



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: June 15, 2017
Time: 12:30 pm
Location: Saturna Community Hall
105 East Point Road, Saturna Island, BC

	Pages
1. CALL TO ORDER	12:30 PM - 12:45 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 April 20, 2017 (for Adoption)	4 - 8
6.2 Section 26 Resolutions-without-meeting Report	
none	
6.3 Advisory Planning Commission Minutes	
none	
7. BUSINESS ARISING FROM THE MINUTES	
7.1 Follow-up Action List Dated June 2017	9 - 9
8. DELEGATIONS	
none	
9. CORRESPONDENCE	
<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>	
none	

10.	APPLICATIONS AND REFERRALS	12:45 PM - 2:00 PM	
10.1	North Pender Island Local Trust Committee Bylaw No. 213 Referral (for response)		10 - 12
10.2	SA-DVP-2016.1 (Henry) - Staff Memo & Report		13 - 29
10.3	SA-RZ-2012.1 (Napenthe Holdings) - Staff Report		30 - 48
11.	LOCAL TRUST COMMITTEE PROJECTS		
11.1	Land Use Bylaw (LUB) Amendments - Staff Memo		49 - 49
12.	REPORTS	2:00 PM - 2:30 PM	
12.1	Work Program Reports (attached)		
12.1.1	<u>Top Priorities Report dated June 2017</u>		50 - 50
12.1.2	<u>Projects List Report Dated June 2017</u>		51 - 51
12.2	Applications Report Dated June 2017 (attached)		52 - 53
12.3	Trustee and Local Expense Report Dated April 2017 (attached)		54 - 54
12.4	Adopted Policies and Standing Resolutions (attached)		55 - 56
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Report		
12.8	Trust Fund Board Report		
	none		
13.	NEW BUSINESS	2:30 PM - 3:00 PM	
13.1	2016-2017 Annual Report -Approval of Saturna Island Local Trust Committee Section - RFD (attached)		57 - 59
13.2	Trust Area Services' - Well and Groundwater Workshops - Memo & Poster (attached)		60 - 62
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for October 19, 2017, at the Recreation & Cultural Centre, Saturna Island		
15.	TOWN HALL		

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 February 17, 2017*
- *Appointment of APC Member*

AND that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT

3:00 PM - 3:00 PM



DRAFT

Saturna Island Local Trust Committee Minutes of Regular Meeting

Date: April 20, 2017
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

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

Staff Present Gary Richardson, Island Planner
Sandy Nelson, Recorder

Others Present: Approximately 14 members of the public.

1. CALL TO ORDER

Chair Grams called the meeting to order at 12:30 pm. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

None

4. COMMUNITY INFORMATION MEETING

None

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated February 17, 2017.
Adopted by general consent.

6.2 Section 26 Resolutions-Without-Meeting Report

None

6.3 Advisory Planning Commission Minutes Dated

None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated April 2017

SA-DVP-2016.1 (Henry) Variance for driveway retaining wall setback
LTC delayed its consideration until screening is provided.

8. DELEGATIONS

None

9. CORRESPONDENCE

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

None

10. APPLICATIONS AND REFERRALS

10.1 North Pender Island Local Trust Committee Bylaws No. 209 & 210 Referral

SA-2017-05

It was MOVED and SECONDED,

that Saturna Island interests regarding North Pender Island Local Trust Committee Bylaws No. 209 & 210 are unaffected.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Land Use Bylaw Technical Review – Staff Report

Planner Richardson asked the trustees if they wished to review each proposed amendment. Trustee Brent agreed to a review of the first ten amendments outlined in the staff report. Trustee Middleton mentioned that the APC would also likely be involved when considering these amendments. Planner Richardson prefaced that some of the proposed amendments apply to specific properties.

As this involves the entire community, Planner Richardson suggested that an open house should be held as part of the consultation process. Trustee Middleton suggested that if the landowner is adamantly opposed to a zoning change, then the process would and should stop. Trustee Brent agreed that, alternatively, if the landowner is interested, the zoning change could proceed.

SA-2017-06

It was MOVED and SECONDED,

that with respect to any amendment being identified that is complex and pertains to a specific property owner who is not in favour, the LTC would set aside for future consideration.

CARRIED

Planner Richardson advised that there is currently nothing in the bylaws pertaining to derelict automobiles. All present agreed that they could become an environmental hazard and they can be unsightly. Trustees Brent and Middleton agreed it was not unreasonable to amend the bylaw's wording to include a limit to the number of derelict automobiles allowed on a lot. Planner Richardson will proceed with the re-wording change to the bylaw.

Amending the zoning on the National Park Reserve was discussed. Trustee Brent recommended that staff consultation with Marcia Morash, Superintendent of the National Park Reserve.

Density Transfer provisions were discussed. Planner Richardson established the need for clarification. Trustee Brent agreed and suggested that the LTC review it again after staff provides clarification.

Setbacks from the Sea – Planner Richardson recommended that with certain structures there should be parameters as to what types of structures would be allowed in the setback from the sea. Trustee Brent agreed the wording is unclear. Trustee Middleton asked for more clarification as to risks, and parameters. Planner Richardson will provide further comment on this issue.

A member of the public commented that the planners and trustees are doing a great job informing the public. Chair Grams reminded all that the trustees have been elected and awarded the trust of the community.

Trustee Brent brought up the issue of non-conforming properties, and concerns that zoning amendments could severely diminish property values and enjoyment of the property. Chair Grams commented that when this issue arose on Salt Spring Island, the community became involved. Trustee Middleton suggested that with regards to zoning changes near the ferry landing and where shoreline setbacks are in question, it might be appropriate to have micro-planning teams.

Inspection and Enforcement – Trustee Middleton suggested the wording should be cautious so it would not be misunderstood. Planner Richardson agreed, but maintained that the wording must be consistent with other islands. Chair Grams suggested the LTC initiate a Code of Conduct for bylaw enforcement. Trustee Middleton agreed that the new code should be reflective of the Saturna community and Trustee Brent thanked Chair Grams for the suggestion.

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report dated April 2017

12.1.2 Projects List Report Dated April 2017

12.2 Applications Report Dated April 2017

12.3 Trustee and Local Expense Report Dated February 2017

12.4 Adopted Policies and Standing Resolutions

12.5 Local Trust Committee Webpage - Planner Richardson explained that with Regina's departure there might be a slight delay updating the webpage.

12.6 Chair's Report

- **Islands Trust Budget** – The Islands Trust Budget has passed, holding property taxes stable for another year. This is not to say that other agencies – for example, the CRD – will not have an effect on property taxes.
- **Fresh Water Specialist** – The Islands Trust has approved a fresh water specialist and the creation of a database for online fresh water data. Trustee Brent commented that both he and Trustee Middleton strongly approve of this initiative.
- **Salt Spring Incorporation** – Chair Grams commented that Islands Trust takes no part in incorporation of the islands; however, he announced a referendum would be held on Salt Spring Island, to be held on September 9, 2017.

12.7 Trustee Report

Trustee Middleton reported that he has engaged with the Parks Advisory Board, and its mandate to represent the history of our islanders. However, until there is clear First Nation representation, there is no set meeting date and not a lot to report on this issue.

Trustee Brent reported that the budget was passed at the trust council meeting held on Gabriola Island. He also suggested further interaction with other Southern Gulf Islands to help re-establish cultural connections.

12.8 Trust Fund Board Report Dated February 2017 and April 2017

Trustee Middleton brought up the Nature Conservancy's future funding to develop St. John's Point, and noted that the amount has almost been reached.

13. NEW BUSINESS

13.1 CRD Gulf Islands Regional Trail Plan Open House - Letter of Invitation

Chair Grams noted that the dates have passed for community involvement, but Trustee Brent mentioned that there would be more opportunities for public input. Trustee Middleton agreed and said a survey has been sent out to residents. Trustee Brent is of the opinion that the CRD's currently suggested two-metre wide, hard-packed trail could be very costly.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for 12:30 am - 3:30 pm June 15, 2017, at the Community Hall, Saturna Island

15. TOWN HALL

J. Hutchinson commented that the trustees might discover, when checking Lasqueti Island's methods for bylaw enforcement, that private property is accessed often.

M. Yates asked if there is anything online about the Salt Spring incorporation, to which Chair Grams mentioned the following website: <http://www.ssiincorporationstudy.com>.

D. Wood asked about First Nation 'place names'. Chair Grams commented that there has been some confusion choosing names, as there are often two names for one place and this needs to be resolved within the First Nations community.

16. CLOSED MEETING

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:25 pm.

