoned lands.

13. SIGN REGULATIONS

- 13.1 No signs shall be erected in any *zone* except in accordance with this Section and subject to the signs being located upon the *lot* occupied by the principal use to which they refer.
- 13.2 The maximum total area of signs per use shall be in accordance with the following table:

BL #89

Zone	Total sign area per use permitted	Number of signs per use permitted
Commercial, Community Services and Industrial zones WCM and WGC zones	A lit sign of 1.8 metres (19.4 sq. ft.) OR An unlit sign of 3.7 square metres (39.8 sq. ft.)	2
All other zones	1 square metre (10.7 sq.ft.)	1

- 13.3 Any sign which has become obsolete because of discontinuance of the business, service or activity which it advertises shall be removed from the premises within thirty (30) days after the sign becomes obsolete.
- 13.4 Nothing in this Bylaw prohibits the erection of a sign by an agency of government for purposes of public health or safety, or by a candidate in a local, provincial or federal election during the period after nomination and prior to the election.
- 13.5 Third party signs must be removed within 30 days of the event ~~or purchase or, in the case of a sign advertising a property for sale , within 30 days of the sale.-~~

14. OFF STREET PARKING REGULATIONS

*[Note: These off street parking regulations only apply to new developments and not to those developments that exist as of the date of adoption of this Bylaw]

Off street parking

- 14.1 When any new use of *buildings* or *structures* takes place or when any *existing* use of land or *buildings* or *structures* is enlarged or increased in capacity, provisions must be made for vehicular *off street parking spaces* in accordance with the standards set out in this section.
- 14.2 The number of *off street parking spaces* required in respect of particular uses is set out in Table 1, and where a particular use is not listed, the number required for the most similar listed use applies.

Table 1: Off street parking requirements

	Use	Minimum Number of Off street parking Spaces Required
(a)	Residences and cottages	2 per residential unit
(b)	Retail Stores, Offices	1 per 23 square metres (248 sq. ft.) of floor area.
(c)	Cafe, Restaurant, Neighbourhood Pub,	1 per 3 seats
(d)	Visitor Accommodation	1 per accommodation or sleeping unit plus 1 per 3 seats in food or beverage service area
(e)	Marina	1 per 2 berths used for year round moorage plus 1 per 2 employees
(f)	Campground	1 per camp space plus 1 per 2 employees
(g)	Industrial	1 per 2 employees counted as total of 2 shifts but not less than 5 spaces per tenant or establishment
(h)	Bed and Breakfast	1 per room used for guest accommodation
(j)	Community halls, churches and lodge halls	1 per 4 seats
<u>k</u>	<u>Home Occupations and Home Based Industry</u>	<u>1 per employee and 2 per home occupation or home based industry</u>
<u>l</u>	<u>Tent sites</u>	<u>1 per tent site</u>

- 14.3 Each required *off street parking space* shall be a minimum of 2.6 metres (8.5 ft.) in width, and a minimum of 5.5 metres (18 ft.) in length, exclusive of access drives or aisles, ramps, columns, or similar obstructions, and have vertical clearance of at least 2 metres

(6.5 ft).

- 14.4 For parallel *off street parking spaces*, the length of the *off street parking spaces* must be increased to 7.3 metres (24. feet) except end spaces, which must be a minimum length of 5.5 metres (18 feet).
- 14.5 Maneuvering aisles must be a minimum of 7.3 metres (24 feet) wide for 90 degree off street parking; 5.5 metres (18 feet) wide for 60 degree off street parking; and 3.6 metres (12 feet) wide for 45 degree and parallel off street parking. Where *off street parking spaces* are directly off a lane, the lane may be considered part of the aisle and in such cases the combined width of the aisle and *off street parking spaces* must be a minimum of 12.8 metres (42 feet).

15. INTERPRETATION

Definitions

15.1 In this bylaw,

BL #79

15.1.1 **"accessory"** in relation to a use, *building* or *structure* means incidental and secondary to a principal use, *building* or *structure*, expressly permitted by this bylaw on the same *lot* or, where the *accessory* use is located on the common property in a bare land strata plan, or a strata *lot* in the same strata plan.

15.1.2 **"accommodation unit"** means a rental unit with a kitchen and a bathroom and no more than two bedrooms with a total combined floor area of not more than 92.9 square metres (1,000 sq. ft.) used exclusively for temporary commercial accommodation of the public.

15.1.3 ~~**"aquaculture"** means marine based culturing of uni and bivalves~~

"aquaculture" means the growing and cultivation of aquatic plants or animals for commercial purposes, in any water environment, or in human-made containers of water, and includes the growing and cultivation of shellfish on, in or under the foreshore or in the water column.

15.1.4 **"arable land"** means land that, due to topography and soil conditions, is suitable for cultivation by plowing or tillage.

15.1.5 **"basement"** means that portion of a *building* between two floor levels which is partly underground and which has its ceiling less than 1.8 metres (6 ft.) above average ~~building~~ **natural** grade.

15.1.6 **"boathouse"** means a one storey *structure* to house a boat or boats. ~~In the Water zones, a boathouse is a one-storey floating structure to house a boat or boats.~~

15.1.7 ~~**"breezeway"** means a covered passageway without walls between two buildings constructed of permanent building materials and architecturally attached to each building.~~

15.1.8 ~~**"building"** means any structure (including a manufactured home) which is attached to a permanent foundation embedded in the ground and which is used or intended to be used for the shelter, habitation, accommodation, assembly, or storage of persons, animals, goods or chattels. In the Water zones, building means any structure which is used or intended to be used for the shelter, habitation, accommodation, assembly, or storage of persons, animals, goods or chattels.~~

"building" means a roofed structure, including a mobile home, used or intended to be used for supporting or sheltering any use or occupancy.

15.1.9 **"cottage"** means a building accessory to a residence that shall not be greater than 92.9 square metres (1,000 sq. ft.) in total floor area, excluding a basement that does not exceed the footprint of the main floor.

15.1.10 ~~**"comprehensive development"** means a development involving the construction, erection or placement of more than two (2) self-contained residential units on a single parcel and which does not involve the subdivision of land.~~

15.1.11 **"depth of a parcel"** means the mean distance between front and rear parcel boundaries, excluding the access strip of panhandle lots.

15.1.12 **"Ecological Reserve"** means a land or water area established as an *ecological reserve* under the *Ecological Reserves Act*.

~~15.1.13 **"existing"** means at the date of adoption of this Bylaw.~~

~~15.1.14 **"farm use"** means the use of land, buildings or structures for: the growing, producing, raising or keeping animals or plants, or the primary products of those plants or animals; bee keeping; aquaculture; and, the storage, processing or direct marketing by a farmer of the agricultural products.~~

~~**"farm use"** means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other activity designated as farm use by the *Agricultural Land Commission Act* or its regulation and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*.~~

~~15.1.15 **"floor area"** means the sum of the total floor areas of each storey in a building measured to the interior walls, excluding the area between two floors or between the floor and the roof next above that is less than 1.5 metres (5 feet) in height.~~

~~**"floor area"** means the sum of the horizontal areas of all storeys in a building, measured to the inner surface of the exterior walls, exclusive of any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection, and exclusive of any space where a floor and the ceiling above it are less than 1.5 metres (5 feet) apart, and includes the floor area of balconies, decks, porches and similar projections fully enclosed by siding, glazing, screening or other materials. For certainty if a balcony, deck, porch or similar projection is not fully enclosed then the floor area of such projections is excluded from any calculation of floor area.~~

~~15.1.16 **"height of building or structure"** means the vertical distance from the average finished ground level measured outside the exterior walls of the building or structure at a point 1.5 metres (5 ft.) distant from such walls to the highest point of the building or structure.~~

~~**"height"** means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls. In the case of buildings and structures on the surface of water, average natural grade shall be the natural boundary for a building or structure fixed to the bed of the water and the watermark of any floating building or structure. In the case of a fence, height means the vertical distance between the top of the fence and the grade at any point along the fence.~~

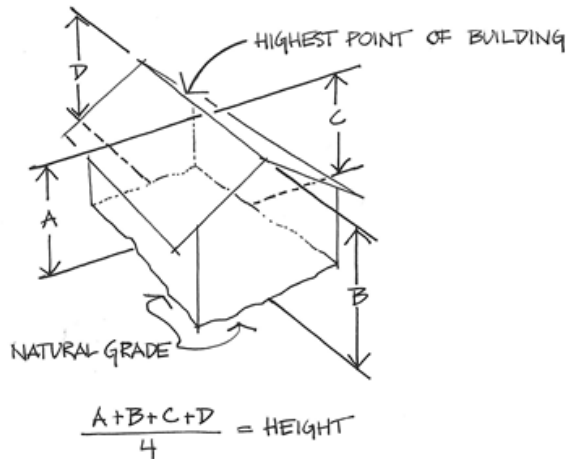


Figure XX – Illustration of calculation of height

BL #79

- 15.1.17 **"home based industry"** means ~~typically~~ a manufacturing, maintenance or repair or similar enterprise carried on for gain, which due to the noise, dust, etc. generated by the use is conducted on a larger property, and is clearly incidental and secondary to the use of the *residence*.
- 15.1.18 **"home occupation"** means an occupation or profession carried on ~~for gain which is clearly as an~~ incidental and secondary ~~to the use of a the residence~~ and meets all the provisions set forth in this Bylaw pertaining to *home occupations*.
- 15.1.19 **"intensive farm use"** means the use of the land, buildings or structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur-bearing animals or the growing of mushrooms.
- 15.1.20 **"landscape screen"** means a visual barrier which may be a compact evergreen hedge, or trees, or a fence, or a brick, stone or concrete wall incorporating suitable plant material, terracing or grassed area and broken only for access drives or walks.
- 15.1.21 **"lot"** ~~means a lot, block, or other area in which land is held or into which land is subdivided and registered in the land title office or held under the Strata Title Act.~~ **"lot"** means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Strata Property Act*.
- 15.1.22 **"lot coverage"** means the total area of a *lot* covered by buildings and structures expressed as a percentage of the total *lot* area
- "lot coverage"** means the total area of those portions of a *lot* that are covered by buildings and structures, divided by the area of the lot, and for this purpose the area of a lot that is covered by a building or structure is measured to the drip line of the roof and the common property of a bare land strata plan is deemed to be a lot for the application of lot coverage regulations if the common property is used for accessory buildings or structures.

~~15.1.23 "lot line – exterior side" means the lot line or lines not being the front or rear lot line, common to the lot and a street.~~

~~15.1.24 "lot line – front" means the lot line common to the lot and an abutting street, or where there is more than one lot line common to abutting streets, the shortest of these lines shall be considered as the front lot line.~~

~~15.1.25 "lot line – interior side" means a lot line not being a rear lot line, common to more than one lot or to the lot and a lane.~~

~~15.1.26 "lot line – rear" means the lot line opposite to and most distant from the front lot line or where the rear portion of the lot is bounded by intersecting side lot lines it shall be the point of such intersection.~~

"lot line" means the boundary of a lot as shown on a plan of survey registered with the BC Land Titles Office, or the boundary of a lot as otherwise described under the Land Title Act; and

"front lot line" means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines the shortest (other than corner cuts) is deemed the front lot line;

"rear lot line" means the lot line that is opposite the front lot line in the case of a lot having four or more sides, and where the rear portion of a lot is bounded by intersecting side lot lines the point of intersection is deemed the rear lot line;

"exterior side lot line" means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and

"interior side lot line" means a lot line that is not a front, rear or exterior side lot line.

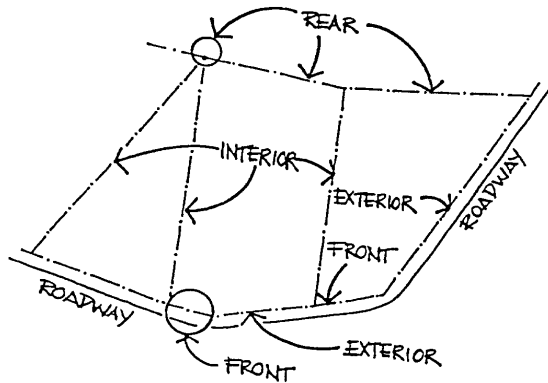


Figure XX - Illustration of lot lines

15.1.27 **"manufacturing"** means an industrial use involving the fabrication or assembly of articles or materials into new products.

15.1.28 **"manufactured home"** means a *structure* manufactured as a unit, intended to be occupied in place other than that of its manufacture and designed for *residential* purposes

~~but does not include a travel trailer or camper.~~

15.1.29 **"natural boundary"** means the visible high water mark of the sea a lake, river, stream or other body of water where the presence and action of water are so common and usual and so long continued in all ordinary years as to mark upon the soil of the bed of the ~~sea, a lake, river, stream or other~~ body of water a character distinct from that of the banks thereof in respect to vegetation as well as in respect to the soil itself.

BL 110

15.1.30 **"ocean loop geo-exchange system"** means a renewable geo-exchange system (geothermal heat exchange) utilizing the natural occurring temperature of the ocean for the purpose of heating and cooling that:

- (a) is a closed-loop system using only water or a combination of water and propylene glycol as the circulating heat transfer fluid,
- (b) meets or exceeds the Canadian CSA design standards CAN/CSA-448-02, as amended from time to time, and
- (c) is designed and installed by a Registered System Designer accredited by the Canadian Geoexchange Coalition, or the International Ground Source Heat Pump Association.