George Grams, Chair

Certified Correct:

Sandy Nelson, Recorder

Follow Up Action Report

Saturna Island

16-Sep-2016

Activity	Responsibility	Target Date	Status
SA-DVP-2016.1 (Henry) - LTC consideration delayed until screening is provided.	Gary Richardson		On Going

17-Feb-2017

Activity	Responsibility	Target Date	Status
SA-RZ-2012.1 (Napenthe Holdings Ltd) - Staff to prepare draft bylaw(s) and staff report for June LTC Mtg.	Gary Richardson		Done

20-Apr-2017

Activity	Responsibility	Target Date	Status
Minutes of Feb. 17, 2017 adopted as drafted.	Regina Robinson		Done
North Pender LTC Bylaws 209 and 210 - advise that interests are unaffected	Sharon Lloyd-deRosario		Done
LUB review project - staff to discuss amendments with most affected property owners to determine if they support the proposed amendments to their property.	Gary Richardson		On Going
Arrange for the June 15, 2017 LTC meeting to be held at the Community Hall.	Regina Robinson		Done



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 Bylaw No.: 213 Date: May 3, 2017

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:

Pender Island Parks and Recreation Commission

PURPOSE OF BYLAW:

For the **Community Park 1 (CP1)** and **Community Park 2 (CP2)** Zones, the addition of:

- **'picnic shelters'** as an allowable use;
- **Setbacks** for buildings and structures; and
- **Height** restrictions for buildings and structures.

GENERAL LOCATION:

North Pender Island Local Trust Area

LEGAL DESCRIPTION:

Various

SIZE OF PROPERTY AFFECTED:

n/a

ALR STATUS:

n/a

OFFICIAL COMMUNITY PLAN DESIGNATION:

P – Community Park

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:

(Signature)

Phil Testemale

Title:
Contact Info

A/Planner 2
Tel: 250-405-5170
Email: ptestemale@islandstrust.bc.ca

PLEASE TURN OVER

This referral has been sent to the following agencies:

Federal Agencies

Parks Canada

Provincial Agencies

Ministry of Community, Sport and Cultural Development

Environment – BC Parks

Ministry of Transportation & Infrastructure

Regional Agencies

Capital Regional District – Electoral Area Director

Capital Regional District – Building Inspection

Capital Regional District – Regional Parks and Community Services

North Pender Island Fire Rescue

Island Health

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

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)

213

(Bylaw Numbers)

(Signature)

(Name and Title)

(Date)

(Agency)



File No.: File Number:SA-DVP-2016.1
(Henry)

DATE OF MEETING: June 15, 2017
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team
SUBJECT: Consideration of Issuance of SA-DVP-2016.1 (Henry)

The Saturna LTC first reviewed the request for a variance for a retaining wall at its September 16, 2016 LTC meeting.

The LTC passed the following resolution at its September 16, 2016 meeting:

that SA-DVP-2016.1 (Henry) be considered once screening of the retaining wall, to the satisfaction of the neighbor, is provided.

Staff carried out a site review on April 20, 2017 and observed that the retaining wall has been painted and has had lattice attached (picture attached).

Its my understanding from the applicant that two cement blocks have also been removed from the top of the wall and a planter box has been built at the base of the wall.

Its my understanding from the adjacent property owner most affected by the wall that all of the conditions agreed to by the applicant and adjacent property owner have not been completed. Some of the conditions requested by the adjacent property owner are not associated with the screening of the wall.

It appears as though the applicant (Henry's) have made a reasonable attempt to screen the wall and satisfy the neighbors concerns with respect to screening the wall.

NEXT STEPS

LTC to consider issuance of SA-DVP-2016.1 (Henry)

Submitted By:	Gary Richardson, Island Planner	June 8, 2017

ATTACHMENTS

1. Attachment 1 – Photo of retaining wall taken April 20, 2017
2. Staff Report Prepared for September 16, 2016 LTC Meeting
3. Notice
4. Permit



STAFF REPORT

September 2, 2016

File No.: SA-DVP-2016.1
(Henry)

To: Saturna Island Local Trust Committee
For LTC Meeting: September 16, 2016

From: Gary Richardson, Island Planner

CC: Robert Kojima, Regional Planning Manager

Re: Development Variance Permit – 114 Boot Cove Road

Owner: Brian and Rosemary Henry
Applicant: same
Location: 114 Boot Cove Road

THE PROPOSAL:

The proposal is for a variance to Subsection 4.2.9 of the Saturna Island Land Use Bylaw No. 78, 2002 which states:

No building or structure or part thereof except a fence or pumphouse shall be located within 3 metres (10 feet) of any interior side lot line...

The variance is to allow for an existing retaining wall to be sited within 0 metres of an interior side lot line.

A copy of the proposed Development Variance Permit is attached.

BACKGROUND:

The retaining wall was constructed in order to allow for driveway access to the building site which is located on the lower waterfront portion of the subject lot. The specific route of the driveway was designed and constructed in order to allow for two large fir trees to remain. The location of the two large trees, the gravel driveway and the retaining wall is shown on Figure Two.

The property owners are building a new dwelling on the subject lot in the area close to the water.

SITE CONTEXT:

The property is a 0.14 ha. (0.35 acre) waterfront property located at 114 Boot Cove Road on Boot Cove. The zoning is shown as **RG- Rural General** in the Saturna Island Land Use Bylaw and the primary permitted use for the property is residential.

The subject property slopes from Boot Cove Road toward the water. The steepest area of the lot is the narrow section used for the driveway access closest to Boot Cove Road. The Lot is vacant except for a small shed and outhouse. An existing dwelling was demolished and a new dwelling is being constructed close to the waterfront.

Surrounding properties in the neighborhood are of a similar size and the primary permitted use in the immediate area is residential. The exception to lot size is the property across Boot Cove Road which is larger in area.