15.1.31 **"off street parking space"** means an area for motor vehicle off street parking other than a public highway.

15.1.32 **"panhandle lot"** means any parcel, the building area of which is serviced and gains road frontage through the use of a relatively narrow strip of land which is an integral part of the parcel (hereinafter called the "access strip").

15.1.33 **"parcel"** means the same as a lot.

15.1.34 **"passive recreation"** means recreation that is of an informal nature, performed by individuals or informal groups of individuals and usually requires little or no specialized equipment, places or fields, but excludes recreation that primarily involves the use of a power driven conveyance.

15.1.35 **"public service uses"** means a use providing for the essential servicing of Saturna Island with water, sewer, solid waste disposal, electricity, telephone, cablevision, and similar services, ~~where such use is established by a government or other public agency.~~

15.1.36 **"pumphouse"** means a subordinate *building or structure* not exceeding 9.3 square metres (100 sq. ft.) in area, separated from and located on the same *parcel* as the main *building*, that is used for water or sewage pumping facilities.

15.1.37 **"residence"** means a building used by an individual, or group of individuals living together in common occupancy, as a single household and containing only one kitchen.

15.1.38 **"residential"** means a use providing for the accommodation and home life of a person or persons.

~~15.1.39 **"residential unit"** means that part of a building designed for use by an individual, or a group of individuals living together in common occupancy, as a single household, which includes a kitchen and bathroom for the exclusive use of the unit's household.~~

~~15.1.40 **"residential unit, self contained"** means a residential unit, which includes kitchen, toilet and bathroom facilities.~~

BL#94

15.1.41 **"short term vacation rental"** means the use of a *cottage* as temporary commercial

58

accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier. For this purpose, a *cottage* used as *short term vacation rental* shall be considered an accessory *home occupation* subject to the regulations established in section 2.16.

15.1.42 ~~"silviculture" means the theory and practice of controlling forest establishment, composition and growth.~~

15.1.43 **"sleeping unit"** means a bedroom with or without an attached bathroom and containing no cooking or dining facilities.

15.1.44 **"storey"** means the space between two floors or between the floor and the roof next above, used or occupied as the habitation, place of assembly or work area of a person or persons, or place of business or storage area, but excludes a *basement*.

15.1.45 **"street"** includes all public thoroughfares except lanes, walkways or bridges.

BL#99 15.1.46 ~~"structure" means any construction fixed to, supported by, or sunk into land or water, but excludes concrete and asphalt paving and similar surfacing, septic tanks, sewage disposal fields, and buried water tanks.~~

"structure" means a construction or portion thereof of any kind that is fixed to, supported by or sunk into land or water, but excludes landscaping, septic tanks and fields, buried water tanks, wells, and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures less than 1.2 metres (4 feet) in height at all points.

15.1.47 **"subdivision capacity"** means the maximum permitted number of lots that can be created from a parcel of land or, the maximum number of permitted lots which can be created with respect to that portion of a parcel lying within a particular zone

15.1.48 **"temporary"** in respect of the use of an *accommodation unit*, *sleeping unit* or campsite means use by a succession of different persons, whether by license, rental or otherwise, and excludes the personal use of an *accommodation unit* or *sleeping unit* by the *Unit Owner* for more than 45 days in a calendar year ~~and or~~ more than 29 continuous days. In the case of sawmills, chippers, and other similar equipment and machinery used for processing logs, For uses such as sawmills and log chippers, temporary means not more than 45 days of use in a calendar year.

15.1.49 **"unit owner"** means:

- (a) the registered owner of one or more *accommodation units* or *sleeping units* located on a Commercial Recreation zoned *parcel*, and includes the spouse, children and parents of the registered owner and the parents of the registered owner's spouse;
- (b) where there is more than one registered owner of one or more *accommodation units* or *sleeping units* located on a Commercial Recreation zoned *parcel*, all the registered owners, and includes their spouses, children, parents and parents of their spouses; and
- (c) where the registered owner of one or more *accommodation units* or *sleeping units* located on a Commercial Recreation zoned *parcel* is a corporation or corporations, all directors, officers, shareholders and employees of the corporation or corporations, and includes the spouse, children and parents of each of them, together with the corporation or corporations."

15.1.50 **"visitor accommodation"** means the temporary use by any person of an *accommodation unit* or *sleeping unit* exclusively for accommodation while traveling or

59

vacationing, and where permitted by the bylaws of the Trust Committee includes such subordinate and incidental uses as are customarily accessory to the use of the accommodation unit or sleeping unit.

- 15.1.51 ~~"watercourse" is any natural or man-made depression with well defined banks and a bed .61 metres (2 ft.) or more below the surrounding land serving to give direction to a current of water at least six (6) months of the year or having a drainage area of 2.59 square kilometers (1 sq. mi.) or more or as required by a designated Water Resources Official of the Province of British Columbia.~~

"watercourse" means a natuarally formed area of land that usually or periodically contains surface water, including a lake, river, creek, spring, ravine, wetland, salt water march, and a bog, but does not include a constructed ditch, or surface drain, or the sea.

- 15.1.52 **"width of a parcel"** means the mean distance, measured perpendicularly between the two boundaries intersecting a highway, or a parcel fronting on a highway, but excluding access strips.
- 15.1.53 **"zone"** means the use and the regulation of the use as established in a district by this Bylaw and the Zoning Map attached hereto.

16. SHORT TITLE AND REPEAL

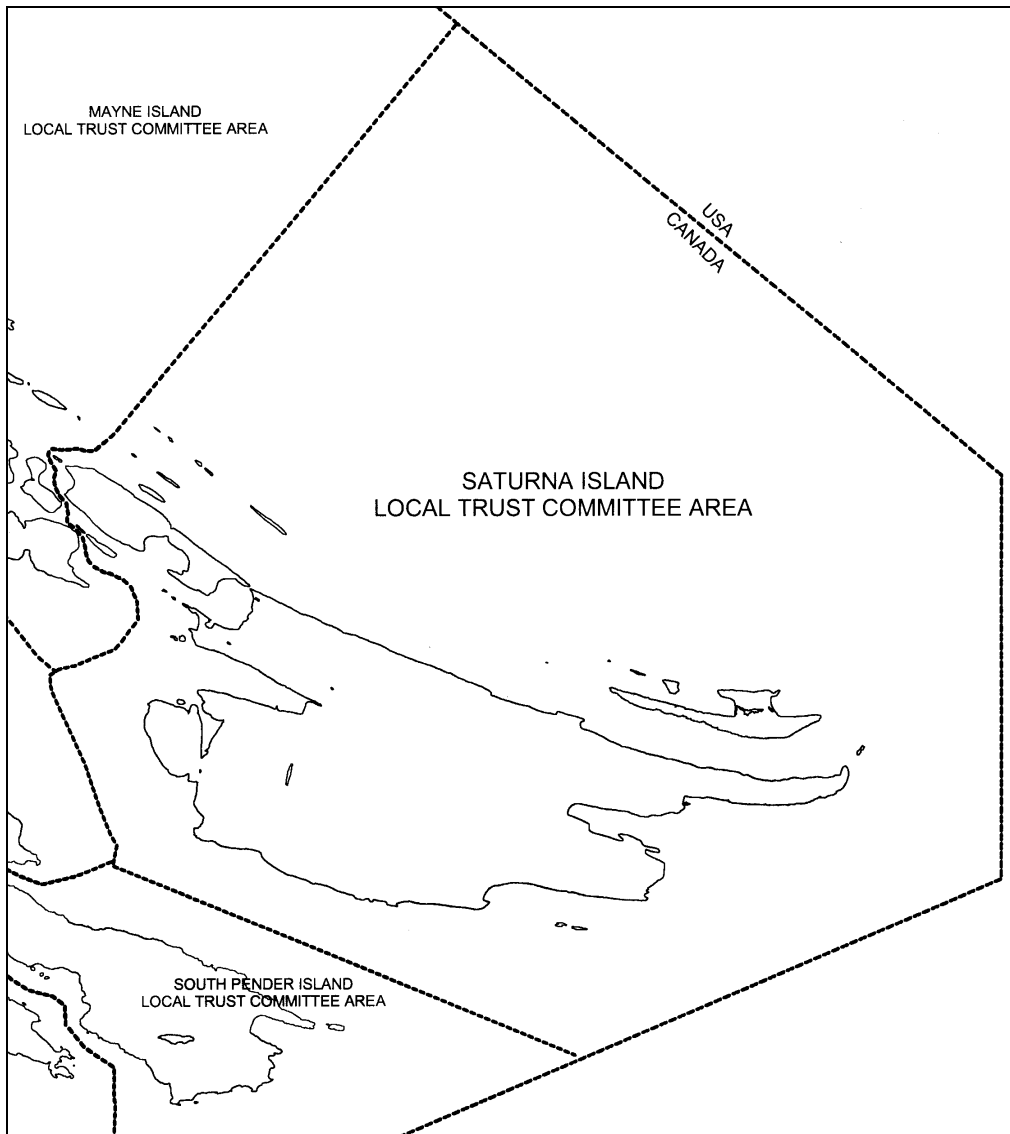
- 16.1 This Bylaw may be cited as "Saturna Island Land Use Bylaw No. 78, 2002"
- 16.2 "Saturna Island Zoning Bylaw No. 8, 1981" and "Saturna Island Subdivision Bylaw No. 1, 1976" are repealed.

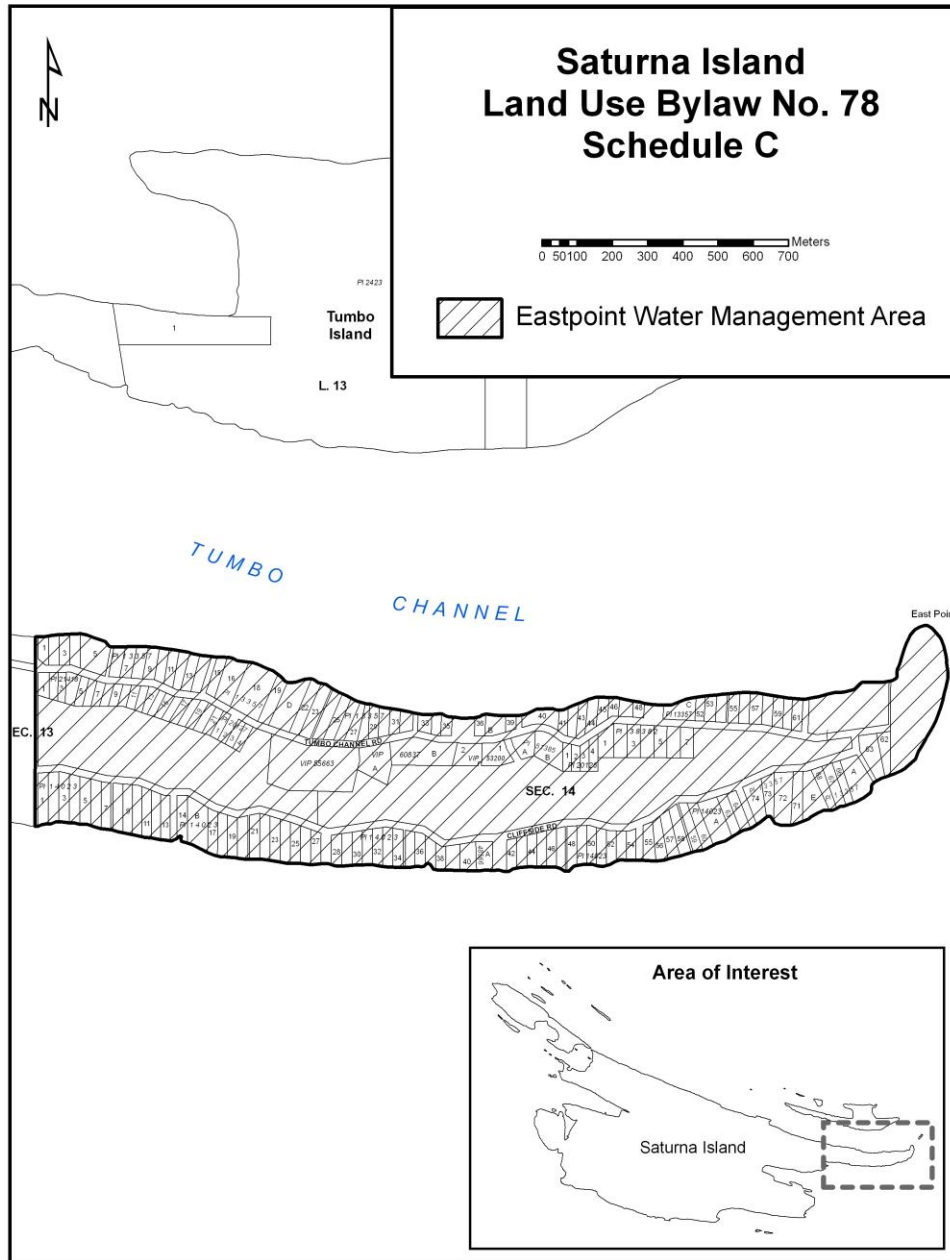
READ A FIRST TIME THIS	29th	DAY OF	October	2002
PUBLIC HEARING HELD THIS	13th	DAY OF	November	2002
READ A SECOND TIME THIS	13th	DAY OF	November	2002
READ A THIRD TIME THIS	13th	DAY OF	November	2002
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	14th	DAY OF	November	2002
ADOPTED THIS	14th	DAY OF	November	2002