Figure One: Subject Property

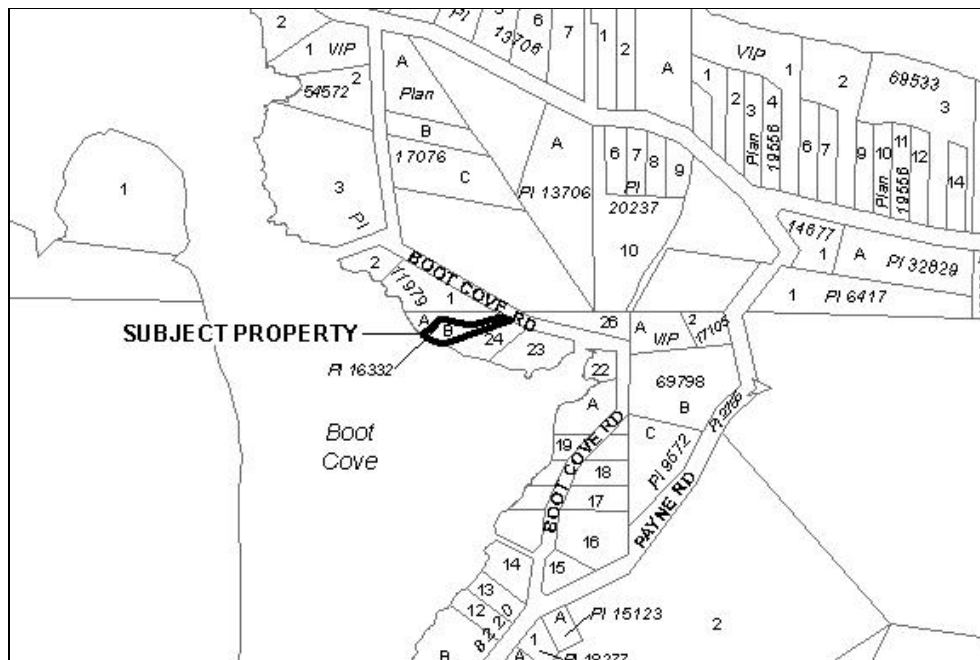


Figure Two: Site Plan

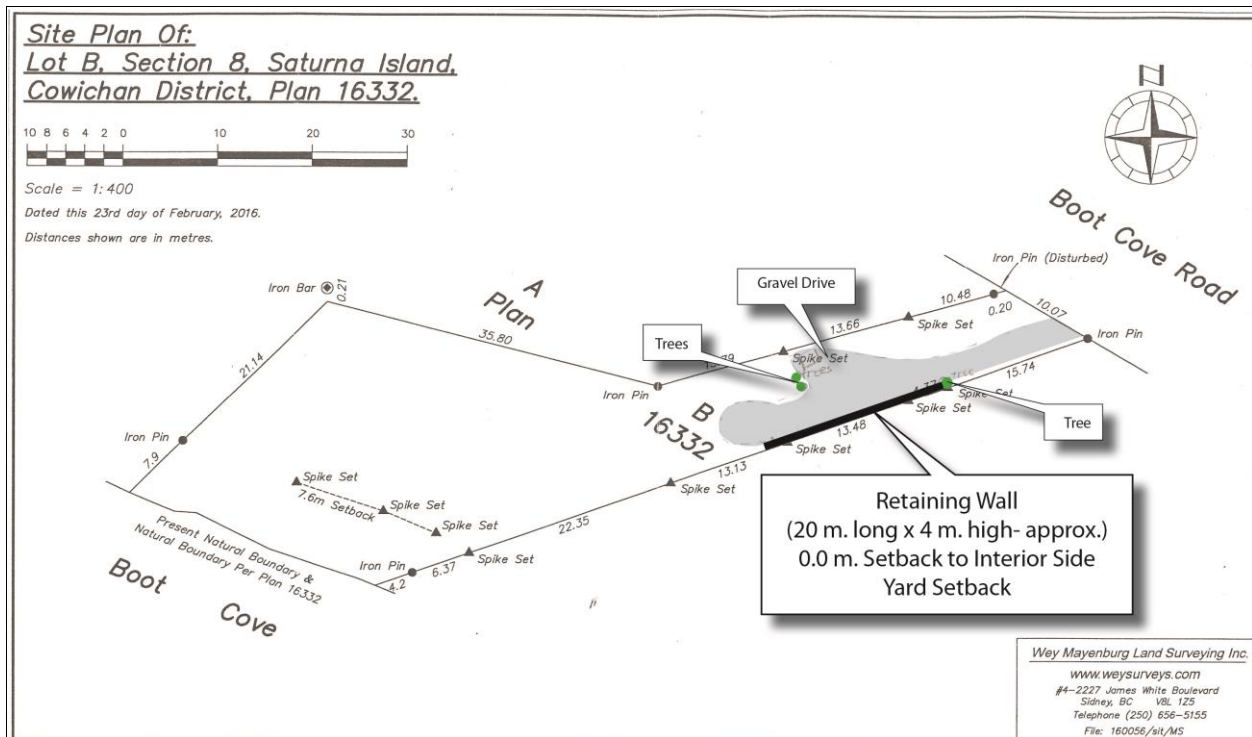


Figure Three: Orthophoto of Property



Figure Four: Orthophoto of Area

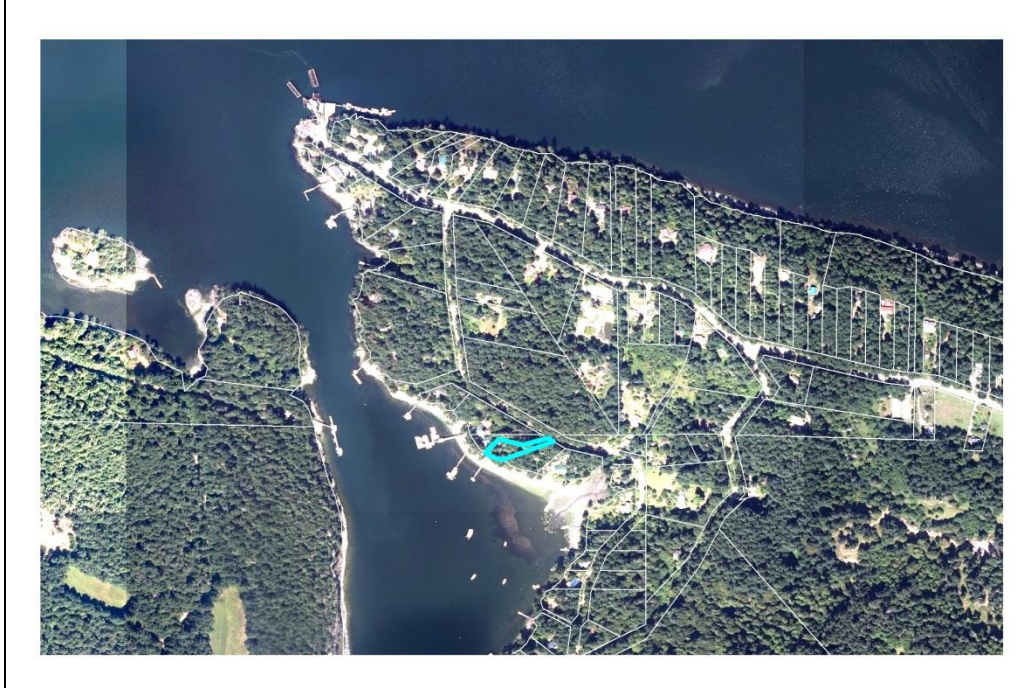


Figure Four: Photo of Retaining Wall (view from subject property)



Figure Five: Photo of Retaining Wall (view from adjacent property)



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

Relevant Islands Trust Policy Statement policies include:

5.1 Aesthetic Qualities

5.1.3 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area,*

5.2 Growth and Development

5.2.3 *Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.*

Official Community Plan

The subject property is designated as Rural in the Saturna Island Official Community Plan No. 70, 2000.

Relevant OCP policies include:

C.3.4 *In considering development proposals, the Saturna Island Local Trust Committee shall require the mitigation of adverse impacts on the aesthetic resources of the Area. Setbacks, screening, or other means are to be used to abate visual impacts.*

D.1.3 *Development criteria relating to minimum lot area, such as setbacks, depth to width ratio, and site coverage, should be specified in regulatory bylaws for each type of*

residential use and each form of commercial, commercial recreation and accommodation, and industrial use.

There are no Development Permit Areas designated on the property.

Land Use Bylaw

The property is zoned as Rural General (RG) in the Saturna Island Land Use Bylaw No. 78, 2002.

Subsection 4.2.9 of the Bylaw states:

No building or structure or part thereof except a fence or pumphouse shall be located within 3 metres (10 feet) of any interior side lot line...

Islands Trust Fund:

There are no Trust Fund properties or covenants in proximity to the subject property

Regional Conservation Plan:

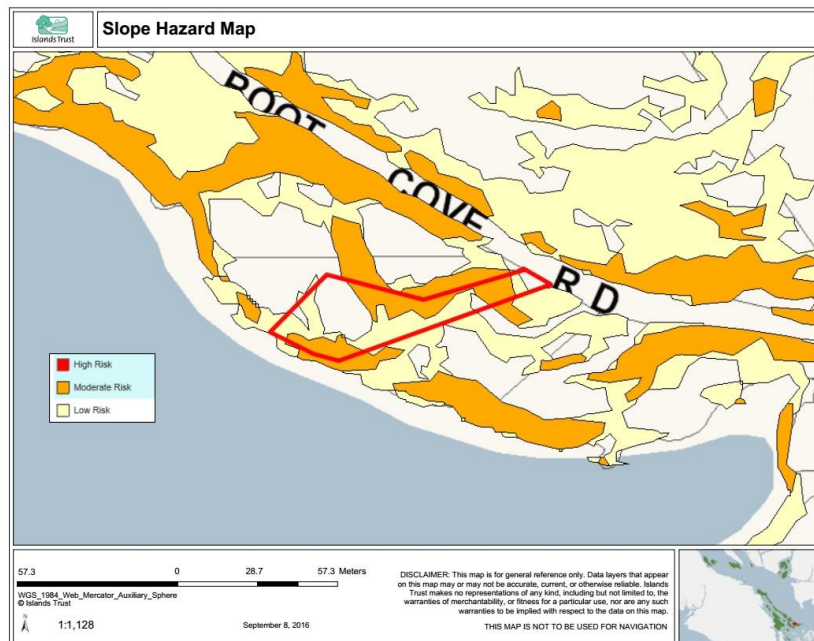
The goals and objectives of the Islands Trust regional conservation plan are unaffected by this application.

Sensitive Ecosystems and Hazard Areas:

Sensitive ecosystem mapping indicates that there are no sensitive ecosystems on the subject property.

There are areas of low and moderate risk areas shown on hazard mapping. See figure 6 below.

Figure Six: Slope Hazard Map



Archaeological Sites:

There is an archaeological site listed on the Provincial RAAD database for the subject property in the vicinity of the proposed dwelling. This CRD was advised of this prior to issuing the building permit for the dwelling.

The area that contains the driveway and retaining wall is listed on the Provincial RAAD database as having archeological potential.

Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the *Heritage Conservation Act*. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads or other stone tools, or even buried human remains. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a *Heritage Conservation Act* permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.

Covenants:

There are no LTC or Trust Fund Covenants on or near the subject property.

There is a CRD covenant on the property regarding the retaining wall registered on the title on July 26, 2016. The covenant releases the CRD from any claims brought against them as a result of issuing a building permit on the land.

Bylaw Enforcement:

There are no Bylaw Enforcement files for this property.

Climate Change Mitigation and Adaptation

The removal of the existing dwelling and replacing it with a new dwelling subject to increased building code requirements for energy efficiency will likely result in reduced energy consumption.

Other:

The CRD requested a geotechnical assessment of the subject lot for the retaining wall and single family residence. The report concludes the following regarding the retaining wall:

Since we did not have the opportunity to review the wall construction process we ultimately cannot provide certification of the construction.

This resulted in a covenant being placed on the property regarding the retaining which releases the CRD from any claims brought against them as a result of issuing a building permit on the land.

COMMUNITY INFORMATION MEETING(S):

There is no community information meeting associated with the development variance permit application as they are not a requirement.

RESULTS OF CIRCULATION:

Notices were circulated to surrounding property owners and residents. The notification period will end at 4:30 p.m. on September 15, 2016. The proposed variance notice and permit was forwarded to CRD Building Inspection for comment.

At the writing of this report, there had been no public submissions or CRD comments received as a result of the notification and referral.

Any additional public submissions will be forwarded to the LTC and presented at the Saturna Island Local Trust Committee meeting on September 16, 2016.

ISSUES SUMMARY:

Applicant's stated rationale for the proposed variance.

The owner's stated reasons are as follows:

- The driveway retaining wall is only 2 feet from the property line in order to save two very large trees in the middle of the driveway access area.
- Due to the irregularity of the driveway access area the owners inherited a steep slope at a particular angle to the road.
- The driveway design was agreed to by the affected neighbor as it was their request to save the trees.