Kathy Jones
SECRETARY

David Essig
CHAIRPERSON

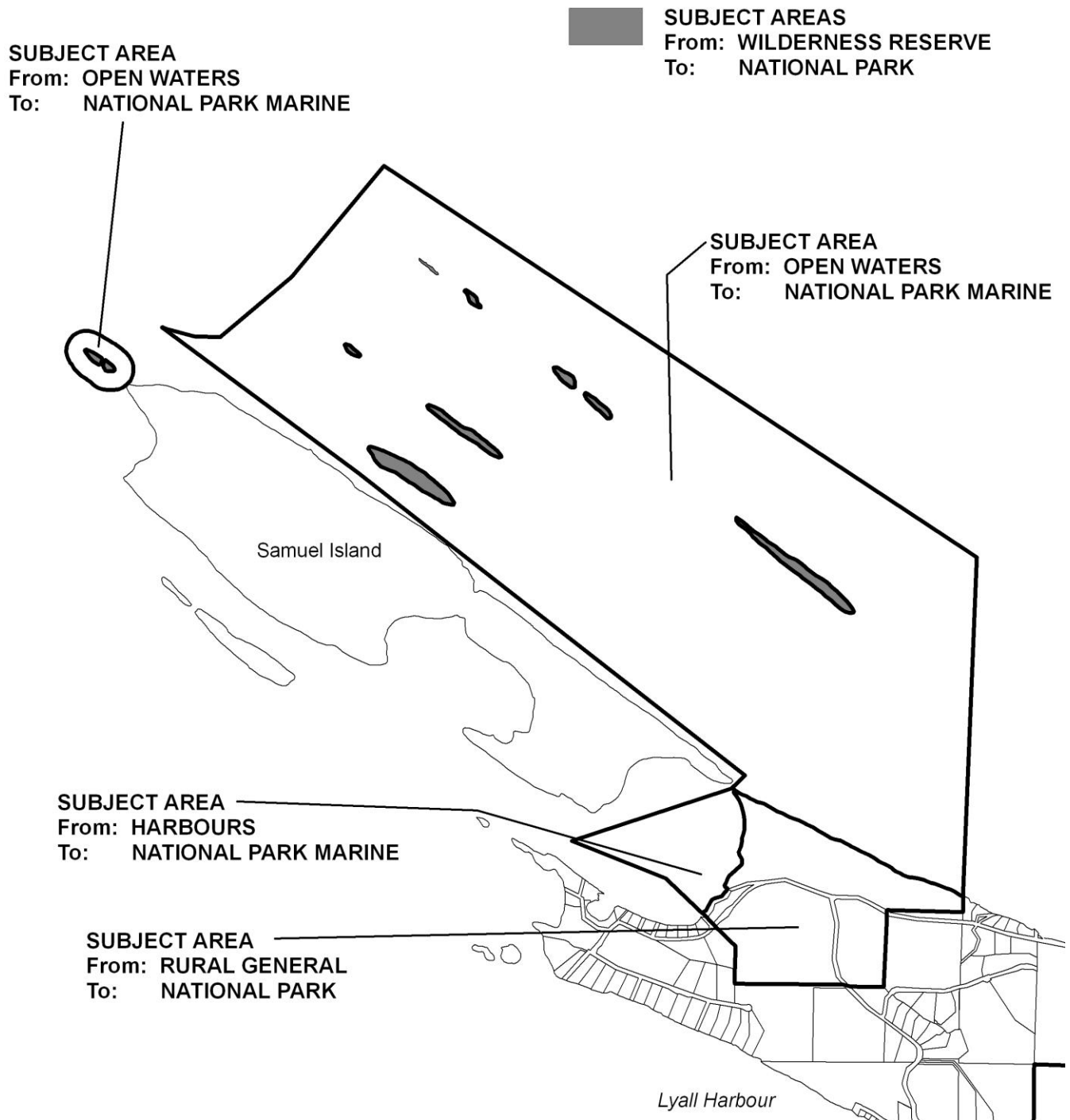
**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 78
SCHEDULE "A"**

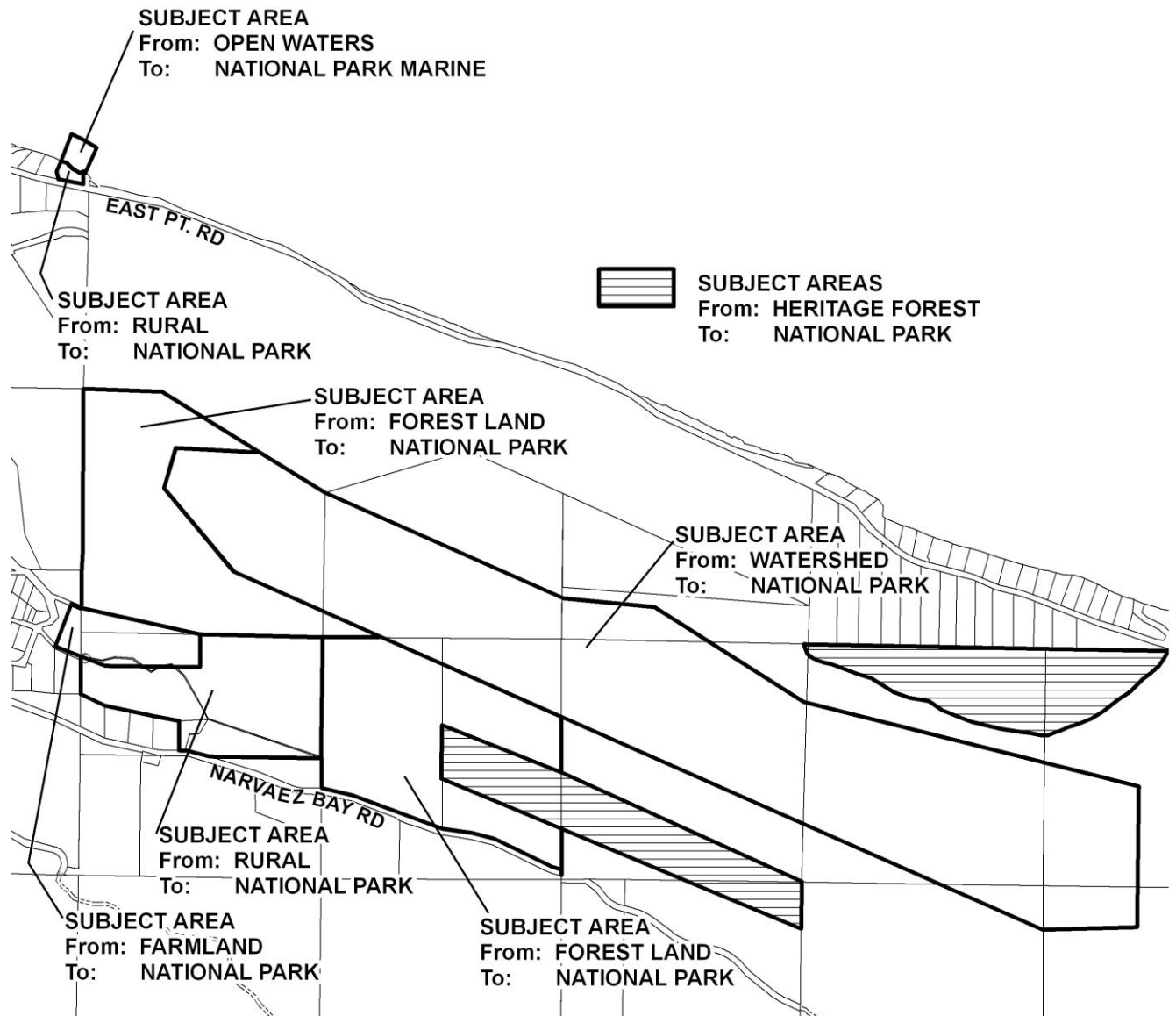


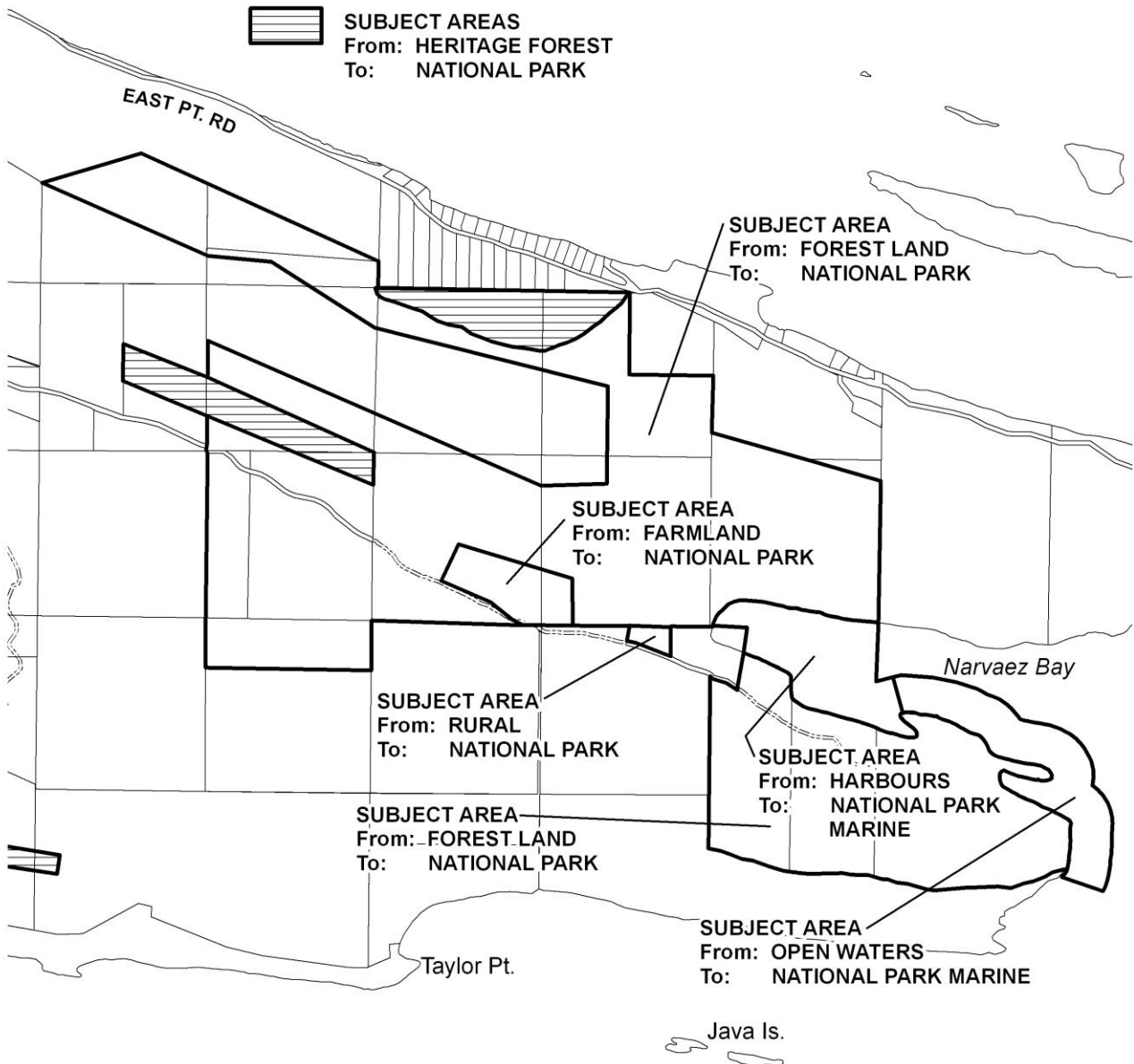


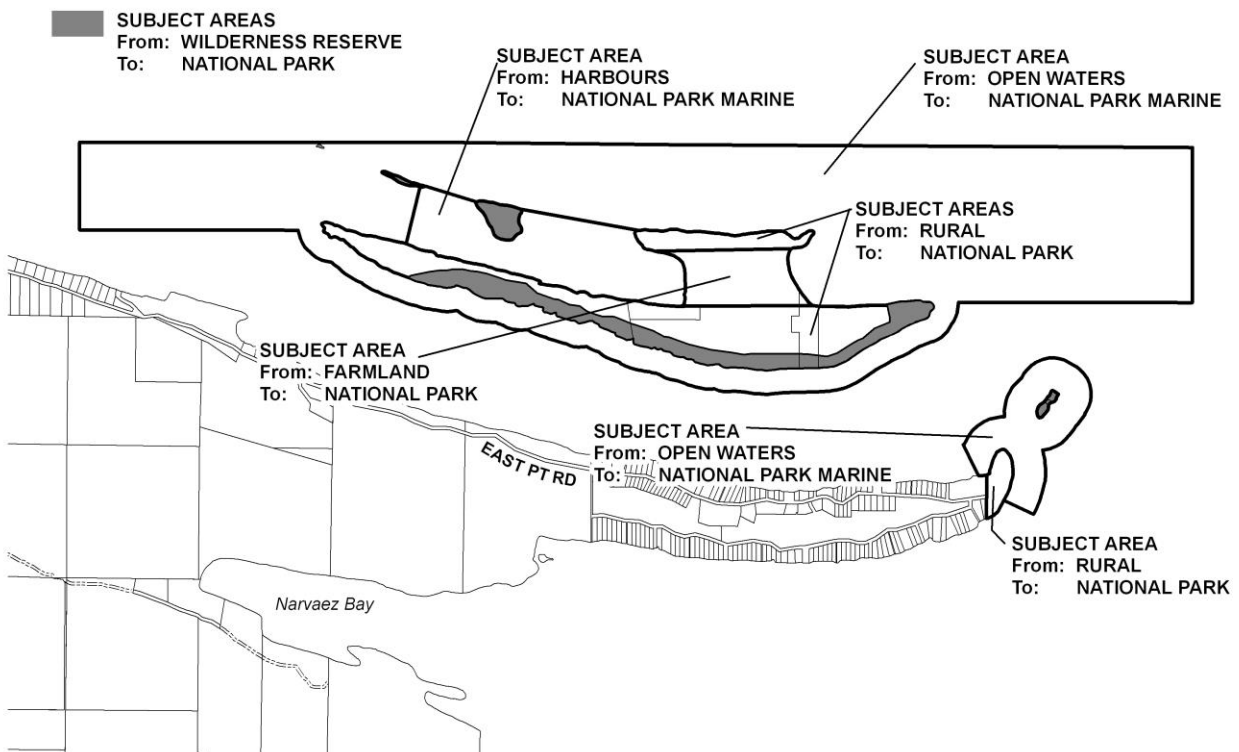
K:\LTC\Saturna\Bylaws\OCP and LUB Base Bylaws\LUB\Current LUB\LUB No. 78 2002_con September 16, 2010.doc