The overall intent of the regulation being varied:

- Limiting the visual impact of development on adjacent properties and the public roadway.
- Minimizing impacts on adjacent properties related to shading, aesthetic, and privacy concerns.
- Protection of the privacy of neighboring residents.
- Protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
- Maintaining a rural character.
- Establishing certainty with respect to residential development by maintaining consistent siting and height regulations.

Visual impact of the retaining wall

As can be seen on Figure Four and Figure Five the visual impact of the retaining wall is prominent on the adjacent lot and minimal on the subject lot. Figure Four shows the wall from the subject property and Figure Five shows the wall from the adjacent lot.

The Islands Trust Policy Statement suggests that OCPs address policies related to aesthetic impacts of development. The OCP suggests that development proposals require the mitigation of adverse aesthetic impacts and that setbacks, screening, or other means are to be used to abate visual impacts.

The LUB does contain setbacks to provide for separation between structures to reduce visual impacts. In this case if the retaining wall was set back the 3 metres as required by the LUB the visual impact would be reduced; however, the wall would still have a substantial visual impact on the adjacent lot.

Planting a hedge or building a fence would reduce the visual impact on the adjacent property. It is not clear exactly how much room there is between the retaining wall and the interior side lot line. The application and plan shows 0.6 metres between the wall and the adjacent lot which

would be sufficient space for screening. The applicant will be providing a survey prior to the September 16 LTC meeting to confirm the exact location of the wall.

Stability of the retaining wall

As referenced, the CRD requested a geotechnical assessment of the retaining wall prior to the approval of a building permit. The Geoscientist carrying out the assessment was not able to provide certification of the construction of the wall as it had been constructed prior to the assessment.

As a result of this the CRD requested a covenant to be registered on title be the property regarding the retaining wall, which releases the CRD from any claims brought against it as a result of issuing a building permit on the land.

The hazard mapping (Figure 6) shows moderate risk in the area of the retaining wall and driveway.

Potential impacts of granting a variance.

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation, it is unlikely to generate expectations for other landowners. Each application is evaluated on its own merits.

STAFF COMMENTS:

There is sufficient space to allow the driveway and retaining wall to be sited and constructed in a manner that complies with setback regulations; however two large trees would have had to be cut down. Even if the retaining wall and driveway were built in a way that met setback requirements the visual impact may not be reduced.

The application suggests that the driveway location and the retaining wall were built in consultation with the adjacent property owner who is subject to the highest portion of the exposed retaining wall (Figure 5).

Had this variance proposal come to staff prior to the retaining wall being constructed staff would have been suggested that alternate designs be investigated; however the wall has been constructed and mitigating the impacts of it seem more appropriate than having it removed.

Removing the wall would be costly, disrupt the slope, could still have the same visual impact and could result in the removal of two very large fir trees.

Minimizing the visual impacts seems most appropriate. This could be done by either building a fence or planting a hedge or other vegetation along the retaining wall where it is most visible. Once the survey of the wall is prepared it can be determined if there is room on the subject property for screening.

Development variance permits do not allow for conditions to be put in an approval; therefore mitigation measures such as screening and backfilling cannot be made a condition of approval. The LTC could delay its decision on issuing the variance until screening is provided along the most visible side of the retaining wall.

Options:

- 1) The LTC not approve the requested variance. The property owner would then need to rebuild the driveway and remove the retaining wall structure from within the setback area.
- 2) Approve the variance as requested. This would allow the driveway and retaining wall to remain as constructed.
- 3) Defer the consideration of the variance until adequate screening is put in place along the most visible section of the wall.

RECOMMENDATION:

THAT Development Variance Permit SA-DVP-2016.1 (Henry) be considered once screening of the retaining wall is provided.

OPTION:

THAT Development Variance Permit SA-DVP-2016.1 (Henry) be approved.

Prepared and Submitted by:

Gary Richardson

Gary Richardson
Island Planner

September 9, 2016

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

September 9, 2016

Date

Attachments: Proposed Permit SA-DVP-2016.1 (Henry) and notice

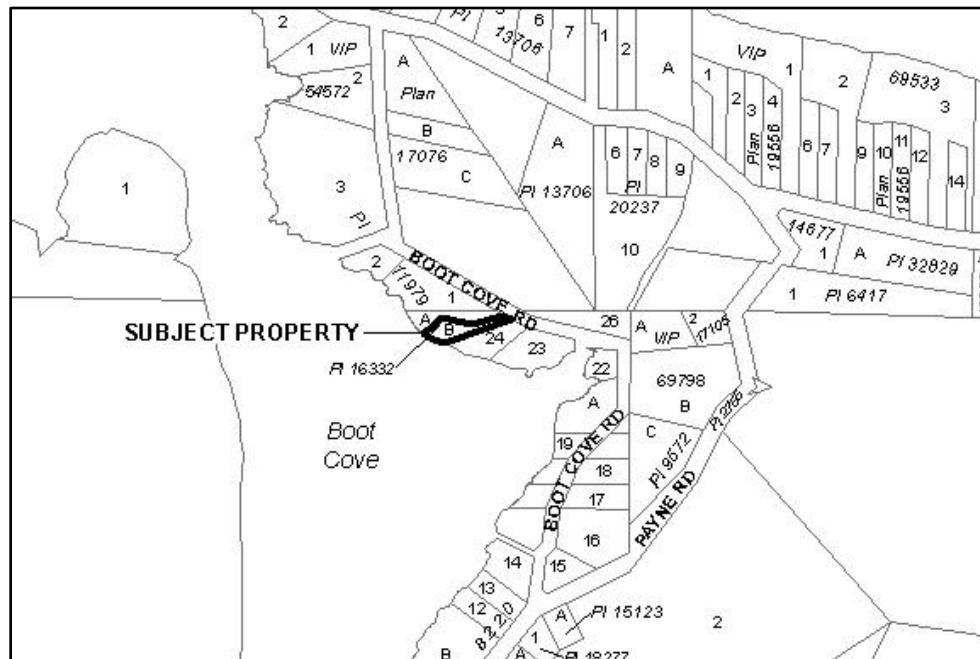
**NOTICE
SA-DVP-2016.1
SATURNA ISLAND LOCAL TRUST COMMITTEE**

NOTICE is hereby given that the Saturna Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 499 of the *Local Government Act*. The proposed permit would vary the Saturna Island Land Use Bylaw No.78, 2002, by varying:

Subsection 4.2.9 which states that no building or structure or part thereof shall be located within 3.0 metres (10 feet) of any interior side lot line is varied to permit the **construction of a retaining wall (structure)** within **0.0 metres** of an interior side lot line.

The property is located at 114 Boot Cove Road and is legally described as Lot B, Section 8, Saturna Island, Cowichan District, Plan 16332 (PID: 004-113-641).

The general location of the subject properties is shown on the following sketch.



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing **September 2, 2016** and continuing up to and including **September 15, 2016**.

For the convenience of the public only, and not to satisfy Section 499 (2) (c) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Pender Island.

Enquiries or comments should be directed to Gary Richardson, Island Planner at (250) 405-5157, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: information@islandstrust.bc.ca before 4:30 pm, **September 15, 2016**.

The Saturna Island Local Trust Committee may consider a resolution allowing for the issuance of the permit during the regular business meeting starting at **12:30 p.m., September 16, 2016**, at the **Recreation & Cultural Centre** on Saturna Island.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

SATURNA ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT VARIANCE PERMIT

SA-DVP-2016.1

To: Rosemary and Brian Henry

1. This Development Variance Permit applies to the land described below:

Lot B, Section 8, Saturna Island, Cowichan District, Plan 16332
(PID: 004-113-641)

2. Saturna Island Land Use Bylaw 78, 2002 is varied as follows:

- a) Subsection 4.2.9 which states that no building or structure or part thereof shall be located within 3.0 metres (10 feet) of any interior side lot line is varied to permit the **construction of a retaining wall (structure)** within **0.0 metres** of an interior side lot line.

The development shall be consistent with Schedules 'A,' 'B' and 'C' which are attached to and form part of this permit.

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of "Saturna Island Land Use Bylaw 78, 2002" and to obtain other approvals necessary for completion of the proposed development, including approval of the Capital Regional District and Ministry of Transportation and Infrastructure.

AUTHORIZING RESOLUTION PASSED BY THE SATURNA ISLAND LOCAL TRUST COMMITTEE THIS ##th DAY OF MONTH, YEAR.