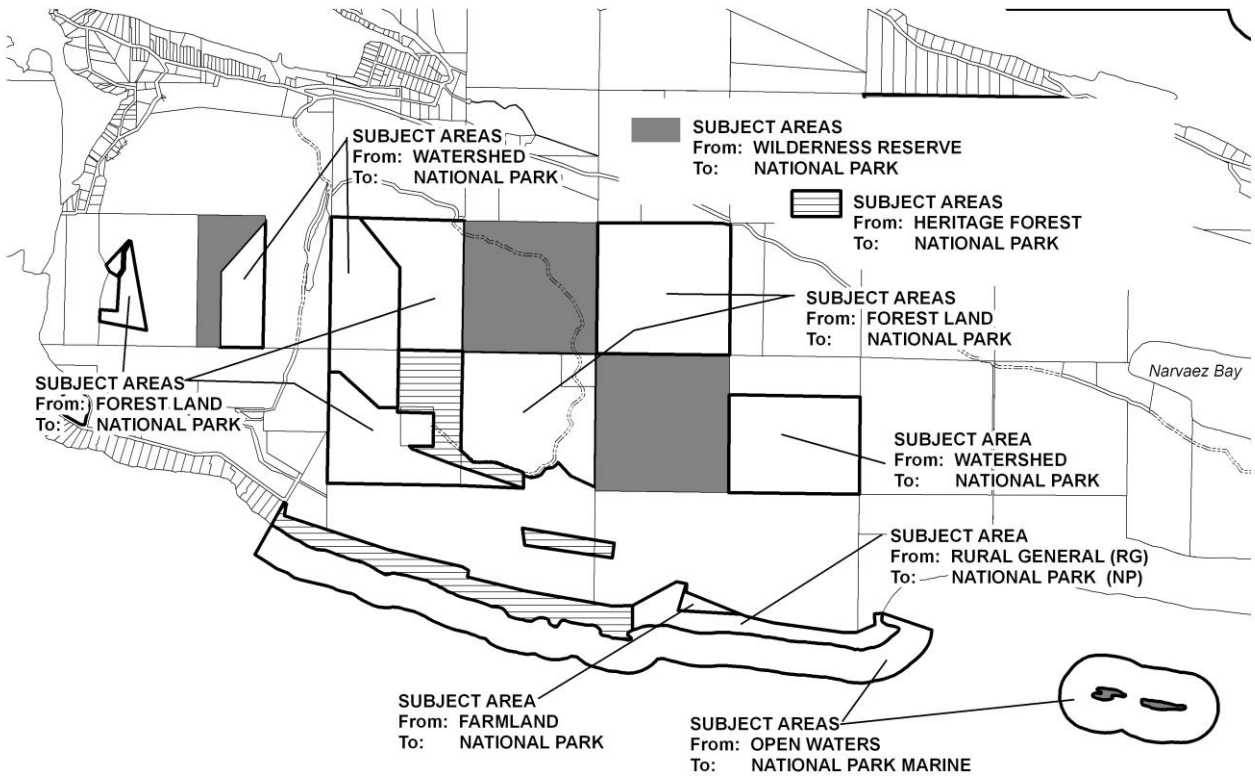
Parks Canada – OCP



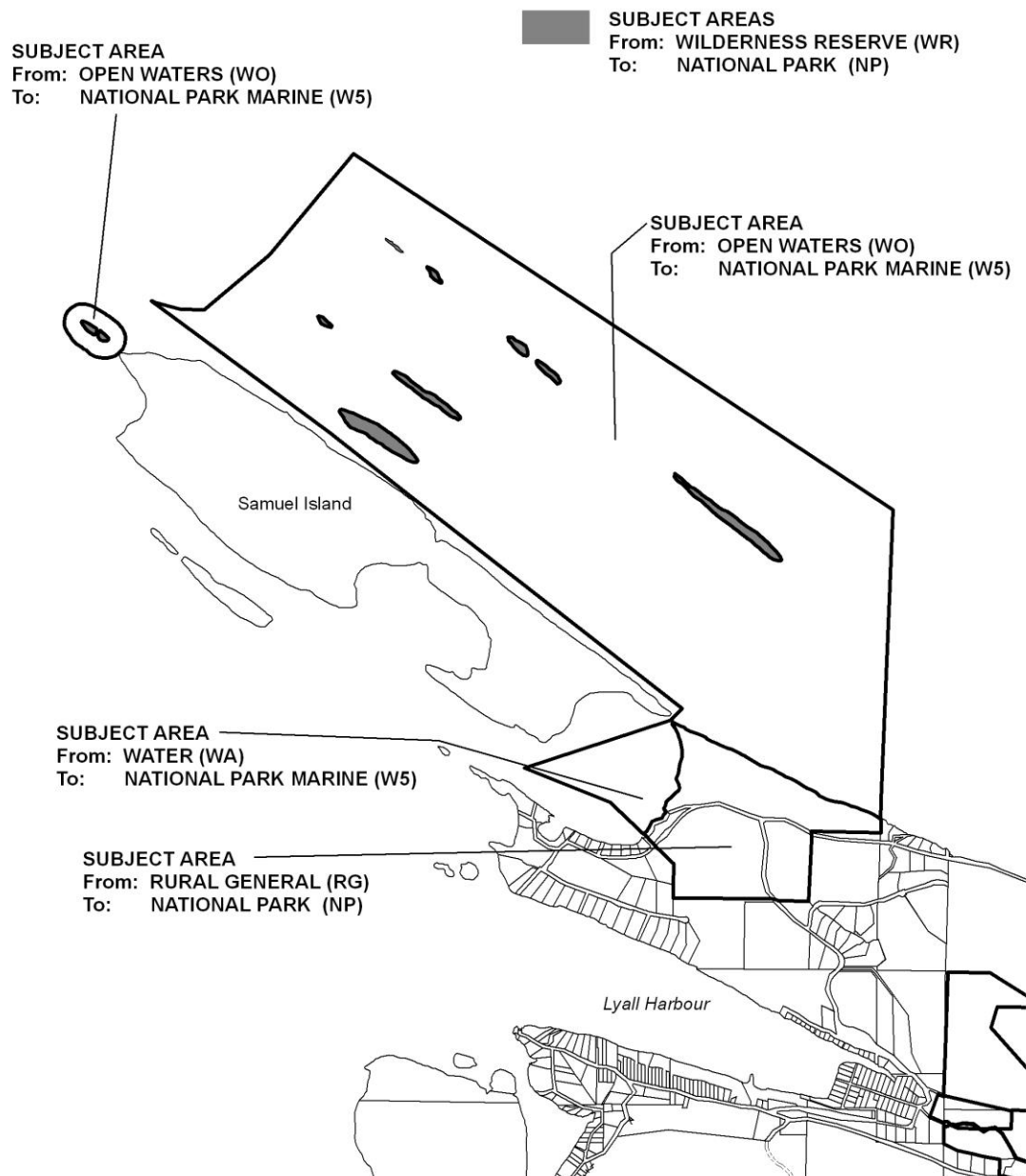


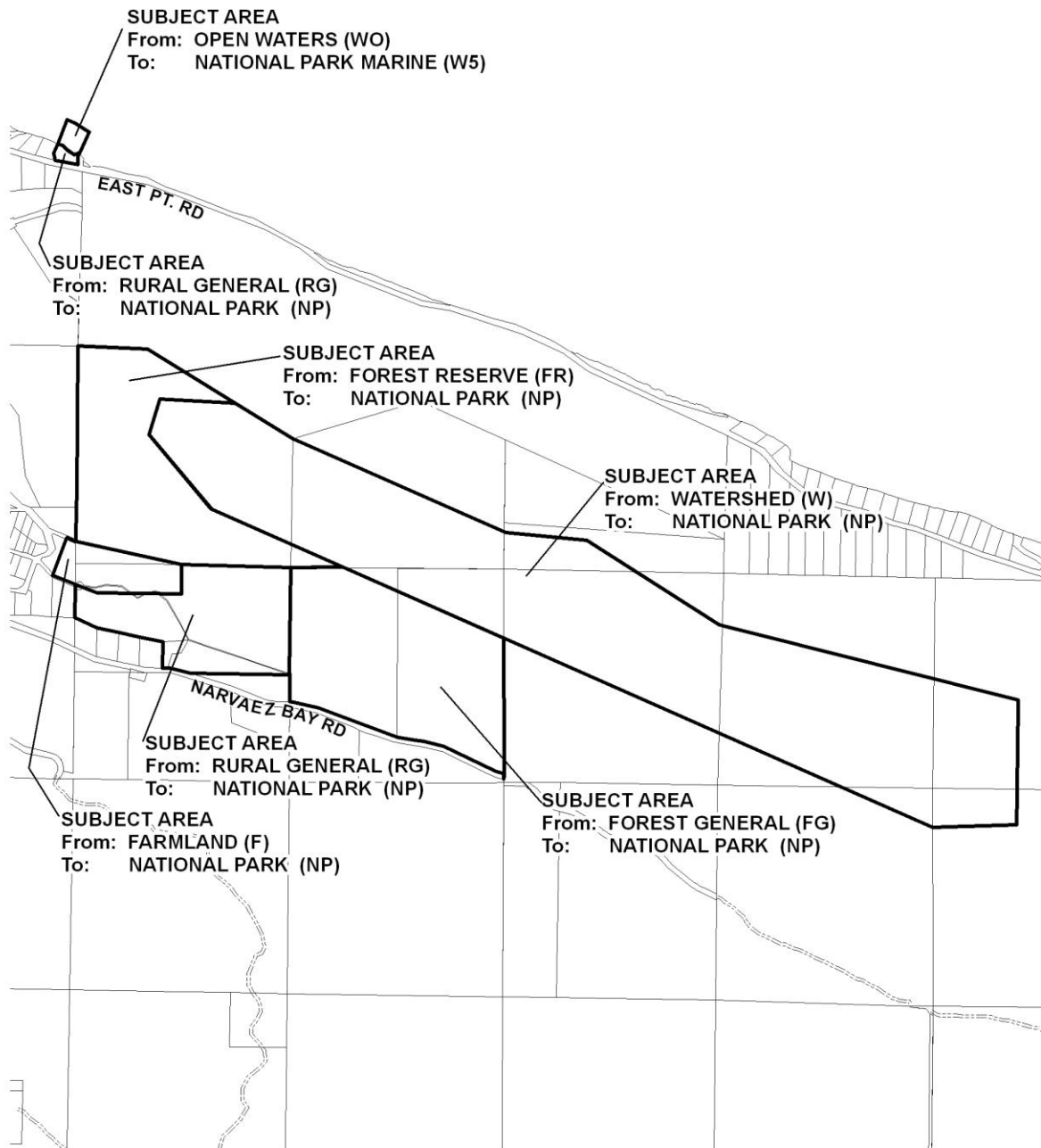


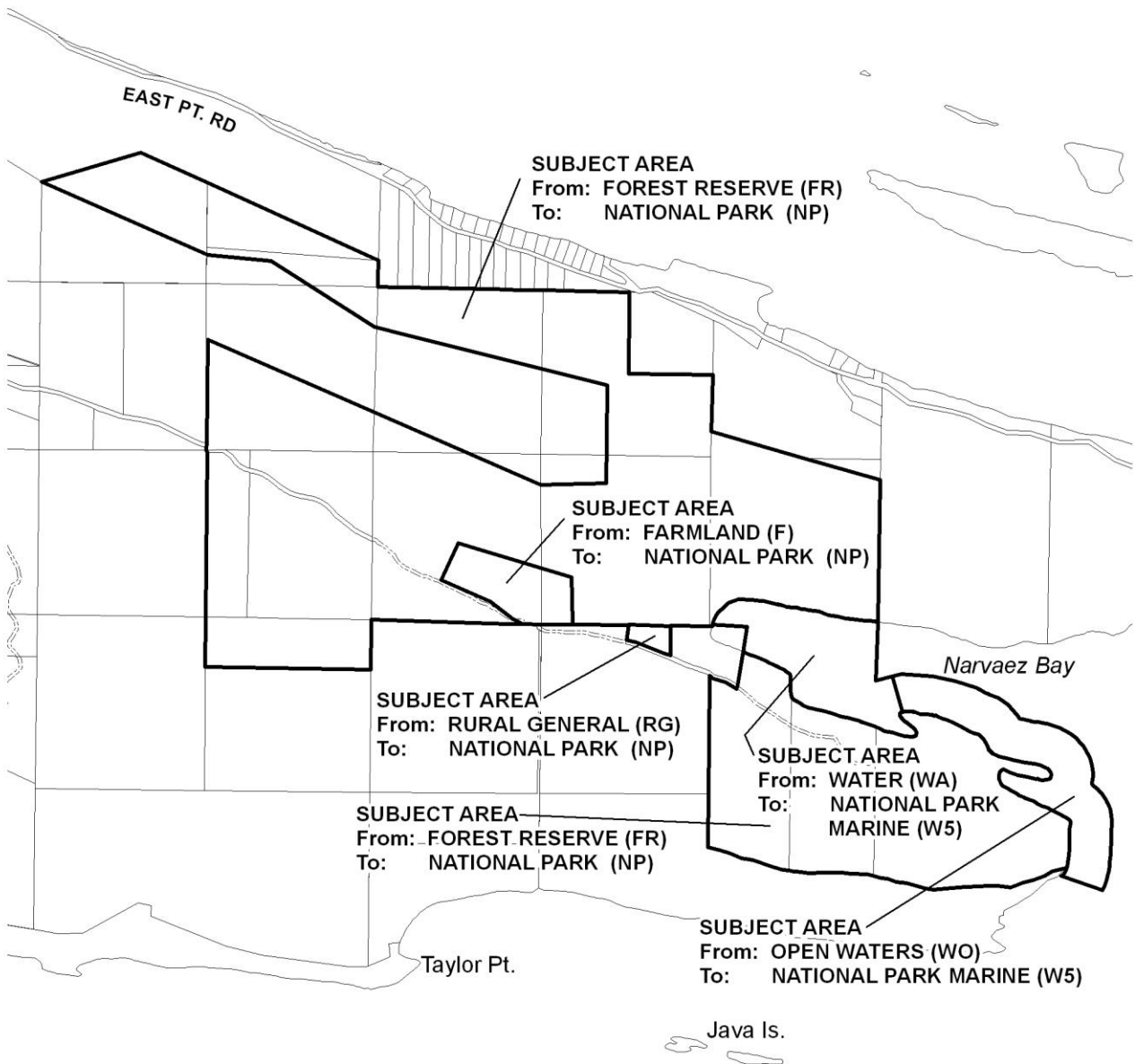


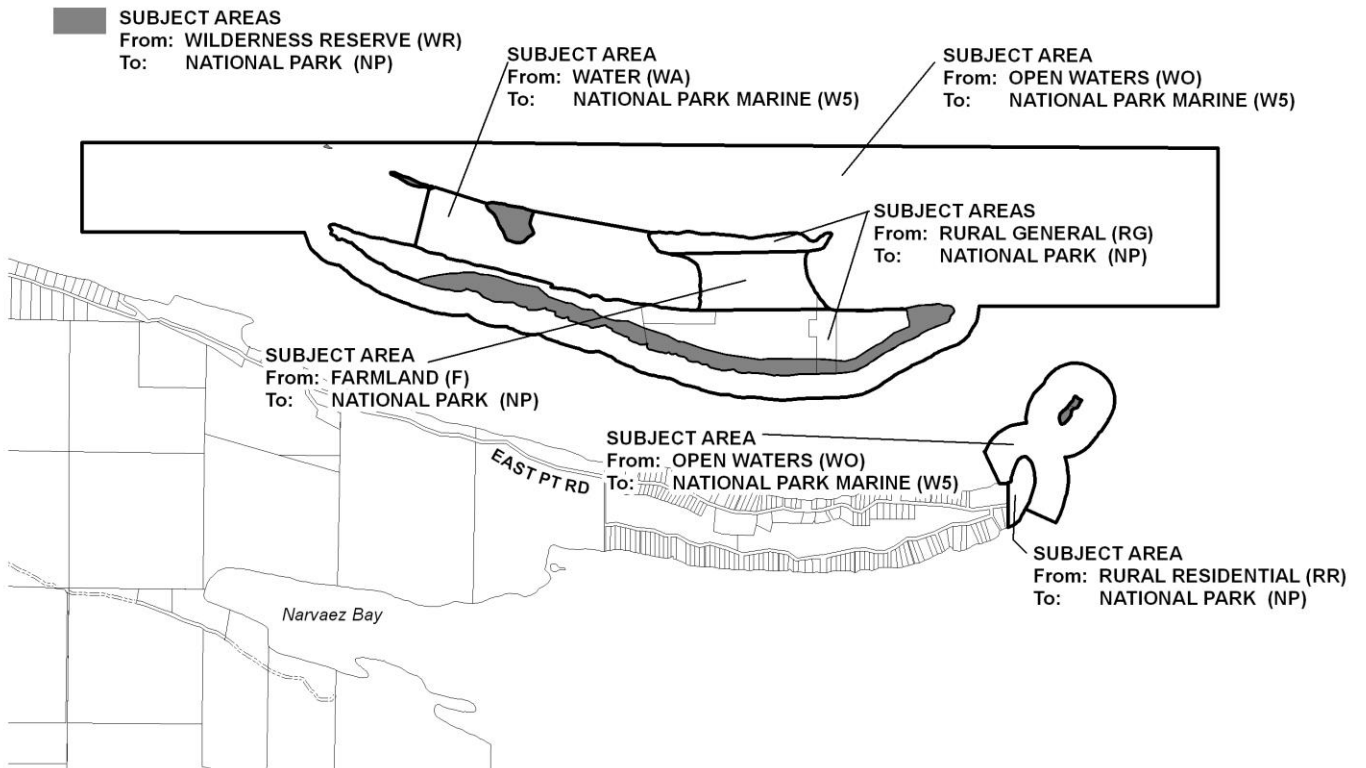


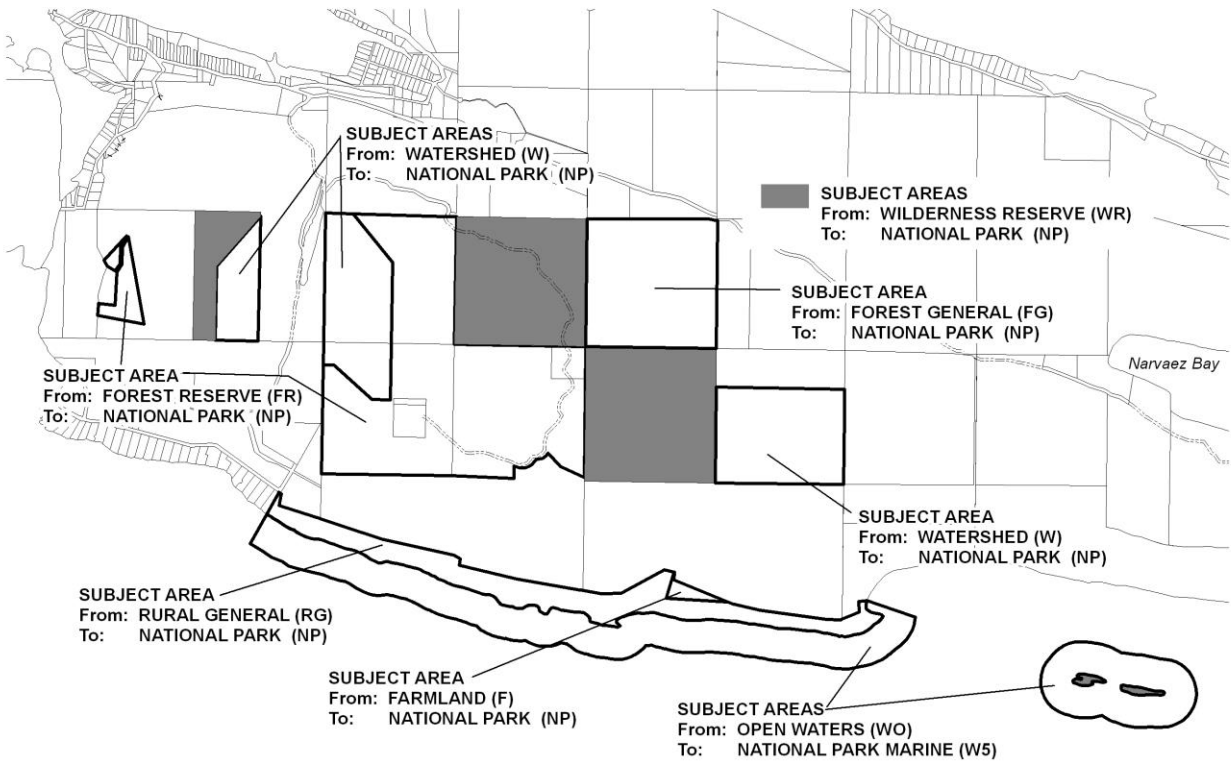
Parks Canada – LUB











Land Use Bylaw Review - Charter v2 October 17, 2017

Saturna Island Local Trust Committee

Purpose *The project is intended to provide a comprehensive technical review of Saturna Island Land Use Bylaw No. 78, 2002 (LUB).*

Background *The project was initiated by the Saturna Island Local Trust Committee (LTC) at its September 16, 2016 LTC meeting. The project was recommended by staff as the LUB has not been reviewed since it was adopted on November 14, 2002. The amended LUB will provide more certainty and assist the LTC, planning staff and the public in understanding how LUB regulations apply to the Saturna Island Planning area*

Objectives

- To provide a comprehensive review of the LUB
- To consider amendments to the LUB

In Scope

- Staff Review of the LUB
- Legal Review of the LUB
- Community consultation

Out of Scope

- Substantive amendments to regulations in the LUB
- Activities unrelated to the LUB review
- Significant review of Official Community Plan (OCP) Policies

Workplan Overview

Deliverable/Milestone	Date
Project charter endorsed/Staff review and legal review carried out	October 2016—February 2017
Staff report with recommended amendments prepared	March/April 2017
Special LTC meeting to review recommended amendments	October 2017
Draft LUB prepared showing LTC endorsed amendments	December 2017/January 2018
Community Information Meeting	February 2018
Preparation of amending bylaw(s) for review by LTC, referral and community comment	March 2018
Review of bylaw(s) and potential revisions	April/May 2018
Commencement of legislative process to amend LUB	May—August 2018

Project Team

Gary Richardson	Project Manager
Lori Foster, Sharon Lloyd-deRosario	Admin Support
Barb Dashwood/Nigel Hughes	GIS Support

RPM Approval:

Robert Kojima
Date:

LTC Endorsement:

Resolution #:
Date:

Budget

Budget Source:

Fiscal	Item	Cost
2017-18	Community Information Meeting	500.00
2017-2018	Legislative Process	3000.00
2017-2018	Communications, Legal, Contingency	2500.00
	Total	6000.00

Date: February 20, 2018

File No.: 6500-20-Secondary
Suite Review

To: Saturna Island Local Trust Committee
For the meeting of March 8, 2018

From: Gary Richardson, Island Planner

CC: Robert Kojima

Re: Secondary Suite Review

Recommendations

1. That the Saturna Island Local Trust Committee endorse the attached project charter regarding the implementation of Secondary Suites within the Saturna Island Local Trust Area.

Preliminary Report

The purpose of this report is to provide the LTC with an outline of the anticipated scope and timeline for the secondary suite review project, and to seek direction on proceeding.

Project Objectives

The objective of the project is to initiate a review of the suitability of secondary suites for properties on Saturna Island. Allowing secondary suites as a permitted use will require an amendment to the Saturna Island Land Use Bylaw (LUB) and the Official Community Plan (OCP).

Project Background

This issue was identified as a Work Program Priority by Resolution-Without-Meeting November 22, 2017.

Secondary suites are typically affordable, ground oriented and market based. Given the number of single family residences on Saturna Island, and its aging population, the ability to provide legal secondary suites could assist the community in addressing its perceived housing diversity and affordability issues in appropriate locations.

Project Scope and Timeline

Staff are recommending that the scope of the of the project consist of: the review of options, preparation of amendments to the LUB and OCP bylaws, consultation with stakeholders, the formal process associated with amending the LUB and OCP, communications in the form of a fact sheet, and further general consultation in the form of a community information meeting. The specifics are included in the draft Project Charter attached.