Deputy Secretary, Islands Trust

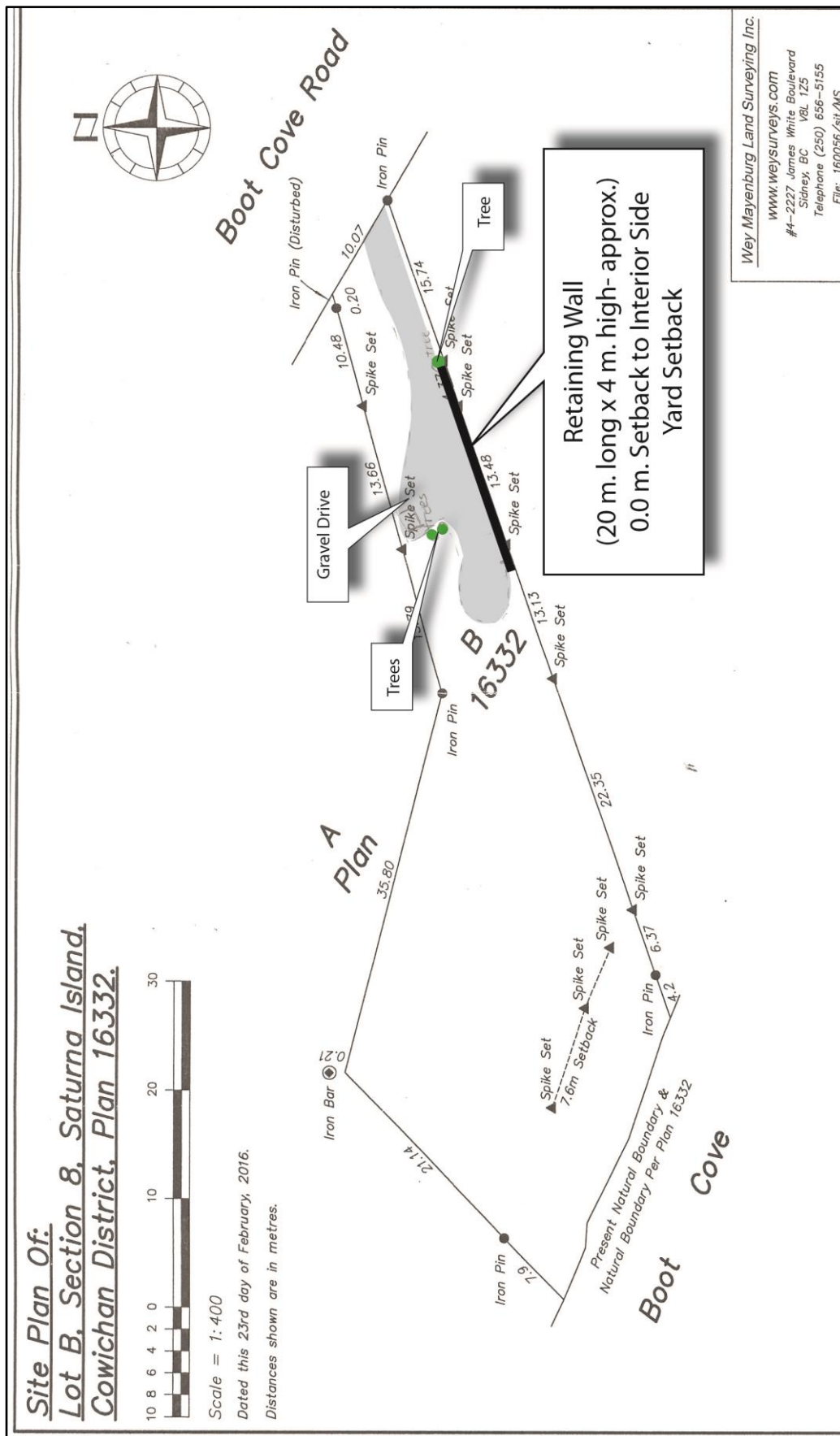
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF MONTH, YEAR, THIS PERMIT AUTOMATICALLY LAPSES.

SATURNA ISLAND LOCAL TRUST COMMITTEE
SA-DVP-2016.1

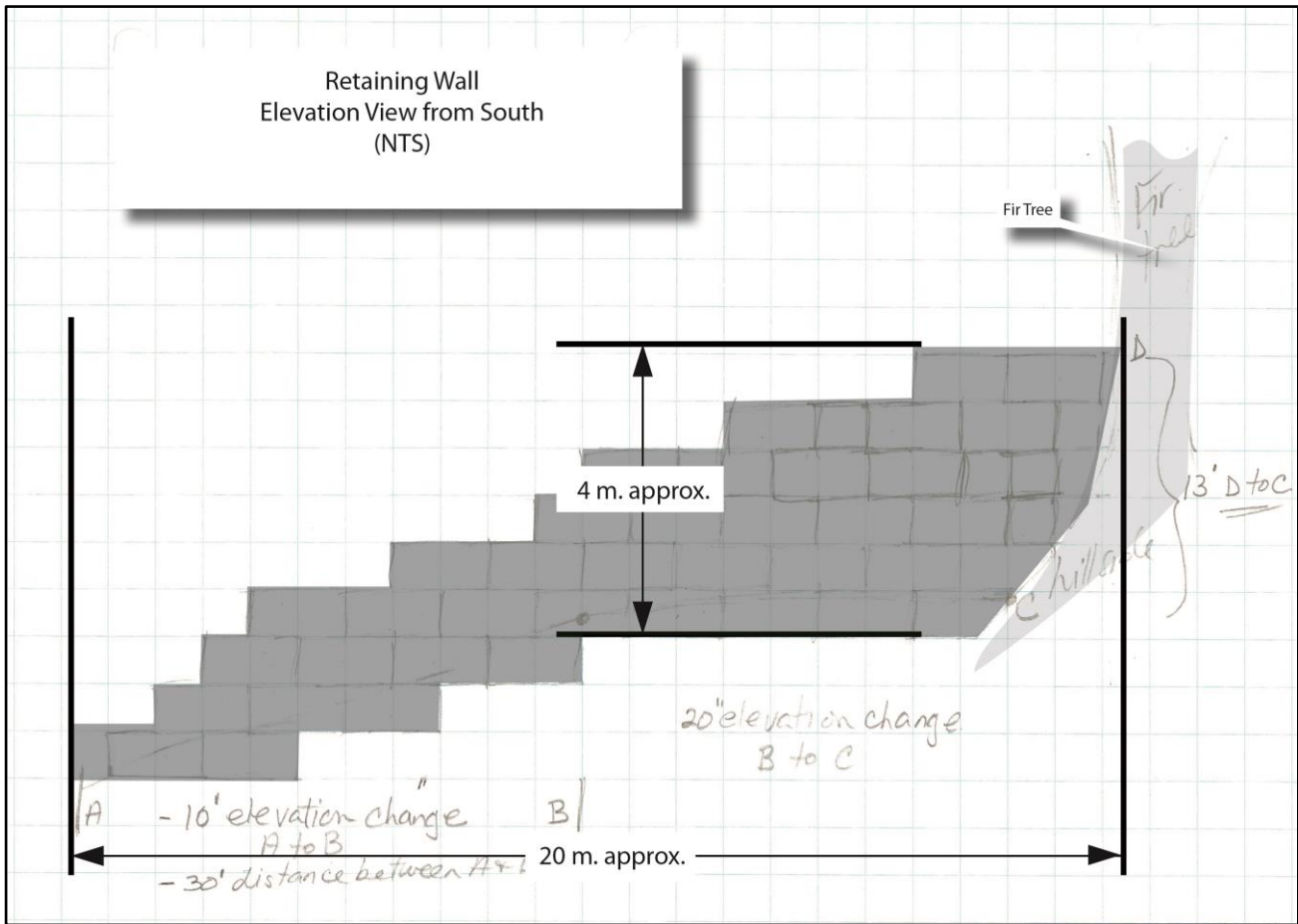
SCHEDULE 'A'

SITE PLAN



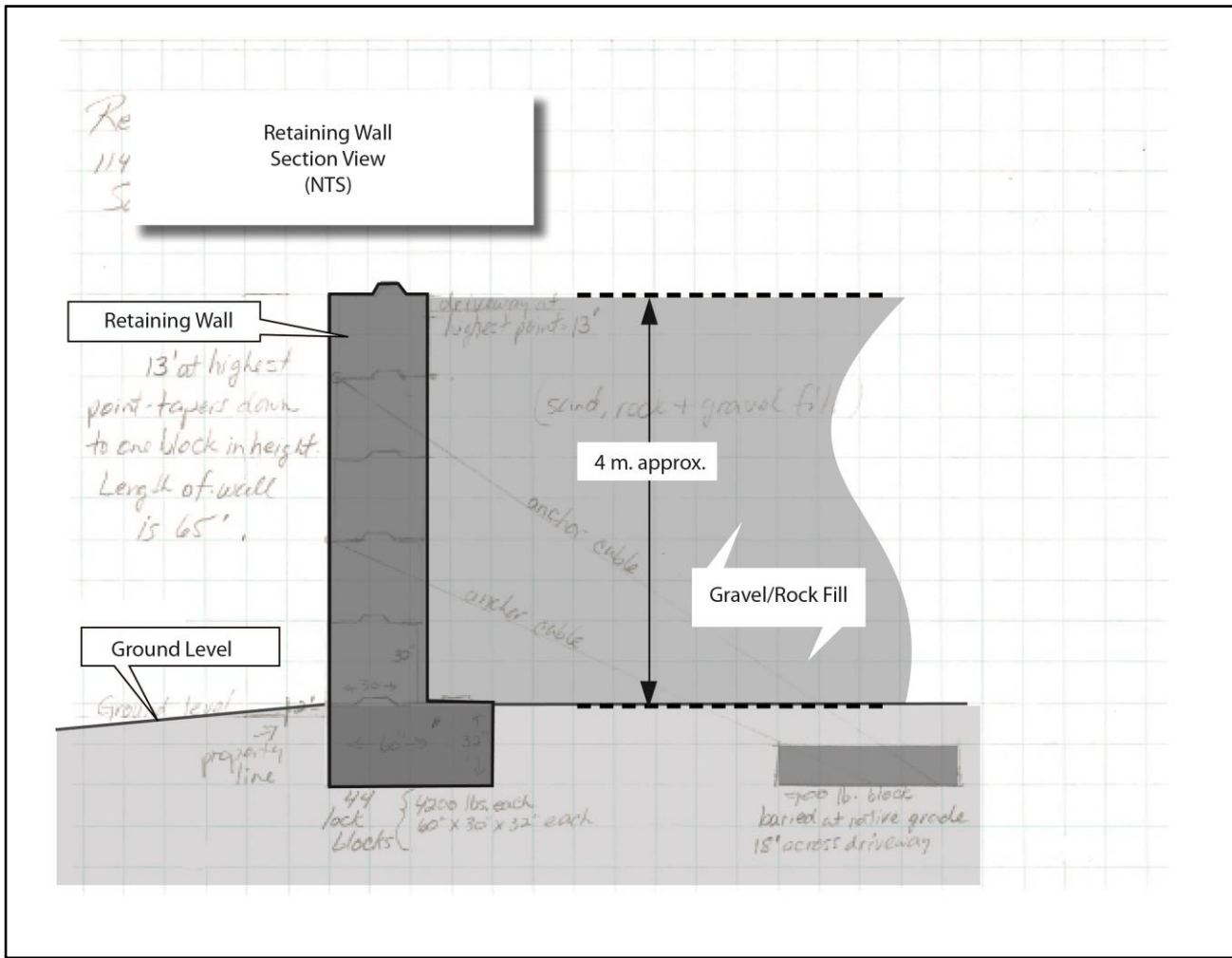
SATURNA ISLAND LOCAL TRUST COMMITTEE
SA-DVP-2016.1

SCHEDULE 'B'
ELEVATION



SATURNA ISLAND LOCAL TRUST COMMITTEE
SA-DVP-2016.1

SCHEDULE 'C'
SECTION





DATE OF MEETING: June 15, 2017

TO: Saturna Island Local Trust Committee

FROM: Gary Richardson, Island Planner
Southern Team

SUBJECT: Rezoning Application – Transfer of Subdivision Potential

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

Location: 102-106 Boot Cove Road, Saturna Island (Nepenthe Property)

RECOMMENDATION

1. That Saturna Island Local Trust Committee Bylaw No. 117, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2017”, be read a first time.
2. That Saturna Island Local Trust Committee Bylaw No. 118, cited as “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No. 1, 2017”, be read a first time.
3. That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 117, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2017”, is not contrary or at variance with the Islands Trust Policy Statement.
4. That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 118, cited as, “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No. 1, 2017” is not contrary or at variance with the Islands Trust Policy Statement.
5. That the Saturna Island Local Trust Committee directs staff to schedule a public hearing for Bylaw No. 117, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2017” and Bylaw No. 118 cited as, “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No. 1, 2017”.

REPORT SUMMARY

The purpose of this report is to provide the LTC with staff comments regarding the request made by Nepenthe Holdings Ltd. to transfer two subdivision densities to their lot in Boot Cove, from another parcel within the Saturna Island Local Trust area, in order to allow for the subdivision of the subject lot into three separate parcels. A donor parcel has been identified and this report examines the appropriateness of the transfer of two subdivision densities from donor parcel to the Nepenthe lot (receiver lot)

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 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 strata 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 strata lots with the associated common property located across Boot Cove Road. 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 Saturna Island Local Trust Committee (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.

The LTC passed the following resolution at the June 9, 2015 local trust committee meeting.

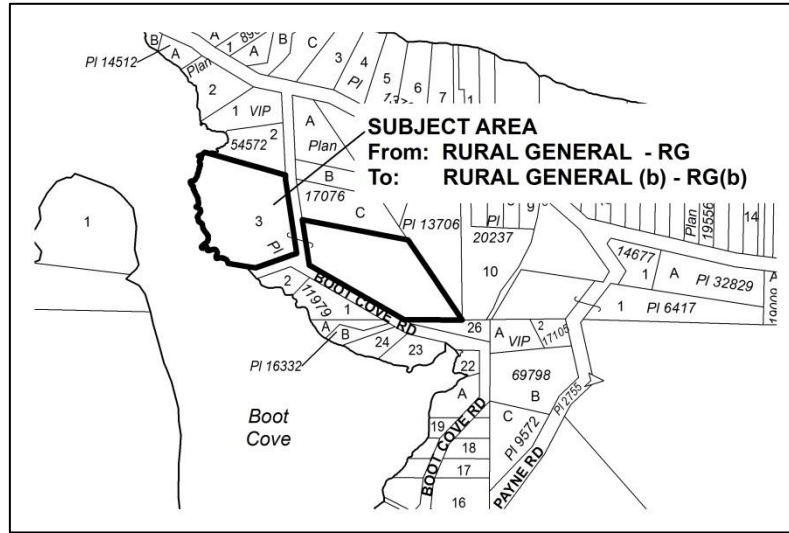
That Saturna Island Local Trust Committee request staff to work with the applicant for rezoning SA-RZ-2012.1 based on transfer of development potential and report back to the Local Trust Committee.

The applicant was made aware of the Trust Committee's resolution and provided a letter stating that they wish to pursue transferring development from another lot to their lot to allow for a three lot subdivision.

A donor parcel has been identified and the owners of the Nepenthe property have entered into an agreement to obtain two subdivision densities from another lot within the Saturna Island Local Trust Area.

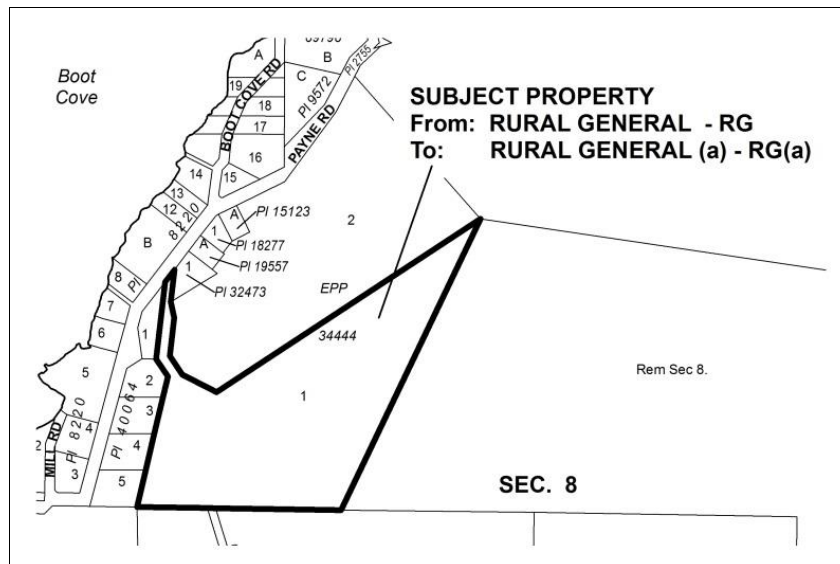
The Nepenthe Lot (recipient lot) is a waterfront property located in the Boot Cove area of the Saturna Island. The property is predominantly surrounded by smaller residential lots. A 1.78 hectare portion of the lot is separated from the waterfront portion and is located across Boot Cove Road. A site review was carried out March 6, 2012 and it was evident from the review that the houses have been in place for some time. There is a 1971 building permit that was taken out for the construction of the three houses; therefore the houses are lawfully constructed. Two of the houses share one access and the third house has its own access. There is one dock in place which fronts proposed Lot C. It appeared as though one of the houses contains a second set of cooking facilities. The lots are well treed and are covered with mostly mature native vegetation.

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.

Figure 2 – Money Family Projects Ltd. Lot (Donor Lot)



To facilitate the proposed transfer of density from the donor lot to the recipient lot staff has prepared the following bylaws for the LTCs consideration:

Draft Bylaw 117 (OCP) – this draft bylaw amends the OCP Rural Policies to allow for an additional exception to the Rural Designation subdivision potential calculation to allow for this transfer to take place at the average lot sizes being requested.

Draft Bylaw 118 (LUB) – this draft bylaw amends the zoning on the donor parcel by increasing the average lot size required for subdivision so that only 3 lots can be created instead of the 5 that can presently be created. The bylaw also amends the zoning on the recipient parcel by reducing the average lot size required for subdivision so that 3 lots can be created.

Policy/Regulatory

Islands Trust Policy Statement

5.25 Local Trust Committees shall, in their Official Community Plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their OCPs.

5.26 Local Trust Committees shall, in their Official Community Plans and regulatory bylaws, address the identification of areas of hazardous development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

Official Community Plan

Both properties are designated Rural in the OCP.