Project Charter

A draft project charter has been prepared and is attached. It summarizes the key elements of the project outlined in this report in a single document and would serve to guide the LTC and the project manager. If circumstances change or issues arise in the course of the project, the LTC may be asked to revisit sections of the charter. The project charter would be included on all relevant agendas.

Prepared and Submitted by:

Gary Richardson, Island Planner

February 20, 2018

Name, Title

Date

Attachments: Project Charter

Secondary Suite Review - Charter v1 March 1, 2018

Saturna Island Local Trust Committee

Purpose The purpose of this project is to review the suitability of allowing secondary suites in the Saturna Island Local Trust Area

Background This project was identified as a Work Program Priority by the LTC on November 22, 2017. Secondary Suites are typically affordable, ground oriented and market based accommodations. Given the number of single family residences on Saturna Island the ability to provide legal secondary suites could assist the community in addressing its perceived housing diversity and affordability issues in appropriate locations.

Objectives

- Review the suitability of allowing secondary suites within the Saturna Island Local Trust Area
- Prepare amendments to the OCP and LUB to implement secondary suites if appropriate

In Scope

- Review secondary suite policies, guidelines, from other LTCs and jurisdictions
- Communicate on webpage and by information sheet
- Prepare OCP and LUB amendments for the LTCs consideration
- Community Information Meeting and Public Hearing

Out of Scope

- Unrelated OCP and LUB amendments
- Additional or extra-ordinary community consultation

Workplan Overview

Deliverable/Milestone	Date
Project Charter endorsed	March 8, 2018
Staff Report	April 27
Draft Bylaws Prepared for LTC consideration	May 2018
Community Information Meeting and Referral of draft bylaws to First Nations and Agencies	June 2018
Revisions as a result of CIM and referrals	June/July 2018
Commencement of Legislative process to amend OCP and LUB	July 2018

Project Team

Gary Richardson	Project Manager
Sharon Lloyd-deRosario, Lori Foster	Admin Support
Nigel Hughes	GIS

RPM Approval:

Robert Kojima

Date:

LTC Endorsement:

Resolution #:

Date:

Budget

Budget Source:

Fiscal	Item	Cost
2018-19	CIM	500.00
2018-19	Legislative Process	1500.00
2018-19	Contingency	500.00
	Total	2500.00



Islands Trust

Print Date: March 5, 2018

Top Priorities

Saturna Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	First Nations Relationship Building	A long term program to support a thriving and sustainable relationship with First Nations Staff report and recommended OCP wording to be prepared for LTCs consideration at April 27, 2018 LTC Mtg.	16-Sep-2016	Gary Richardson	
2	LUB Technical Review	Staff Report and Recommended amendments prepared for March 8, 2018 LTC Mtg.	16-Sep-2016	Gary Richardson	31-Mar-2018
3	Secondary Suite Review	To consider options for legal secondary suites. Project Charter Prepared for March 8, LTC Mtg.	22-Nov-2017	Gary Richardson	01-Dec-2018



Projects

Saturna Island

Description	Activity	R/Initiated
Shoreline Review		17-Jun-2016
Review Density Transfer Mechanisms		16-Sep-2016
Amenity Zoning Review		16-Sep-2016



Islands Trust

Print Date: March 5, 2018

Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2012.1	NEPENTHE HOLDINGS LTD Planner: Gary Richardson	26-Jan-2012	Rezone to allow subdivision
Planning Status			
Status Date: 05-Mar-2018 Proposed Bylaws on March 8, 2018 LTC agenda for consideration of final adoption.			
Status Date: 31-Jan-2018 OCP Bylaw forwarded to Minister for approval.			
Status Date: 05-Dec-2017 Bylaws approved by Executive Committee			

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: 31-Jan-2018 Preliminary Staff Report to be prepared for April 27, 2018 LTC Mtg.			
Status Date: 16-Jan-2018 opened file, *** issued split payment two receipts 3770 & 3771. Mapping request & notified LTC.			

Subdivision

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

Applications

Status Date: 05-Mar-2018

Staff to respond to MoTI by March 8, 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: Phil Testemale

Planning Status

Status Date: 05-Mar-2018

Staff to provide response to MoTI by March 8, 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.

Islands Trust
LTC EXP SUMMARY REPORT F2018
Invoices posted to Month ending December 2017

660 Saturna	Invoices posted to Month ending December 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-660	LTC "Trustee Expenses"	750.00	0.00	750.00
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	2,500.00	414.07	2,085.93
65210-660	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-660	LTC - Local Exp - Communications	300.00	0.00	300.00
65230-660	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>3,800.00</u>	<u>414.07</u>	<u>3,385.93</u>
Projects				
73001-660-4069	Saturna LUB Technical Review	6,000.00	290.41	5,709.59
73001-660-4077	Saturna First Nations Relations	2,000.00	815.95	1,184.05
TOTAL Project Expenses		<u>8,000.00</u>	<u>1,106.36</u>	<u>6,893.64</u>

Saturna Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 16/07	SA-LTC-16-07	Travel Trailer or Camper	It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: The travel trailer or camper is being used for recreational purposes by the owners of the lot and; The travel trailer or camper is being used intermittently and for short periods not exceeding two months. Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: The travel trailer or camper is being used as a second residence or; The trailer or camper is situated within the setbacks for a structure or; There are serious safety issues, unsightliness, noise, or health problems related to the use or; A complaint based on the above three items is received from a person who owns neighboring property. Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.
2.	August 20/08	SA-LTC-43-08	Bylaw Enforcement: Short Term Vacation Rentals	It was Moved and Seconded THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs not permitted by Section 2.16.10 of the Saturna Island Land Use Bylaw No. 78 that have one or more of the following characteristics will be subject to enforcement: 1. They are advertised on the internet, newspapers or other media; 2. They are not managed by the property owner; - More than one STVR per constructed residence on the lot is simultaneously made available for STVR; 4. While the property is rented persons are also staying in tents, trailers, or RV's; 5. There are issues related to health and safety; 6. There is a written complaint by owners or residents about bona fide nuisance issues such as noise or parking congestion related to the STVR;

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



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality November 2017



TFB 2018 Meeting Dates

The Trust Fund Board finalized the 2018 TFB meeting dates. The dates are: January 30, April 3, May 29, July 17 (Annual meeting with the Executive Committee), September 25, and November 27.

Regional Conservation Plan (RCP)

The Trust Fund Board (TFB) reviewed a three-year work plan that builds on the approved draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. The three-year work plans will be used by staff and board members to guide their work and measure progress towards achieving the larger goals of the ten-year RCP. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

Land Trust Alliance of BC National Land Summit

Trust Fund Board members and staff shared key lessons learned from their participation and attendance at the Land Trust Alliance of BC National Land Summit (Nov. 15-17). Staff presented at the conference on Conservation Planning.

Board Retreat

The Trust Fund Board discussed possible follow-up actions emerging from the October 2, 2017 retreat. Staff provided the board with summaries of key information about ITF for members to use in developing personalized messages for outreach and fundraising, as discussed at the retreat.

Property Monitoring

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 51 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island). All follow-up correspondence related to 2017 monitoring has been provided to land holders and co-covenant holders. This year, covenant outreach communications were included with the monitoring letters.

Summary of Current Island-by-Island Activities

Denman

Invasive species removal, restoration, planting and monitoring continues on all three TFB nature reserves (Inner Islands Nature Reserve, Lindsay Dickson Nature Reserve, and Morrison Marsh Nature Reserve). Management plan revisions and species at risk surveys are being completed for Morrison March Nature Reserve. In addition, public consultation planning - including a questionnaire and open

house, are in progress for a revised management plan for Morrison Marsh Nature Reserve to be completed by April 2018.

Gabriola

The Trust Fund Board approved a request from a NAPTEP landholder to remove limbs from several trees to maintain a viewscape with the conditions that the work is carried out by a professional arborist, the work is done outside of nesting season for birds and the woody debris is left on site to decompose naturally.

The Elder Cedar Nature Reserve continues to suffer from the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues. Construction is set to begin on a boardwalk around the large western red cedar tree in late November. A boardwalk is also being built over a wet area on one section of the existing trail.

Galiano

The TFB accepted an updated conservation proposal from the Crystal Mountain Society, agreeing to accept the transfer of approximately 18.3 hectares of land on Galiano Island, provided specified conditions are met. The proposed nature reserve will be further protected by a conservation covenant held by the Land Conservancy of BC. Invasive species removal and trail clearing is in progress on the Laughlin Lake and Vanilla Leaf Nature Reserves.

Lasqueti

Riparian restoration and nesting box maintenance is in progress at the John Osland Nature Reserve.

North Pender

Public consultation planning - including a questionnaire and open house, are in progress for a revised management plan for the Medicine Beach Nature Sanctuary to be completed by April 2018.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality January 2018



Election of the Trust Fund Board Chair

Trustee Tony Law was nominated and elected by acclamation as the Trust Fund Board (TFB) Chair for 2018.

Re-appointment of Robin Williams

The Minister has approved the re-appointment of Robin Williams to the TFB for two years. Trustee Williams will continue to represent the TFB on the Financial Planning Committee.

New 'Salish View' Conservation Proposal, Lasqueti Island

The TFB received and accepted a conservation proposal submitted by the Lasqueti Island Nature Conservancy, (LINC) regarding the acquisition of the property known as 'Salish View'. The TFB agreed to contribute \$32,000 from the Lasqueti Island Acquisition Fund to purchase Salish View, on the condition that the primary donors to this Fund support the use of the funds for this project. Staff will be working with LINC on fundraising and communications for the campaign, and if the campaign is successful, the land will be protected by the TFB as a nature reserve, with a covenant held by LINC.

Regional Conservation Plan (RCP)

The TFB approved the final 2018-2027 Regional Conservation Plan (RCP). The Board is referring the RCP to Trust Council for endorsement at the March Trust Council meeting. The TFB also reviewed a three-year work plan that builds on the approved RCP. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. The three-year work plans will be used by staff and board members to guide their work and measure progress towards achieving the larger goals of the ten-year RCP. The final RCP will be posted on the Islands Trust Fund (ITF) website after the March Trust Council meeting and a news release will be issued.

Fairyslipper Forest campaign

Fairyslipper Forest is now protected as a TFB nature reserve. A board-to-board celebration event will be held in Cowichan Valley on February 24, 2018 to celebrate the successful completion and protection of Fairyslipper Forest Nature Reserve on Thetis Island. Public celebration events will be held on Thetis Island on April 21-22, 2018.

Report on Islands Trust Meeting with the Minister

The TFB discussed possible follow-up actions emerging from the recent Islands Trust meeting with the Minister of Municipal Affairs and Housing regarding the requested change to the Islands Trust Act to change the name of the Islands Trust Fund.

Agricultural Land Commission (ALC) Review

Trustee Tony Law attended the a regional stakeholder meeting held by the Minister of Agriculture's Advisory Committee on the Revitalization of the Agricultural Land Reserve and Agricultural Land Commission on February 6, 2018 in Nanaimo.

Summary of Current Island-by-Island Activities

Denman

Staff attended an open house on January 27, for public consultation on the revised management plan for Morrison Marsh Nature Reserve, to be completed by April 2018. Invasive species removal and trail clearing, sign installation, tree caging for forest restoration continues at all three TFB nature reserves.

Gabriola

Construction is almost complete on the boardwalk around the large western redcedar tree. Notice of the work went into the local paper and social media, and the RCMP was notified to deter vandalism. Construction of boardwalk over a wet area on one section of the existing trail will begin in February.

Galiano

Invasive species removal and trail clearing is in progress on the Laughlin Lake and Vanilla Leaf Nature Reserves. The Board received and approved a request from a

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca

Master's student to perform research on pollinators and microclimates on Retreat Island Covenant provided that conditions for ecological integrity and stakeholder approval are met.

Lasqueti

Riparian restoration and nesting box maintenance is in progress at the John Osland Nature Reserve.

North Pender

Public consultation, including a questionnaire and open house scheduled for February 17, 2018, are underway for a revised management plan for the Medicine Beach Nature Sanctuary, to be completed by April 2018.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca

BRIEFING

To: Saturna Island Local Trust Committee **For the Meeting of:** February 1, 2018
From: David Marlor, DLPS **Date Prepared:** December 4, 2017
SUBJECT: Housing Agreement Administration

PURPOSE:

This briefing is intended to inform the local trust committees of existing housing agreements in the Trust Area and the progress of work on a new program to hold and administer housing agreements.

BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

TC-2016-083 that the Islands Trust Council allocate \$15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

A Housing Agreement is a tool for local trust committees to encourage and enforce affordable housing developments. Housing agreements are covenants that are adopted by local trust committee bylaw; they may set the rates at which a housing unit can be rented or sold, and may stipulate the income threshold and types of the occupant(s). A housing agreement may be required for the owner to receive certain grants and funding.

1. Provisions to hold Housing Agreements

Section 483 of the *Local Government Act* authorizes local trust committees to enter into a housing agreement, which defines “terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
- (d) rents and lease, sale or share prices that may be charged, and the rates at which these may be

increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.”

2. Current Housing Agreements

There are currently seven housing agreements in the Islands Trust Area that are considered active (units are built and rented, or the housing agreement was recently finalized). These are located on Salt Spring Island (4), Denman Island (2) and Galiano Island (1).

All housing agreements have a clause whereby the Islands Trust can monitor the property to ensure compliance, through the completion of schedules submitted annually or upon request. Staff completed monitoring for 2017 in October.

3. Managing and Administering Housing Agreements

In creating a Trust-wide program to hold and administer housing agreements the following points were considered,

- a. Housing agreements to date have been handled on an individual basis by the planner assigned to the island/application;
- b. Extensive revision and legal review is required for each housing agreement;
- c. Active monitoring was not undertaken on any agreements until October 2017, with the exception of the property on Denman Island;
- d. Planning and administrative staff with already full workloads need a system that does not add a lot of extra work;
- e. Enforcement issues have not been thoroughly planned for or addressed;
- f. Applicants for Housing Agreements are usually not-for-profit societies with limited budgets.

Based on these factors, the following changes to the way housing agreements are administered have been proposed:

a. Templates

Templates have been drafted for the various different types of housing agreements, in an effort to decrease planner time and the need for multiple legal reviews. These templates combine legal advice and formats from recently established housing agreements to create a base draft. These templates are standard agreements, and owners/developers will be expected to keep changes and edits to a minimum.

b. New Staff Procedures

New procedures are currently under review for staff to use when developing housing agreements to streamline the process and avoid errors and omissions. In particular, these procedures will ensure that housing agreements are monitored, and that files and communications are kept up to date. Procedures are also prepared regarding the monitoring and management of adopted housing agreements.

c. Information Brochure for Owners/Societies/Developers

Staff will create an information brochure to outline the steps involved in creating a housing agreement, as well as specifying the limited edits that can be made to a template. This information, designed for those interested in entering into a housing agreement, will also be provided to Trustees for information.

Prepared By: Emily Kozak, Housing Agreement Project Coordinator

Reviewed By/Date: David Marlor, DLPS/December 4, 2017

To: Galiano, Mayne, Salt Spring, and Saturna
Local Trust Committees

For the Meeting of: Nov/Dec, 2017

From: Executive Committee

Date prepared: October 27, 2017

File No.:

SUBJECT: Japanese Canadian Historic Places Project

DESCRIPTION OF ISSUE: The Executive Committee is referring for information correspondence from staff with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development describing the provincial Japanese Canadian Historic Places project. This is being forwarded to the LTC because heritage sites have been identified on your island

BACKGROUND:

On May 11, 2017, the Executive Committee received correspondence inviting local governments to consider using the heritage conservation tools found in Part 15 of the *Local Government Act* to formally recognize or protect Japanese Canadian historic places.

In 2018, the provincial government will be developing Statements of Significance that document the heritage values of these places, as part of the records that will be added to the BC and Canadian Registers of Historic Places. The Province may also be including some Gulf Islands designated areas in online maps.

Provincial staff advise that Japanese gardens, charcoal pit kilns, milling and fishing sites, geographical names, and community buildings are reminders of the culturally-diverse community life on the Gulf Islands before the dispossession, forced relocation and internment of Japanese residents in 1942.

The Executive Committee postponed sending this correspondence to local trust committees until final Statements of Significance and associated mapping were available but recently learned that this mapping is now not expected to be available until sometime in 2018.

ATTACHMENT(S):

1. March 31, 2017 e-mail from Berdine Jonker re Japanese Canadian Historic Places Project
2. April 3, 2017 letter from Richard Linzey re Japanese Canadian Historic Places Project results

FOLLOW-UP: Once the Executive Committee is provided with Japanese Canadian Historic Places Statements of Significance and associated mapping, the information will be forwarded to affected local trust committees. At that time, local trust committees will be encouraged to discuss the use of these tools to protect the listed places with their planner and Regional Planning Manager.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: October 23, 2017

From: Jonker, Berdine FLNR:EX [<mailto:Berdine.Jonker@gov.bc.ca>]
Sent: Friday, March 31, 2017 4:58 PM
Cc: Cook, Judith FLNR:EX
Subject: Japanese Canadian Historic Places in British Columbia

Email sent on behalf of Richard Linzey, Director, Heritage Branch:

Good morning,

I am writing to inform you of the results of the Japanese Canadian Historic Places Project, a heritage awareness and recognition project that was undertaken by the Ministry of Forests, Lands, and Natural Resource Operations, and the Ministry of International Trade and Multiculturalism over the past year.

Public nominations were sought from July 7 to November 30, 2016, resulting in 264 nominations for 176 places to be considered for recognition under s. 18 of the *Heritage Conservation Act* (Appendix A). Following a thorough evaluation by sector and community experts, 56 historic places were chosen to receive formal provincial recognition for their significance to the Japanese Canadian community in British Columbia (Appendix B).

Acknowledgement of the heritage values associated with these places strengthens our understanding and appreciation of the diversity of cultures that are part of British Columbia's heritage. Heritage values articulated by the Japanese Canadian community relate to several themes including immigration, fighting for equality and justice, service to community, and celebrating cultural diversity. Of particular importance was the profound impact of internment during World War II, and its lasting effects in the years following, on over 22,000 Japanese Canadians and Canadians of Japanese ancestry.

While not all of the places identified by the public are *provincially* significant, this project brings to light the fact that these places are important at a regional or local level. I am therefore inviting your local government to consider using the heritage conservation tools found in Part 15 of the *Local Government Act* to formally recognize or protect these places at the local level. Recognition of these historic places by all levels of government strengthens our collective understanding and appreciation of the many layers of heritage values that make British Columbia the place it is today

If your local government does not already have a Community Heritage Register or other heritage conservation tools in place, may I suggest contacting Heritage BC at www.heritagebc.ca, or at 604.428.7243 or 1.855.349.7243, to learn more about their resources and services for developing community heritage planning programs. Heritage BC is also the fund administrator for the Heritage Legacy Fund of British Columbia, which provides opportunities to interpret or celebrate aspects of community heritage through their Heritage Awareness Program.

If you would like more information on this project, or any of the places that were nominated or formally recognized, please contact Judith Cook, Heritage Planner, at judith.cook@gov.bc.ca, or at 250-356-1038. Information about each place will also be available on an online interactive map, hosted by Heritage BC. A follow-up letter with more detail about which historic places are in your municipality will arrive to your offices shortly.

I hope that you will join the Province of British Columbia in honouring this important part of our provincial heritage.

Sincerely,

Berdine Jonker

Berdine Jonker, MPA | Manager, Heritage Programs and Services
Heritage Branch | Ministry of Forests, Lands and Natural Resource Operations
Office: 250.356.1044 | Cell: 250.384.8489 | www.gov.bc.ca/bcheritage

Appendix A - Japanese Canadian Historic Places Project - List of nominated places

1	Protected Area	38	The Gulf Islands	78	Fraser Mills Japanese Language School
2	Lillooet/East Lillooet Self-Supporting Internment Camp	39	Sunrise Sawmill and Koyama's Fish Camp	79	Annieville Slough
3	McGillivray Falls	40	Galiano Island Charcoal Pit Kiln	80	Canoe Pass
4	Minto Mine	41	Galiano Island Cemetery	81	New Westminster Berth for Ocean Vessels
5	Miyazaki House	42	Galiano Island North End Hall	82	Douglas Road Cemetery
6	Bridge River Internment Site	43	Mayne Island Japanese Garden	83	New Westminster Japanese Language School
7	Taylor Lake	44	Kadonaga Bay	84	Japanese Teahouse, North Vancouver
8	Mount Manzo Nagano	45	Mayne Island	85	Seymour Valley (McKenzie Creek) Japanese Camp
9	Mine at Ikeda Bay on Moresby Island	46	Salt Spring Island Charcoal Pit Kilns	86	Britannia Shipyards National Historic Site
10	Ocean Falls	47	Ganges	87	Don and Lion Islands
11	North Pacific Cannery National Historic Site	48	Salt Spring Island	88	G.S. Mukai Boat Works
12	Port Essington	49	Mikuni Point	89	Garry Point Park Boatyard
13	Skeena Buddhist Temple	50	Saint Christopher's Church	90	Japanese Fishermen's Hospital
14	Cow Bay	51	Christina Lake & Japanese Language School	91	Kuno Garden
15	Kazu Maru Shinto Shrine	52	Greenwood	92	Murakami House and Boatworks
16	Morimoto Boat Shop & Claxton Cannery	53	Kaslo Internment Site	93	Nikkei Fishermen's Statue, Steveston
17	Prince Rupert Japanese Language School	54	Langham Cultural Centre	94	Steveston Buddhist Temple
18	St. Andrew's Anglican Church	55	St Andrew's United Church	95	Steveston Japanese Language School
19	Calhoun Farm	56	Midway	96	Steveston
20	Eagle Pass/Revelstoke-Sicamous Highway Road Camp	57	1505 Nasookin Road, Nelson	97	Woodfibre Japanese Language School
21	Nitobe's Rock	58	Rosebery Internment Camp	98	Strawberry Hill, Surrey
22	Rogers Pass Avalanche Memorial	59	Kohan Reflection Garden	99	Campbell Creek Hop Farm
23	Fraser Valley Buddhist Temple	60	New Denver and Area Internment Camps	100	Kamloops Japanese Canadian Association
24	Mount Lehman Japanese Language School	61	New Denver Church	101	Kamloops Jodo Shinshu Buddhist Temple
25	Hammond Buddhist Temple	62	New Denver Orchard	102	Kamloops Judo Club
26	Haney Japanese Kindergarten	63	Nikkei Internment Memorial Centre National Historic Site	103	Monte Lake
27	Haney Japanese Language School	64	Yasutaro Mitsunaga grave marker	104	North Kamloops Motors
28	Haney Nokai	65	Sandon Internment Camp	105	Kelowna Buddhist Temple
29	Haney, Maple Ridge	66	520 Springer Street, Slocan	106	Kelowna Japanese Language School
30	Whonnock Japanese Language School	67	Bay Farm Internment Camp	107	Summerland Japanese Language School
31	East Mission Japanese Language School	68	Lemon creek Internment Camp	108	Bella Vista Road & Old Kamloops Road
32	Mission Japanese Language School	69	Popoff Internment Camp	109	Vernon Japanese Hall/Buddhist Temple
33	Westminster Abbey, Mission	70	Slocan Extension Internment Camps	110	Westwold
34	Pitt Meadows Japanese Canadian Meeting Hall	71	Silvery Slocan Social Centre	111	Yellowhead-Blue River Highway Road Camp (Robson Park)
35	Fraser Valley	72	Slocan Cemetery Monument		
36	Tashme Internment Camp	73	Slocan City Internment Camp		
37	Hope-Princeton Highway Road Camp	74	Slocan Village Market		
		75	CPR Railway disaster		
		76	Nikkei National Museum & Cultural Centre		
		77	Ocean View Burial Park		

112	302 Alexander Street, Vancouver	134	Nippon Auto Supply, Vancouver	157	Saito House
113	40th Marpole Boy Scout Hall & Marpole Japanese Language School	135	Nitobe Memorial Garden, UBC	158	Cumberland
114	Celtic Cannery & Japanese Language School	136	Oppenheimer Park	159	Nanaimo Japanese Language School
115	Fairview Japanese Language School	137	Powell Street Historic Japanese Canadian Neighbourhood (Paueru-gai/ パウエル街)	160	Newcastle Island & Nanaimo Shipyards
116	Hastings Park	138	Showa Japanese Language School	161	McLean Mill National Historic Site
117	Hastings Park - PNE Forum	139	Tairiku Building, Cordova Street	162	Port Alberni Cemetery
118	Hastings Park - Rollerland	140	Tamura House/Building	163	Royston
119	Hastings Park Garden Auditorium	141	Tonari Gumi, Vancouver	164	Japanese Bazaar, 1013 Government Street, Victoria
120	Hastings Park Livestock Building	142	University of British Columbia	165	Japanese Methodist Mission Church
121	Hastings Park Momiji Garden	143	Vancouver Buddhist Temple	166	Osawa Hotel, Victoria
122	Historic Sites and Monuments Board of Canada Plaque, Hastings Park	144	Vancouver Japanese Language School & Japanese Hall	167	Ross Bay Cemetery - Kakehashi Project and Gravesites
123	Holy Cross Japanese Anglican Church	145	Wong's Market, Vancouver	168	Victoria Japanese Language School
124	Japanese Canadian real estate	146	Torii Gate	169	Victoria Port of Entry and William Head Quarantine Station
125	Japanese Canadian War Memorial	147	Chemainus Cemetery and Monument	170	Japanese Garden, Gorge Point Park
126	Japanese Catholic Mission	148	Comox Japantown and Japanese Language School	171	West Coast of Vancouver Island (Tofino and Ucluelet)
127	Japanese Church of the Ascension	149	Deep Bay Logging Company and Kyoritsu Gakko Language School	172	Clayoquot Island
128	Historic Joy Kogawa House	150	Hillcrest Japanese Language School	173	Tofino Japanese Language School
129	Kitsilano Japanese Language School	151	Duncan, Paldi, Chemainus	174	Japanese Dock, Ucluelet
130	Little Ginza, Vancouver	152	10 Maple Street, Cumberland	175	Port Albion (Shimizu Bay), Ucluelet
131	Maikawa Building and Store	153	Coal Mine No. 5 and No. 5 Japanese Town, Cumberland	176	Ucluelet
132	Mountain View Cemetery	154	Cumberland Japanese Cemetery		
133	Myowa Gakuen	155	Nikkei Mountain		
		156	No. 1 Japanese Town site, Cumberland		