Land Use Bylaw

Both Properties are zoned Rural General in the LUB.

Consultation

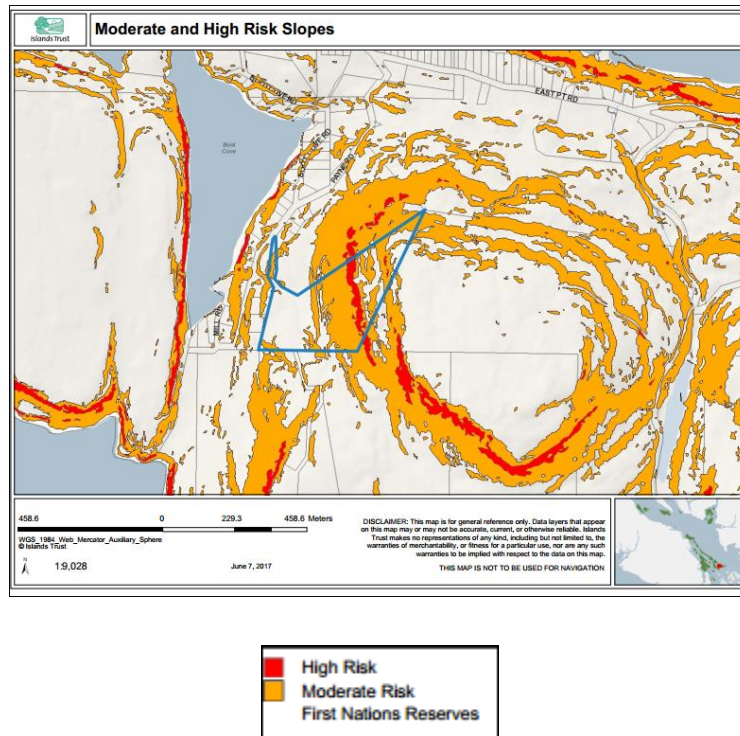
The following agencies and First Nations have been identified for referring draft bylaws for comment; the LTC may also direct staff to include other agencies not listed. Additionally, the LTC may choose to refer the proposal to the Advisory Planning Commission.

- Ministry of Transportation and Infrastructure
- CRD, Building Inspection Services
- Mayne Island Local Trust Committee

- North Pender Island Local Trust Committee
- South Pender Island Local Trust Committee
- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Malahat 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

Steep Slopes

Figure 3 – Moderate and High Risk Slopes



Rationale for Recommendation

Staff is recommending that draft bylaws 117 and 118 be given first reading and that the proposed subdivision density transfer proceed as:

- This transfer does not increase the overall subdivision density or residential density within the Saturna Island Local Trust Area while still allowing the Nepenthe lot to be subdivided into three lots.
- This proposal complies with OCP Policy C.1.3 which states “From the date of adoption of the Plan, no rezoning, development permit, temporary permits, or other planning device available to the LTC should be used to increase the maximum subdivision capacity or total residential density of any island within the Area”.
- The subdivision density will be reduced on a lot with substantial moderate and high risk slope areas identified.
- From a residential density increase perspective the lot receiving the subdivision density is a good candidate to receive density as it currently has three legal dwellings constructed on it and there will be no additional dwellings permitted if the proposed subdivision density transfer and resulting subdivision are successful. This will result in a net decrease in 2 dwellings permitted within the Saturna Island Local Trust area.

- A subdivision of the subject lot into three smaller lots will result in lots consistent with the size of other lots in the area.
- This proposal would rectify a historical situation where three dwellings were legally constructed by three families who are now seeking separate title.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Deny the application

That the Saturna Island Local Trust Committee deny SA-RZ-2012.1.

Next Steps

- Refer the Proposed Bylaws to Agencies and First Nations.
- Schedule a Community Information Meeting.
- Schedule a Public Hearing.

Submitted By:	Gary Richardson Island Planner	June 7, 2017
Concurrence:	Robert Kojima Regional Planning Manager	June 7, 2017

ATTACHMENTS

1. Draft Bylaw 117
2. Draft Bylaw 118
3. Policy Statement Checklist

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 _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 20____

APPROVED BY THE MINISTER COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT THIS _____ DAY OF _____ 20____

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;”

**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 _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

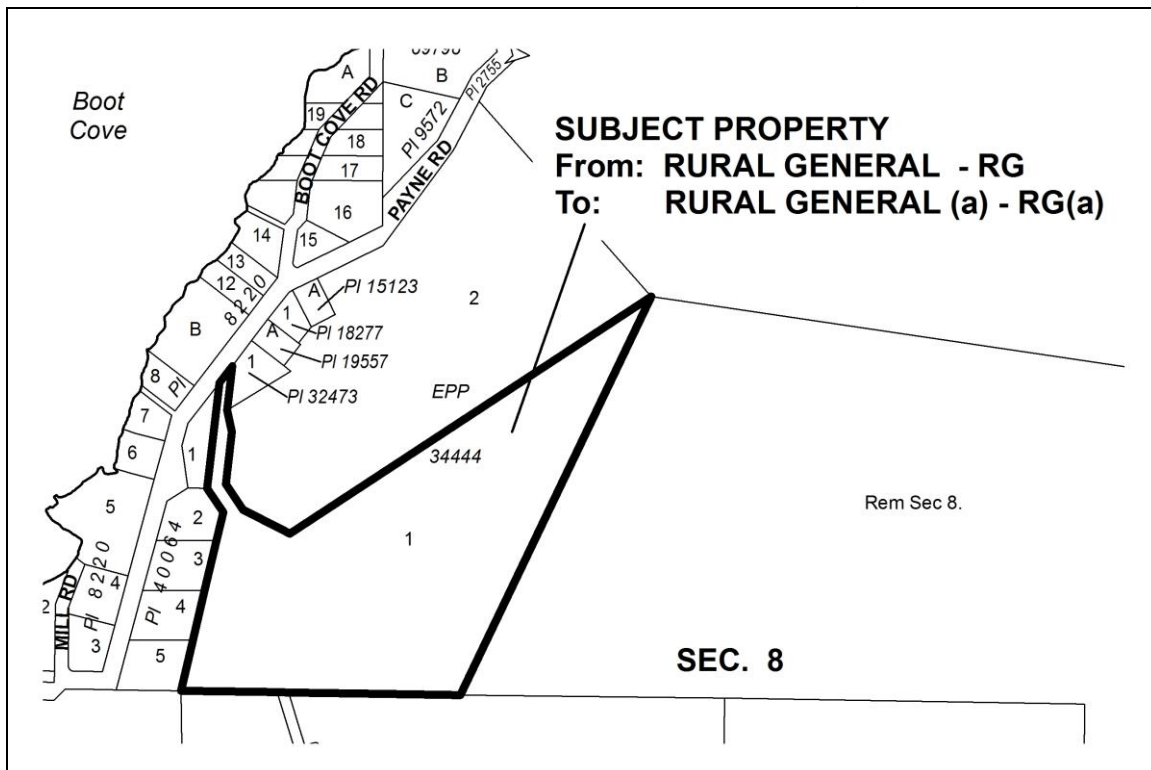
Chair

Secretary

DRAFT

SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 118

Plan No. 1





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaws No. 117 & 118 and File No: SA-RZ-2012.1

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

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

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

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



DATE OF MEETING: June 15, 2017
TO: Saturna Island Local Trust Committee
FROM: Gary Richardson, Island Planner
Southern Team

SUBJECT: Saturna Land Use Bylaw Technical Review

At its April 20, 2017 LTC meeting the LTC gave staff direction to continue to work on the technical amendments as proposed in the staff report presented at the meeting. Also at the meeting staff was requested to follow-up with property owners specifically affected by the proposed amendments to determine if they support the amendments.

Staff has contacted some of the affected property owners and will continue to contact the remaining ones.

Staff has also continued to clarify and update the proposed amendments.

An appropriate next step once landowner contact and LUB amendment updating is completed would be to have a special meeting where the LUB amendments are the only item on the agenda and staff can work through the specific amendments with the LTC. This special meeting would provide for a fulsome discussion of the proposed amendments and after the meeting only the amendments supported by the LTC would proceed. As with any LTC meeting the public would be invited to attend.

The meeting could be held as early as July; however September may be more realistic due to competing meeting dates etc.

NEXT STEPS

Arrange a special meeting to allow for a LUB review working session for the LTC and staff.

Submitted By:	Gary Richardson, Island Planner	June 15, 2017



Top Priorities

Saturna Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	First Nations Relationship Building	A process was initiated (Oct 20, 2016) to allow for a long term program that reflects a thriving and sustainable relationship with First Nations Staff report to be prepared for June 15, 2017 LTC meeting	16-Sep-2016	Gary Richardson	
2	LUB Technical Review	Staff is updating proposed amendments and meeting with most affected land owners. A working session with staff and LTC is being recommended as next step.	16-Sep-2016	Gary Richardson	

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
Secondary Suite Review		23-Apr-2015

**Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
SA-DVP-2016.1	HENRY, ROSEMARY	21-Jun-2016	114 BOOT COVE RD\nVariance for driveway retaining wall setback
Planner: Gary Richardson			

Planning Status**Status Date:** 08-Jun-2017

Memo prepared for June 15, 2017 LTC meeting requesting decision.