Appendix B: Recognized places in numerical order

1. Tashme Internment Camp

2. Midway

3. Greenwood Internment Camp

4. Christina Lake

5. Kaslo Internment Site

6. Slocan City / Slocan Extension Internment Camps

7. Bay Farm Internment Camp

8. Popoff Internment Camp

9. Lemon Creek Internment Camp

10. Nikkei Internment Memorial Centre National Historic Site, New Denver

11. Kohan Reflection Garden, New Denver

12. New Denver Orchard

13. New Denver Church

14. Rosebery Internment Camp

15. Sandon Internment Camp

16. Lillooet/East Lillooet Self-Supporting Internment Camp
17. McGillivray Falls

18. Calhoun Farm, Tappen

19. Taylor Lake

20. Bridge River Internment Site

21. Minto Mine

22. Hope-Princeton Highway Road Camp

23. Eagle Pass (Revelstoke-Sicamous) Highway Road Camp

24. Yellowhead-Blue River Highway Road Camp (Robson Park)

25. Vancouver Japanese Language School and Japanese Hall

26. Mountain View Cemetery

27. Ocean Falls

28. Port Essington

29. Protected Area

30. The Gulf Islands

31. Nikkei National Museum & Cultural Centre

32. Annieville Slough
33. Don and Lion Islands

34. Fraser Valley / Fraser Valley Buddhist Temple

35. Haney, Maple Ridge

36. Westminster Abbey, Mission

37. Pitt Meadows Japanese Canadian Meeting Hall

38. Steveston

39. Strawberry Hill, Surrey

40. Kamloops Japanese Canadian Association

41. Kelowna Buddhist Temple

42. Bella Vista Road / Old Kamloops Road, Vernon

43. Seymour Valley (McKenzie Creek) Japanese Camp

44. 40th Marpole Boy Scout Hall & Marpole Japanese Language School

45. Hastings Park

46. Powell Street Historic Japanese Canadian Neighbourhood (Paueru-gai/パウエル街)

47. Stanley Park Japanese Canadian War Memorial

48. Tonari Gumi Japanese Canadian Volunteer Association

49. Duncan, Paldi and Chemainus
50. Cumberland and Royston

51. University of British Columbia

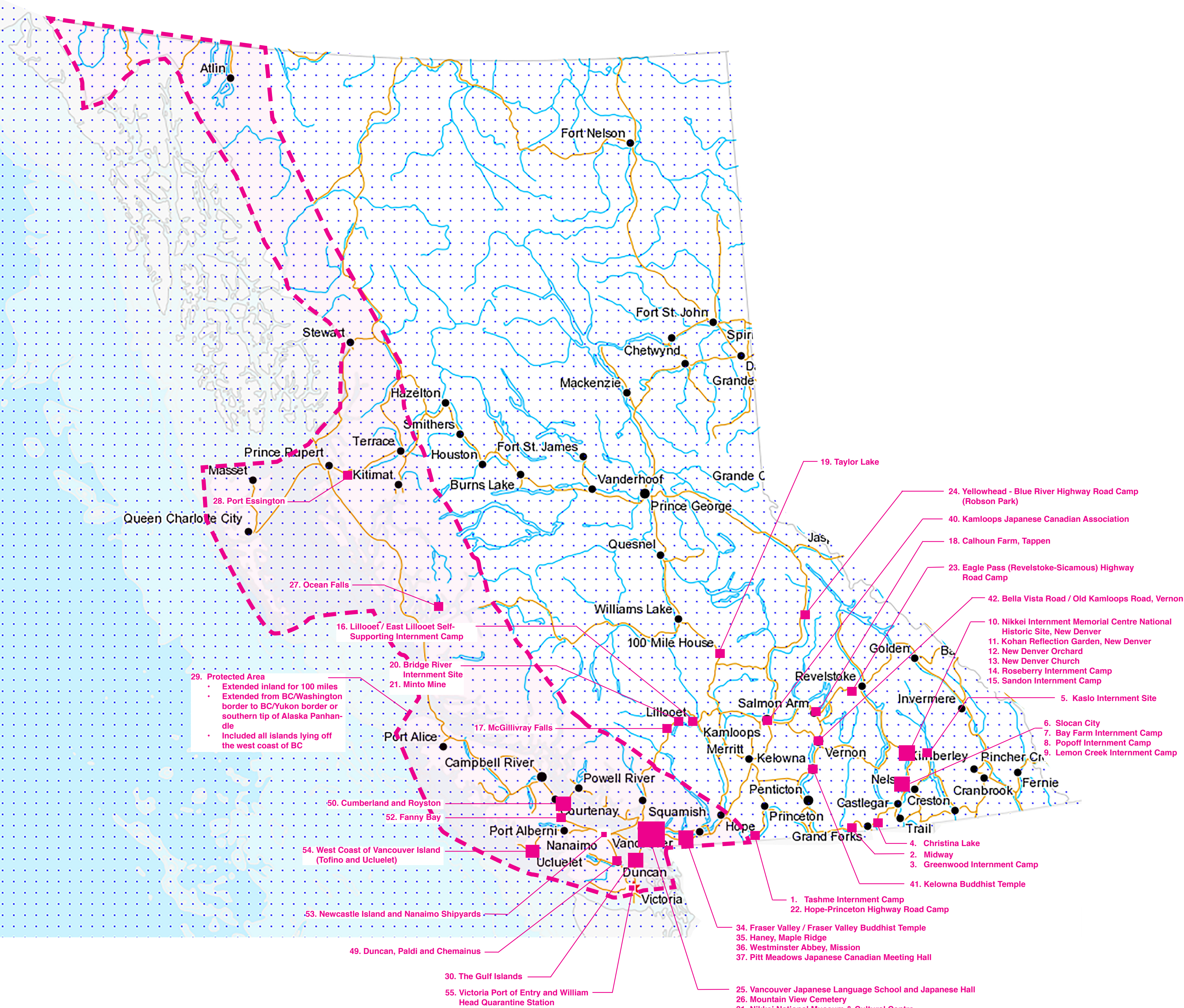
52. Fanny Bay

53. Newcastle Island and Nanaimo Shipyards

54. West Coast of Vancouver Island (Tofino and Ucluelet)

55. Victoria Port of Entry and William Head Quarantine Station

56. Vancouver Buddhist Temple





April 3, 2017

Board of Directors
Islands Trust
200 - 1627 Fort Street
Victoria, BC V8R 1H8

Dear Board of Directors:

I am writing to inform you of the results of the Japanese Canadian Historic Places Project, a heritage awareness and recognition project that was undertaken by the Ministry of Forests, Lands, and Natural Resource Operations, and the Ministry of International Trade and Multiculturalism over the past year.

Public nominations were sought from July 7 to November 30, 2016, resulting in 264 nominations for 176 places to be considered for recognition under s. 18 of the *Heritage Conservation Act* (Appendix A). Following a thorough evaluation by sector and community experts, 56 historic places were chosen to receive formal provincial recognition for their significance to the Japanese Canadian community in British Columbia (Appendix B).

Acknowledgement of the heritage values associated with these places strengthens our understanding and appreciation of the diversity of cultures that are part of British Columbia's heritage. Heritage values articulated by the Japanese Canadian community relate to several themes including immigration, fighting for equality and justice, service to community, and celebrating cultural diversity. Of particular importance was the profound impact of internment during World War II, and its lasting effects in the years following, on over 22,000 Japanese Canadians and Canadians of Japanese ancestry.

Sites chosen for formal recognition will be included on the BC Register of Historic Places, and will be put forward for inclusion on the Canadian Register of Historic Places. The promotion of heritage values under this piece of legislation is purely commemorative, and does not confer any form of legal protection nor does it register any interest in land. Property rights and title are also not affected by this formal acknowledgment of heritage values.

The 176 nominated places are located in 60 local governments and regional districts throughout B.C., including in your municipality. The historic places within your jurisdiction are listed below. Provincially recognized places are indicated with an asterisk (*).

148. Protected Area*
149. The Gulf Islands*

150. Sunrise Sawmill and
Koyama's Fish Camp

- | | | | |
|------|-------------------------------------|------|---|
| 151. | Galiano Island Charcoal Pit
Kiln | 156. | Kadonaga Bay |
| 152. | Galiano Island Cemetery | 157. | Salt Spring Island Charcoal
Pit Kilns |
| 153. | Galiano Island North End
Hall | 158. | Salt Spring Island |
| 154. | Mayne Island | 159. | Ganges |
| 155. | Mayne Island Japanese
Garden | 160. | Mikuni Point |
| | | 161. | Saint Christopher's Church,
Saturna Island |

While not all of the places identified by the public are *provincially* significant, this project brings to light the fact that these places are important at a regional or local level. I am therefore inviting your local government to consider using the heritage conservation tools found in Part 15 of the *Local Government Act* to formally recognize or protect these places at the local level. Recognition of these historic places by all levels of government strengthens our collective understanding and appreciation of the many layers of heritage values that make British Columbia the place it is today

If your local government does not already have a Community Heritage Register or other heritage conservation tools in place, may I suggest contacting Heritage BC at www.heritagebc.ca, or at 604.428.7243 or 1.855.349.7243, to learn more about their resources and services for developing community heritage planning programs. Heritage BC is also the fund administrator for the Heritage Legacy Fund of British Columbia, which provides opportunities to interpret or celebrate aspects of community heritage through their Heritage Awareness Program.

If you would like more information on this project, or any of the places that were nominated or formally recognized, please contact Judith Cook, Heritage Planner, at judith.cook@gov.bc.ca, or at 250-356-1038. Information about each place will also be available on an online interactive map, hosted by Heritage BC.

I hope that you will join the Province of British Columbia in honouring this important part of our provincial heritage.

Yours truly,

Richard Linzey
Director, BC Heritage Branch
Ministry of Forests, Lands and Natural Resource Operations



MEMORANDUM

File No.:

(File Name or Cross Ref. No.)

DATE OF MEETING: March 8, 2018
TO: Saturna Island Local Trust Committee
FROM: David Marlor, Director of Local Planning Services
Local Planning Services
COPY:
SUBJECT: Farm Industry Review Board and Aquaculture

PURPOSE

At its business meeting on January 17, 2018, the Executive Committee passed the following resolution:

that the Islands Trust Executive Committee requests that the information about the BC Farm Industry Review Board be distributed to the Local Trust Committees and enquiries are to be directed to the Regional Planning Manager.

The attached news release advises under the *Fish and Seafood Act* that came into force on January 1, 2017 that the BC Farm Industry Review Board had jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the Farm Practices Protection (Right to Farm) Act.

NEXT STEPS

None

Submitted By:	David Marlor, Director of Local Planning Services	February 2, 2018
Concurrence:	[Managing Staff Name, Credentials Title]	Select Date.

ATTACHMENTS

Reorder/add/delete/modify attachments as needed:

1. Attachment 1 – March 2017 News Release – Aquaculture and the Farm Practices Protection (Right to Farm) Act.



AQUACULTURE AND THE *FARM PRACTICES PROTECTION (RIGHT TO FARM) ACT*

As of January 1, 2017 the BC Farm Industry Review Board (BCFIRB) has jurisdiction to hear fin, shellfish and aquatic plants aquaculture-related nuisance complaints under the *Farm Practices Protection (Right to Farm) Act (FPPA)*

Agriculture and aquaculture are important BC industries. Under the *Farm Practices Protection (Right to Farm) Act (FPPA)*, farmers using “normal farm practices” are protected from certain bylaw enforcement, court injunctions and lawsuits related to nuisance complaints. The *FPPA* balances community interests by both protecting farmers from disturbance complaints, and by giving neighbours of a specific farm the right to formal conflict resolution through BCFIRB. Both non-farming and farming neighbours have the right to file a complaint.

While normal farm practices are protected under legislation, BCFIRB encourages farmers and their neighbours to work together to resolve disputes in the first instance.

Although there are many options for resolving disputes between farmers and neighbours, in some situations, enforcement regarding use of a farm practice which is causing a disturbance may be called for.

Expanded Jurisdiction

The *Fish and Seafood Act* came into force by regulation on January 1, 2017. Concurrently consequential amendments to the *FPPA* came into force. These amendments bring fin and shellfish aquaculture back into the scope of nuisance complaints heard by BCFIRB under the *FPPA*. The types of aquaculture covered by the amendments are broad and include marine finfish, shellfish and freshwater (or land-based) operations as well as aquatic plants.

For more information contact

Case Manager
250-356-8945

British Columbia
Farm Industry Review Board

Mailing Address:
PO Box 9129 Stn Prov Govt
Victoria BC V8W 9B5
Telephone: 250 356-8945
Facsimile: 250 356-5131

Location:
1st Floor, 780 Blanshard Street
Victoria BC V8W 2H1
Email: firb@gov.bc.ca
Website: www.gov.bc.ca/BCFarmIndustryReviewBoard