Status Date: 07-Oct-2016

At September 16, 2016 LTC meeting the LTC deferred its decision until screening is provided to the satisfaction of the immediate neighbor.

Status Date: 09-Sep-2016

Notification done, staff report and draft permit prepared for LTC consideration at its September 16, 2016 LTC Mtg.

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2012.1	NEPENTHE HOLDINGS LTD	26-Jan-2012	Rezone to allow subdivision
Planner: Gary Richardson			

Planning Status**Status Date:** 11-Apr-2017

Draft Bylaws to implement development transfer being prepared for June 15, 2017 LTC meeting for the LTCs consideration.

Status Date: 01-Feb-2017

Applicant wants to proceed with Transfer of Development option. Staff report on February 17, 2017 agenda for the LTCs consideration.

Status Date: 07-Oct-2016

Applicant advised staff that they want to proceed with application. Applicant will provide information on how they want to proceed.



Islands Trust

Print Date: June 8, 2017

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2016.1	JORDAN LITKE POLARIS LAND SURVEYING Planner: Gary Richardson	28-Sep-2016	186 East Point Rd\nSubdivision to create 2 lots
Planning Status			
<u>Status Date:</u> 11-Apr-2017 Final letter being prepared to MoTI. Further work required on covenants.			
<u>Status Date:</u> 11-Oct-2016 File being reviewed by planner - response to be sent to MoTI no later than Oct 25, 2016			
<u>Status Date:</u> 28-Sep-2016 File opened and forwarded to planner and LTC			

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

660 Saturna	Invoices posted to Month ending April 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	134.76	2,365.24
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>134.76</u>	<u>3,665.24</u>
Projects				
73001-660-4069	Saturna LUB Technical Review	6,000.00	0.00	6,000.00
73001-660-4077	Saturna First Nations Relations	2,000.00	0.00	2,000.00
TOTAL Project Expenses		<u>8,000.00</u>	<u>0.00</u>	<u>8,000.00</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 Licence without referral to the Local Trust Committee. All other Special Occasion Licence referrals are to be referred to the Local Trust Committee for consideration

REQUEST FOR DECISION

To: Saturna Island Local Trust Committee **For the Meeting of::** June 15, 2017

From: Robert Kojima,
Regional Planning Manager

Date Prepared: June 7, 2017

SUBJECT: 2016-2017 ANNUAL REPORT – APPROVAL OF SATURNA ISLAND LOCAL TRUST COMMITTEE SECTION

RECOMMENDATION: That the Saturna Island Local Trust Committee approves the attached text for inclusion in the 2016-2017 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Community, Sport and Cultural Development.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.i](#). To comply with the schedule indicated in the policy, the Executive Committee has adopted the following schedule for preparation of individual committee reports:

Committee reports:	Reports to be approved on the following dates:
TPC	May 29
LPC	May 24
FPC	May 31
TFB	May 30
EC	June 7
Denman	May 2 / June 6
Gambier	April 27/ May 25
Gabriola	May 11/ June 8
Galiano	June 5
Hornby	May 5
Lasqueti	April 24
Mayne	June 26
North Pender	May 25
Salt Spring Island	May 4/ June 1
Saturna	June 15
South Pender	May 30
Thetis	April 25
Ballenas-Winchelsea	April 5
Executive Islands	

Under Trust Council's Policy, all LTCs and Council committees are expected to review and approve their sections at regular meetings listed above.

FINANCIAL: None

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Community Sport and Cultural Development and circulate it as indicated in Trust Council's policy.

OTHER: n/a

BACKGROUND

- The Executive Committee approved the format and outline of the 2016-2017 Annual Report at its meeting on February 15, 2017.

REPORT/DOCUMENT: Saturna Island Local Trust Committee input to Annual Report (draft)

KEY ISSUE(S)/CONCEPT(S): Consistent Annual Report sections from each committee

RELEVANT POLICY: This approach complies with Section 19 of the *Islands Trust Act* and Trust Council's [Annual Report Policy 6.10.i](#).

DESIRED OUTCOME: Trust Council is able to easily approve its annual report in June 2017 without further editing from staff or trustees at the Trust Council meeting.

RESPONSE OPTIONS

Recommended: That the Saturna Island Local Trust Committee approves the attached text for inclusion in the 2016-2017 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Community, Sport and Cultural Development.

Alternative: None

Prepared By: Robert Kojima
Regional Planning Manager

Reviewed By/Date: Director (Marlor, Shelest, Frater) as appropriate

Saturna Island Local Trust Committee

The Saturna Island Local Trust Committee held 6 regular business meetings in the 2016–2017 fiscal year.

Work for this period focused on advancing the Local Trust Committee (LTC) priorities. A community survey was completed and a technical review of the Land Use Bylaw was commenced. A discussion paper on density was received and considered by the LTC. The LTC also prioritized First Nations' relationship building, organizing a public event with SENCOTEN speaking elders and the Saturna community.

The Saturna Island Local Trust Committee considered a development variance permit application and an on-going rezoning application that would permit subdivision of a property with multiple dwellings.



MEMORANDUM

File No.: 8021
TPC Water and Marine
Conservation

DATE: May 23, 2017
TO: Local Trust Committees
FROM: Shelley Miller, Planner 1
Trust Area Services
SUBJECT: Wells and Groundwater Workshops

PURPOSE

The purpose of this memorandum is to inform Local Trust Committees and Bowen Island Municipality of wells and groundwater education workshops scheduled for the Islands Trust Area this spring and summer.

WORKSHOP DETAILS

As part of the Trust Programs Committee Water Conservation Advocacy and Education project, the Islands Trust has partnered with the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) and local health authorities to deliver a series of free, private well owner and groundwater education workshops in the Islands Trust Area. Please see Attachment 1 for a poster advertisement that includes the dates, times and locations for each workshop.

The workshops will consist of an introduction to the Islands Trust, a FLNRO presentation on groundwater and well protection, and a health authority (Island Health or Vancouver Coastal Health) presentation on water quality and well water testing, followed by a question and answer period. The Islands Trust arranged for a local laboratory, Maxxam Analytics, to provide water testing kits that will be available for pick up at the workshops. Maxxam Analytics will provide a 10% discount on select well water testing for workshop participants. In addition, the Environmental Operators Certificate Program will offer Continuing Education Units to Certified Operators who attend these workshops.

Staff have researched water conservation issues and projects and contacted local groups within the Trust Area, including regional districts, improvement districts, and water conservation community groups. Staff have also collected educational materials on water conservation from various organizations to be distributed at the workshops. In addition, staff developed an Islands Trust water conservation handout that will be available at the workshops and on the Islands Trust website.

NEXT STEPS

The Islands Trust encourages trustees and community members to promote and participate in these workshops.

Submitted By:	Shelley Miller, Planner 1	May 23, 2017
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Concurrence:	Clare Frater, Director, Trust Area Services	May 23, 2017
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ATTACHMENTS

1. Islands Trust Wells and Groundwater Workshop Poster



Islands Trust

PAL-O-MINE VIA FLICKR

Wells and our groundwater

Concerned about your well going dry?
Worried about well water safety?
Interested in groundwater?

*Water testing kits
and 10% discount
on select well water
testing provided by
Maxxam Analytics*

Join us for a **FREE** workshop to learn about:

- 💧 Groundwater and your well
- 💧 How to protect your water source
- 💧 How to test and treat your well water

Everyone interested in learning about groundwater is welcome! Refreshments provided.

ISLAND	DATE	WORKSHOP TIME	MEETING HALL
Mayne	June 2	1:00pm–3:30pm	Mayne Island Agricultural Hall, 430 Fernhill Road
Thetis	June 9	10:00am–12:30pm	Thetis Island Community Centre (Forbes Hall), 292 North Cove Road
Galiano	June 16	1:00pm–3:30pm	Galiano South Community Hall, 141 Sturdies Bay Road
Denman	June 23	12:30pm–3pm	Denman Island Community Hall (Back Hall), 1196 Northwest Road
Salt Spring	June 30	10:00am–12:30pm	Hart Bradley Memorial Hall (Lion’s Hall), 103 Bonnet Avenue
North Pender	July 7	10:30am–12:30pm	Pender Island Community Hall (Upper Hall), 4418 Bedwell Harbour Road
Hornby	July 14	1:00pm–3:30pm	New Horizons Hall, 1765 Sollans Road
Saturna	July 21	12:30pm–3pm	Saturna Recreation and Cultural Centre, 104 Harris Road
Gabriola	July 28	10am–12:30pm	Gabriola Arts and Heritage Centre, 476 South Road
Bowen	August 10	1:00pm–3:30pm	Bowen Island Municipal Hall (Council Chambers), 981 Artisan Lane
Gambier	August 11	9:30am–12pm	Gambier Island Community Centre, 721 Andy’s Bay Road

***Water affects us all,
let’s keep it clean!***
islandstrust.bc.ca/water

WORKSHOP PARTNERS:

