



Islands Trust

SATURNA ISLAND LOCAL TRUST COMMITTEE

OFFICIAL COMMUNITY PLAN BYLAW NO. 70

AS AMENDED BY SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAWS: 101, 109, 117, 124, 127, 129, 132, 133, 136 and 140

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

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

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>	<u>Consolidated</u>
Bylaw No. 101	Amendment No. 1, 2010	December 10, 2010	December 10, 2010
Bylaw No. 109	Amendment No. 2, 2012	January 10, 2013	January 15, 2013
Bylaw No. 117	Amendment No. 1, 2017	March 8, 2018	April 26, 2018
Bylaw No. 124	Amendment No. 3, 2018	December 23, 2019	February 18, 2020
Bylaw No. 127	Amendment No. 1, 2019	December 23, 2019	February 18, 2020
Bylaw No. 129	Amendment No. 1, 2020	January 14, 2022	March 11, 2022
Bylaw No. 132	Amendment No. 2, 2020	January 14, 2022	March 11, 2022
Bylaw No. 133	Amendment No. 1, 2021	October 20, 2022	December 1, 2022
Bylaw No. 136	Amendment No. 1, 2022	May 25, 2023	June 9, 2023
Bylaw No. 140	Amendment No. 1, 2023	August 2, 2024	August 23, 2024

SATURNA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 70

A BYLAW TO DESIGNATE THE COMMUNITY PLAN FOR SATURNA ISLAND AS THE
OFFICIAL COMMUNITY PLAN FOR SATURNA ISLAND

WHEREAS Section 29 of the *Islands Trust Act* gives the Saturna Island Local Trust Committee the same power and authority of a Regional District under Part 26 except sections 932 to 937 and 939 of the *Local Government Act*;

AND WHEREAS Sections 876, 877 and 879 of the *Local Government Act* lists the subjects that must be addressed in a Plan;

AND WHEREAS Section 884(1) of the *Local Government Act* does not commit or authorize the Saturna Island Local Trust Committee to proceed with any project that is specified in the Plan;

AND WHEREAS Section 884(2) of the *Local Government Act* requires all bylaws enacted, permits issued and works undertaken by the Saturna Island Local Trust Committee, be consistent with the Plan;

NOW THEREFORE the Saturna Island Local Trust Committee, being the Trust Committee having jurisdiction in respect to the Saturna Island Local Trust Area under the *Islands Trust Act* as amended, enacts as follows:

1. CITATION

1. Bylaw No. 250, being "Official Community Plan (Saturna Island) Bylaw, 1975" as amended is repealed in its entirety.
2. This Bylaw may be cited for all purposes as the "Saturna Island Official Community Plan Bylaw No. 70, 2000".

2. APPLICATION

The Plan applies to the land, the water on the land and the surface of the sea adjacent to the land in the Saturna Island Local Trust Area and includes the following islands:

- | | |
|-----------------------|-------------------------|
| Anniversary Island | Lizard Island |
| Belle Chain (Lot #65) | Pine Islet |
| Belle Chain Islets | Samuel Island |
| Cabbage Island | Saturna Island |
| Java Islets | Trevor Island (Lot #53) |
| King Islets (Lot #52) | Tumbo Island |

3. SCHEDULES

The Plan consists of the following schedules:

- a) Schedule "A" - Main Text
- b) Schedule "B" - Land Use and Temporary Use Permit Designation Map
- c) Schedule "C" - Open Space Map including Heritage and Scenic Road Segments and recommended bicycle routes
- d) Schedule "D" - Development Permit Areas for Lyall Creek and bluffs
- e) Schedule "E" – Appendices "A" and "B"

BL 129

4. READINGS

READ A FIRST TIME THIS	26 th	DAY OF	September	, 2000
READ A FIRST TIME AS AMENDED THIS	2 nd	DAY OF	November	, 2000
PUBLIC HEARING HELD THIS	9 th	DAY OF	December	, 2000
READ A SECOND TIME AS AMENDED THIS	9 th	DAY OF	December	, 2000
READ A THIRD TIME THIS	9 th	DAY OF	December	, 2000
READ A THIRD TIME AS AMENDED THIS	26 th	DAY OF	February	, 2001
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	4 th	DAY OF	April	, 2001
APPROVED BY THE MINISTER OF COMMUNITY, ABORIGINAL AND WOMEN'S SERVICES THIS	11 th	DAY OF	July	, 2001
ADOPTED THIS	13 th	DAY OF	July	, 2001

Linda Prowse
SECRETARY

David Essig
CHAIR

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SCHEDULE "A"

PART A – INTRODUCTION

BL 132

Coast Salish Peoples, including the W̱SÁNEĆ, have lived and resided on or near Saturna Island since time immemorial.

The history of Coast Salish Peoples is sustained in the language, place names, village sites, cultural and sacred sites that encompass the whole of the Islands Trust Area. Coast Salish Peoples have seen and lived the transformation of their lands and waters since contact. This tide of change has greatly impacted the eco-system that sustained them, and the cultural heritage of the first peoples of the Salish Sea. Coast Salish Peoples have and will continue to be a thriving people, government, and community, connected to the lands and waters through spiritual, cultural, and traditional knowledge for generations to come.

The W̱SÁNEĆ Peoples speak a language called SENĆOŦEN, and have a rich and vibrant economic, social, cultural, and spiritual life that is connected to these lands and waters. The lands and waters of the W̱SÁNEĆ Peoples is enriched with history, place names, village sites, cultural sites, and sacred sites and the islands and waters form the basis of their language, culture, and spiritual life within the Salish Sea.

Saturna Island is the location of the S̱TÁUTW (Tsawout) First Nation and W̱SIKEM (Tseycum) First Nation reserve #7. The importance and inherent rights and jurisdiction that this area holds to the W̱SÁNEĆ Peoples continues now and into the future and the stewardship of these lands and waters for their children's children endures.

A.1 REVIEW PROCESS FOR THE PLAN

Reviewing and revising the Saturna Island Official Community Plan (this Plan) has been an opportunity to bring the community together to renew its shared vision for its future. It is hoped that the Plan will stand the test of setting a reasonable and distinct limit to growth so that the unique amenities of this lovely place will not be gradually destroyed by the continuous sequential development so frequently referred to as progress. Recognition of limitation comes as a part of island life. For most residents, it is willingly chosen and its benefits are something to be celebrated. Each island is limited and limiting growth is vital to achieving the object of the *Islands Trust Act*.

Since this review process began, large tracts of private land have been purchased under the Pacific Marine Heritage Legacy for conservation and park purposes. The impact of visitors to a large scale national park will require continuous attention and monitoring to assess the overall impact of human uses on the environment of the area.

A.2 THE ISLANDS TRUST ACT "OBJECT"

Over the years the provincial legislature has reaffirmed the Islands Trust object.

"The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia." (sec.3 *Islands Trust Act*).

The legislated object defines the purpose of providing authority to the Islands Trust for land use regulation. The challenge is how to employ the available planning powers of the *Local Government Act* to preserve,

protect, and effectively maintain the rural nature, health, natural environment and vitality of the Saturna Island community.

The strength and obligation of the Trust mandate has been more clearly defined by the Court in the Galiano Island vs. McMillan Bloedel case. The BC Court of Appeal found that when a Local Trust Committee exercises its powers "to preserve and protect" an amenity, it is not acting in bad faith, but carrying out its assigned duty under the *Islands Trust Act*. Official Community Plans and Land Use Bylaws can be explicit and either more restrictive or permissive when furthering the "object", than would be acceptable in other local governments in British Columbia. The Court's decision affirmed the powers and obligation of each Local Trust Committee to further the object of the *Islands Trust Act*.

PART B - CONTEXT

B.1 SATURNA'S FIRST PLAN (1976) – THE SOCIAL CONTRACT

The policies of the 1976 Plan rested on wide agreement that the Island should not accommodate a population in excess of 2000. Using an average of 2.5 persons per household resulted in a future maximum of 800 households. It was seen to be fair that existing lot configurations and uses could continue, but that future development would need to be constrained within fixed development allotments. Existing lots already subdivided were subtracted from 800 and the balance allotted.

Concerns about fresh water supply led to the Watershed designation for catch basins, which could be dammed for fresh water storage, and gravity-fed to potential use areas. Based on its past use, Forestlands were designated to ensure forests would continue as a renewable resource and a characteristic attribute of the land. Lands with soils suitable for agriculture were designated as Farmland. Ecological Reserves, small undeveloped islands and not easily accessed Crown lands were designated as Wilderness reserves. On larger lots, a cottage in conjunction with each household, seemed a good solution to accommodate visitors or provide rental opportunities. Islanders also supported flexibility for those establishing and managing local businesses as being appropriate to the rural character of Saturna Island.

Assurance that the Plan would be implemented so that each owner would receive no more nor less than their development allotment, was central in accepting the restrictions which the 1976 Plan imposed. To address skepticism concerning implementation, restrictive covenants were to be required in certain circumstances to ensure proper compliance. A slow but even rate of development was considered the most desirable in maintaining community stability and optimizing benefits. Belief that the 1976 Plan's development limitations were equitable and that each property's development potential was secure, has given owners the opportunity to postpone development or to develop gradually, as the community had hoped.

B.2 THE SOCIAL CONTRACT RENEWED

This Plan leaves the residential density ceiling essentially unchanged. This Plan supports slow gradual development and encourages options that postpone reaching maximum build-out. Some of its development policies provide options which are expected to reduce the overall maximums depending on the choices made by individual owners using and developing their land.

When implementing any Plan policy, the Committee will take care to ensure the result does not increase the development ceiling. A series of policies are directed to achieving this principle. This approach is considered the

best way to fulfill the object of the *Islands Trust Act* while assuring property owners who delay development that their property's unused development allotment will remain available in the future.

The Plan represents a contract between the community's residents, landowners and the Saturna Island Local Trust Committee. The fundamental object of the policies of this Plan is to preserve and protect the area's community and its environment and amenities through sustainable or limited use.

B.3 NATIONAL PARK PROPOSAL

While the community was developing this Plan, the Federal government acquired private land adjacent to Crown land parcels under a "Pacific Marine Heritage Legacy" program to preserve representative lands of this bioregion. The program was a joint Federal/Provincial scheme with both governments contributing to land acquisition. The community recognized that the nature of the island lifestyle could change dramatically with increased visitors and potential related services for visitors to the Park.

When the national park is established, Parks Canada zoning policies will determine appropriate use of the land. As required by the *Canada National Park Act*, ecological integrity shall be the first priority when considering all aspects of the management of the national park. Federal Crown lands managed by the Crown are not subject to local government zoning and only if the lands revert to private hands will the prescriptions in this Plan apply. The Community will work with the Federal government in a Parks Management Planning process to ensure there is some certainty over future uses.

B.4 PURPOSE

The purpose of the Plan is to further the object of the *Islands Trust Act* through strong long-range policy guidelines respecting land use and servicing for the Saturna Island Local Trust Area (“the Area”). Policies are to direct and guide future actions of the Saturna Island Local Trust Committee and inform other levels of government and the general public of the community’s expectations for the use and development of the Area. The Saturna Island Local Trust Committee cannot adopt land use bylaws that conflict with either the Islands Trust Policy Statement or the policies of its Official Community Plan.

B.5 ADVOCACY POLICIES

Some of the Plan’s policies address issues that are the responsibility of other levels of government and their agencies. These policies are included for the information and guidance of other levels of government when exercising their responsibilities within this community and are identified throughout the Plan as “advocacy policies”. When the responsibilities of other levels of government impact the Area’s community, this Plan directs the Saturna Island Local Trust Committee in making representations on any action, contemplated action, or enforcement activity. In this regard particular attention shall be given to the: use of Crown lands and lands acquired under the Pacific Marine Heritage Legacy; use of Crown foreshore; scale and type of roads, highways, and trails; transportation policies; and protection of the environment.

To avoid dissipating the Saturna Island Local Trust Committee’s limited resources, its attention is to be focused first on implementing and ensuring compliance with those policies where it has direct authority and a reasonable expectation to accomplish the policy objective.

B.6 AREA OF JURISDICTION

The Plan regulates the land, the water on the land and the surface of the sea adjacent to the land in the Area shown on Schedule “B” and includes the following islands:

- | | |
|-----------------------|-------------------------|
| Anniversary Island | Lizard Island |
| Belle Chain (Lot #65) | Pine Islet |
| Belle Chain Islets | Samuel Island |
| Cabbage Island | Saturna Island |
| Java Islets | Trevor Island (Lot #53) |
| King Islets (Lot #52) | Tumbo Island |

B.7 PLAN SCHEDULES

B.7.1 The Plan consists of the following schedules:

- a) Schedule “A” - Main Text
- b) Schedule “B” - Land Use and Temporary Use Permit Designation Map
- c) Schedule “C” - Open Space Map including Heritage and Scenic Road Segments and recommended bicycle routes
- d) Schedule “D” - Development Permit Areas for Lyall Creek and bluffs
- e) Schedule “E” – Appendices “A ” and “B”

BL 129

B.7.2 The Area is divided into the following primary land and water use designations as shown on Schedule “B”:

Rural	Heritage Forest
Farmland	Watershed
Forest	Wilderness Reserve
Open Waters	Harbours

Additional uses may be permitted within some of these designations subject to the policies of the Plan and as provided for in regulatory bylaws for the Area.

B.7.3 Temporary Use Permit Areas are designated over the Rural, Farmland, Forest, Watershed, and Harbours designations.

BL 129

B.7.4 Schedule “C”, identifies existing public lands and future areas for public acquisition as open space and heritage roads.

B.7.5 Schedule “D” identifies two types of development permit areas; one for the protection of Lyall Creek including its tributaries and related wetlands and the second for the protection of Bluffs.

B.7.6 Schedule “E” includes two appendices; one for density transfer and the second for guiding all decisions of the Trust Committee.

B.8 APPLICATION OF SCHEDULES

B.8.1 Changes to Plan policies and development permit area designations can only be made through an amendment to the Plan.

B.8.2 In order to provide for flexibility in the interpretation of the Plan, minor variations from the map schedules other than development permit area designations may be permitted without amendment to the Plan.

B.8.3 Regulatory bylaws that implement the Plan may contain more restrictive provisions for development criteria, such as setback requirements and density of use.

B.8.4 Government agencies, including the Subdivision Approving Officer and the public, are reminded that the Plan is a formal statement of public interest for the Area. This interest should be considered when exercising discretionary powers in subdivision approval, Crown lease grants, and Land Reserve Commission applications.

B.8.5 Where a word is not specifically defined in the Plan, its definition is the same as contained in the *Local Government Act* and the *Interpretation Act* or the Oxford dictionary.

PART C – POLICIES

C.1 GENERAL POLICIES

- C.1.1** The advantages to the Area, of relative isolation including privacy, space and the aesthetic qualities of rural island life shall be respected.
- C.1.2** The level of services to be provided should be consistent with the rural character of the community, and new or increased services should meet but not create demand.
- BL 124 **C.1.3** From the date of adoption of the Plan, no rezoning, development permit, temporary permits, or other planning tool or device available to the local trust committee should be used to increase the maximum subdivision capacity, or total residential density of any island within the Area. Secondary suites are not considered as residential density for the purposes of calculating overall residential density within the Saturna Island Local Trust Area.
- BL 140 **C.1.4** **Community Density Reserve** - To facilitate keeping development in appropriate areas, including changes in density, while maintaining the policy requirements of C.1.3, the Trust Committee will maintain an accounting system for tracking and controlling changes in density that it may approve from time to time in the future. The Reserve may be used to increase density in areas deemed appropriate by the community through the zoning process and to secure “amenities” of value to the community. Each transfer should accomplish some environmental or heritage policy objective of the Plan. A reference table is included as an information note following Schedule E, Appendix A and not forming part of the bylaw for tracking and controlling changes in unallocated density designated as CADR.
- This provision will be used to accomplish land conservation objectives. Protection of agricultural land, lands with streams, forest ecosystems, water supply areas, wetlands, heritage sites, shorelands, bluffs and areas of scenic or recreational significance may be enhanced by removing any existing development potential and transferring it to a more suitable location. This transferability provides property owners with an opportunity to achieve some private objectives while securing the protection of significant lands as “amenities” valued by the community.
- C.1.5** When considering all permits, referrals, applications and bylaw amendments, the Saturna Island Local Trust Committee must refer to all the elements of policy contained in the Plan. To further assist it and the community, a list of related factors for consideration is presented in Appendix B.
- C.1.6** The Plan asserts that the rural character of our community is one of the amenities to be preserved and that small, home based enterprises are an integral and necessary part of our rural community and contribute to its preservation. Home occupations will be encouraged and regulated only so far as is necessary to protect neighbourhoods and the environment from unacceptable impacts.
- BL 101 **C.1.7** The Saturna Island Local Trust Committee should ensure that land use planning and development support reductions in greenhouse gas emissions and efforts to adapt to climate change impacts.

General Advocacy Policies

- C.1.8** The Saturna Island Local Trust Committee encourages the economic activities of artisans, community based (owner-operator) businesses and farmers which provide the core of a vital local economy on Saturna Island.
- C.1.9** The Saturna Island Local Trust Committee encourages maintenance of community services, infrastructure and those organizations whose activities or facilities are of value to the community.
- C.1.10** Protection from liability for private landowners who allow the general public to use trails and open natural areas on their property should continue to be supported by all levels of government.
- C.1.11** The Provincial and Federal Parks Departments are requested to provide walk-in camping facilities only and no food services or facilities for recreational vehicles within any Park.

C.2 NATURAL ENVIRONMENT POLICIES

- C.2.1** The Saturna Island Local Trust Committee supports farming and forestry as traditional economic uses for the island. For lands within the Agricultural and Forest Land Reserves, the Saturna Island Trust Committee recognizes that property owners have the right to farm or grow trees in accordance the Provincial *Agriculture Land reserve Act* and the *Forest Land Reserve Act*, regulations thereof and orders of the Land Reserve Commission.
- C.2.2** In considering permits, referrals, applications and bylaw amendments, the Saturna Island Local Trust Committee should use all available means within its direct jurisdiction to ensure the preservation and protection of the Area's diverse natural environment by:
- a) maintaining sufficient habitat in its natural state for wildlife, plant life and marine life to flourish;
 - b) protecting coastal systems and marine areas subject to development or contamination;
 - c) protecting groundwater supplies by ensuring the water absorbing capacity of the ground in water catchment areas is maintained, and by preventing contamination;
 - d) basing land use decisions on the inherent capability of land and water areas to accommodate the type, scale and intensity of proposed land uses;
 - e) ensuring renewable resource use does not exceed the natural carrying capacity of the natural resource base;
 - f) protecting indigenous ground and tree cover while maintaining sufficient areas of each forest type and evolutionary stage to optimize biological diversity; and
 - g) considering greenhouse gas emissions and climate change
- C.2.3** Opportunities are to be used to protect sites or features that have been identified as environmentally sensitive. These areas are shown currently on the Sensitive Ecosystem Inventory Map produced by Environment Canada, Ministry of Environment, Lands and Parks, and the Habitat Conservation Trust Fund dated September 1997 which may be amended as new scientific information becomes available.
- C.2.4** Setbacks for all buildings and structures shall be designed to protect significant riparian and wildlife habitat and encourage maintenance of indigenous vegetation within these areas.

Natural Environment Advocacy Policies

- C.2.5 Stewardship of the natural environment and rural character of the islands should be encouraged.
- C.2.6 Undisturbed buffers around the nesting area of any golden eagle, bald eagle, osprey, peregrine falcon, hawks, owl, or great blue heron.
- C.2.7 Public agencies or conservancies are encouraged to acquire Coastal areas in accordance with the Open Spaces policies of this Plan to ensure the preservation of Coastal areas, particularly in undeveloped portions of the Saturna Island Local Trust Area.
- C.2.8 The Saturna Island Local Trust Committee will support the recommended practices outlined in publications of the federal Department of Fisheries and Oceans, and the Ministry of Environment, Lands and Parks, such as *Land Development Guidelines for the Protection of Aquatic Habitat* and the *Stream Keepers Program*.
- C.2.9 The Provincial government is encouraged to implement legislative authority for tax incentives to protect sensitive natural environments on private lands.
- C.2.10 The Capital Regional District is: supported in its Green/Blue Spaces Strategy; encouraged to provide property tax exemptions for natural area protection; and encouraged to support low impact alternate building construction and waste management techniques.
- BL 101 C.2.11 Regional, provincial and federal agencies are encouraged to undertake and support local initiatives to reduce greenhouse gas emissions.

C.3 DEVELOPMENT POLICIES

- C.3.1 Developments should be designed to provide opportunities for residents and visitors to enjoy the aesthetic, historic, scenic, and natural resource values of the Area's forests, wetlands, farmlands, waterways, beaches and coastline.
- C.3.2 The type, scale, and concentration of development, including the ultimate resident and visitor populations, are to be managed to preserve the quiet rural atmosphere.
- C.3.3 The rate of growth of residential, commercial accommodation and commercial uses is to be managed to facilitate the community's ability to absorb proposed change and optimize any related benefits.
- 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. Set backs, screening, or other means are to be used to abate visual impacts.
- C.3.5 When relating to matters of development, affordability, special needs, or rental opportunity, the Saturna Island Local Trust Committee is to consider the community's desire to maintain social and economic diversity.
- C.3.6 Regulatory bylaws may waive minimum lot area for subdivision requirements for lots created for and restricted to a public use that is non residential and not count them as lots respecting the use of subdivision capacity.

- C.3.7** As a condition of subdivision, where lots of less than 2.02 hectares (5 acres) are created, restrictive covenants are to be required on all lots of 4.05 hectares (10 acres) or more controlling both residential density and subdivision capacity.
- C.3.8** Where any lot is subject to a restrictive covenant as required by section C.3.7 that prohibits further subdivision, the Saturna Island Local Trust Committee shall rezone the lot to indicate that it is a remainder with no further subdivision potential. The zoning shall limit its residential density to the amount specified by the covenant and the transfer of density onto these remainders shall not be allowed.
- C.3.9** Public access to the foreshore should be provided in a manner that ensures the maximum benefit to the public, with the least harm to the natural condition of the area. To provide useful public accesses:
- a) consolidation of public accesses is encouraged where appropriate to the nature of the shoreline; and
 - b) where feasible, dedication of a coastal strip fronting the foreshore in conjunction with subdivision will be sought.
- BL 101 **C.3.10** To move towards a land use pattern that results in a more compact, complete and connected community, with new residential development occurring in locations accessible to services.

Development Advocacy Policies

- C.3.11** When granting leases or licenses of occupation, the BC Assets and Lands Corporation will be requested through the referral process to ensure public rights-of-way along the foreshore are preserved. The right-of-way may be preserved by design or by providing non-exclusive use of any works on the foreshore portion of any lease or license.
- C.3.12** The Saturna Island Local Trust Committee encourages agencies with jurisdiction and, where appropriate, local community groups, to provide toilets near coastal areas for the transient public and to provide signs reminding visitors to take all refuse with them.
- C.3.13** The Ministry of Transportation and Highways is requested to ensure public accesses are not blocked, closed or otherwise rendered inaccessible to the public.

PART D - LAND USE DESIGNATION POLICIES

D.0 BASE DESIGNATIONS

The land, water and surface of the sea are divided into eight base designations based on the attributes and potential capabilities of the land and water in their natural state. The base designations are Rural, Farmland, Watershed, Forest, Heritage Forest, Wilderness Reserve, Harbours and Open Waters. Overlay designations in Section E, identify special areas where supplemental policies apply. The Overlay designations are Open Space, Heritage, Agricultural Land Reserve, Forest Land Reserve and Pacific Marine Heritage Legacy lands. Designation of lands in the agriculture or forestry reserve are subject to the permission for agriculture in the *Agriculture Land Reserve Act* and for forestry in the *Forest Land Reserve Act*.

Section D contains policies for determining the subdivision capacity of all lands in each base designation. It also contains policies that specify minimum lot areas required for various land uses that might be zoned for either now or in the future. The Saturna Island Local Trust Committee shall ensure that requirements of both policy types are met and:

- a) the statement of a policy on subdivision capacity in relation to any base designation is not to be taken as a policy permitting the creation of lots smaller than the minimum lot area specified for the use; and
- b) the statement of a policy on minimum lot area for any particular use, is not to be taken as a policy for determining subdivision capacity nor permitting the averaging of lot areas based on the minimum lot area specified.

D.1 RURAL

The Rural designation identifies areas where a wide variety of human use and development activities may be permitted. All the following categories will be implemented through zoning and not designated within this Plan.

The Objective of this designation is to support a diverse community structure with a range of lot areas and forms of residential accommodation and to provide a range of zoning options for residential, commercial and industrial uses.

D.1.1 To protect the character of neighbourhoods, separate zones in regulatory bylaws should provide for the following uses:

- a) Rural Residential for single-family homes and private recreation uses;
- b) Rural General where home based industry will be mixed with family homes and cottages, includes all home based occupations customary to a rural area;
- c) Rural Comprehensive for large parcels when more than 5 principal residences are desired on a lot to accommodate co-operatives or joint land ownership;
- d) Multiple Family Residential;
- e) Industrial, with distinctions made between differing scales of industrial use;
- f) Commercial;
- g) Commercial Recreation and Accommodation;
- h) Public Utility and other public uses, which may include environmental conservation; and
- i) The Local Trust Committee may consider allowing for mixed uses in locations in close proximity to services.
- j) Secondary suites may be permitted in designations that permit residential use.

BL 101

BL 124

D.1.2 The Saturna Island Local Trust Committee, when zoning Rural designated land, shall ensure that on lots with more than one base designation, the residential density will not exceed one primary residence and one cottage per 2.02 hectares (5 acres) of the Rural designated area in the parcel, plus any density received from any Watershed, Farmland, Wilderness Reserve, Forest or Heritage Forest designated portions of the lot and any density granted from the Community Amenity Density Reserve.

D.1.3 Development criteria relating to minimum lot area, such as set backs, 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.

BL 117

D.1.4 Rural Subdivision Capacity:
The maximum number of lots that can be created shall equal the acreage of the lot designated rural divided by five (5) except where:

- a) a transfer of subdivision density occurs and the transfer from the donor lot to the receiver lot occurs simultaneously;
- b) a restrictive covenant limits further subdivision then it shall be the amount specified in the covenant;
- c) the lot has split designations then section D.7 applies; or
- d) density from the Community Amenity Density Reserve is granted in exchange for an amenity.

D.1.R Rural Residential

D.1.R.1 Rural residential zones will protect residential neighbourhoods by limiting rural uses that create noise or smells or have an appearance not compatible with residential use.

D.1.R.2 Residential density is not to exceed one primary residence on lots of less than 1.21 hectares (3 acres); or a total of one primary residence and one cottage on lots greater than 1.21 hectares (3 acres).

D.1.R.3 Where residential zones are created on waterfront lands, appropriate water zones covering the foreshore and surface of the adjacent sea may be used to secure the residential nature of neighbourhoods in addition to the environmental and coastal area protection policies of the Plan.

D.1.R.4 Home occupations in rural residential zones should be limited to those customarily associated with a strictly residential area.

D.1.R.5 Site planning criteria, such as: yard depths, building height, maximum floor area, number and size of ancillary buildings and total lot site coverage should be addressed through zoning.

D.1.R.6 The minimum lot area for subdivision shall not be less than 0.81 hectares (2 acres), except where the proposed lot fronts on the ocean, it may be 0.40 hectares (1 acre) subject to the provision of adequate water supply and septic waste disposal facilities as approved by the Regional Health Authority.

BL 124 **D.1.R.7** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

D.1.G Rural General

D.1.G.1 Zoning for rural general use provides for a mix of home based enterprises together with family residences and cottages.

D.1.G.2 Residential density is not to exceed:

- a) one primary residence on lots of less than 1.21 hectares (3 acres);**
- b) a total of one primary residence and one cottage on lots less than 4.05 hectares (10 acres) but greater than 1.21 hectares (3 acres); and
- c) on lots of 4.05 hectares (10 acres) or greater, one primary residence and one cottage per 2.02 hectares (5 acres) of lot area to a maximum of 5 primary residences and 5 cottages per lot. If a restrictive covenant exists limiting subdivision or residential building density, the amount specified in the covenant shall not be exceeded.

D.1.G.3 Zoning will permit a full range of home based occupations customary to rural areas.

D.1.G.4 Site planning criteria relating to setbacks, building height, maximum floor area and total lot site coverage should be addressed through zoning.

D.1.G.5 The minimum lot area for subdivision shall not be less than 0.81 hectares (2 acres).

BL 140 **D.1.G.6** Despite Article D.1.G.5, the minimum lot area for subdivision of *Lot 1, Section 18, Saturna Island, Cowichan District, Plan 6417* shall not be less than 0.70 hectares (1.73 acres).

BL 124 **D.1.G.7** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

D.1.C Rural Comprehensive

D.1.C.1 Zoning for rural comprehensive use provides for the development of more than 5 principal residences on large lots to accommodate co-operatives and other forms of joint ownership.

D.1.C.2 Residential density is not to exceed one primary residence per 2.02 hectares (5 acres) plus any residential density granted from the Community Amenity Density Reserve. Except where a restrictive covenant limits subdivision or residential density, then density shall be the number specified in the covenant.

D.1.C.3 Site planning criteria including building height, and total lot site coverage should be addressed through zoning.

D.1.C.4 The minimum lot area for subdivision for Rural Comprehensive shall not be less than 12.14 hectares (30 acres).

BL 124 **D.1.C.5** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

D.1.M Multiple Family Residential

D.1.M.1 Zoning may provide for multiple family residential buildings.

- D.1.M.2** Multiple Family use may be permitted to a density not exceeding:
- a) 120% of the primary residences permitted on the lot prior to rezoning for Multiple Family use; or
 - b) four units per acre for affordable and special needs housing owned and operated by a registered (non-profit) society.

D.1.M.3 The minimum lot area for subdivision for Multiple Family Residential shall not be less than 0.81 hectares (2 acres).

D.1.M.4 Multiple Family Residential policies, (D.1.M.1, M.2 & M.3) may apply within the Forest designation subject to that designation's policies.

D.1.A Commercial Recreation & Accommodation

D.1.A.1 Zoning may provide for commercial recreation and accommodation uses to service island visitors on a site-specific basis.

D.1.A.2 The Saturna Island Local Trust Committee will address:

- a) the need for the proposed use; the on-going benefits to the Area;
- b) the proposal's impact on the environment, groundwater, greenhouse gas emissions, local noise, emergency services, waste disposal, ferry services and fire protection; and
- c) the mitigation of any negative impacts.

D.1.A.3 Regulatory bylaws are to limit the density of use, for new commercial accommodation zones, the total number of accommodation and sleeping units per area zoned is not to exceed:

- a) on the first 2.02 hectares (5 acres) in area, 12 bedrooms which may be located in not more than 6 accommodation units; plus
- b) on each additional 0.4 (1 acre), 1 bedroom up to a maximum of 20 bedrooms per establishment which may be located in not more than 10 accommodation units;
- c) no building should contain more than 12 bedrooms;
- d) where camping is a permitted use, one campsite is equivalent to one bedroom; and
- e) the total number of bedrooms for the Area as a whole shall not exceed 300.

D.1.A.4 The residential density of a lot is not to be increased by zoning for commercial recreation and accommodation uses.

D.1.A.5 Any rezoning involving coastal areas should consider the need for public access to the foreshore.

D.1.A.6 When rezoning to commercial recreation and accommodation use, the minimum lot size for the use is to be at least 2.02 hectares (5 acres).

D.1.A.7 No subdivision capacity may be used to subdivide an area zoned for a commercial recreation and accommodation use.

D.1.A.8 Commercial recreation and accommodation policies listed above as D.1.A.1, through D.1.A.7, may be applied within the Farmland and Forest designations subject to the policies and conditions of those designations.

D.1.A.9 The density of commercial accommodation establishments existing legally prior to the adoption of this Plan will continue to be permitted in regulatory bylaws.

D.1.A.10 Uses permitted in each zone should have a similar impact on surrounding lots. Where a zone currently permits many uses with significantly different impacts, the area should be rezoned to its current use and only those other currently permitted uses, which would share a similar impact on surrounding lots as the existing use.

BL 101 **D.1.A.11** Employee accommodation may be required in new development where a significant number of additional units are permitted or proposed.

D.1.1 Commercial and Industrial

D.1.1.1 Commercial and Industrial uses may be permitted subject to site specific zoning. The size and scale of each use permitted should be regulated.

BL 101 **D.1.1.2** When considering rezoning applications, the Saturna Island Local Trust Committee should address the proposal's impact on the environment and the mitigation of negative aspects. Applicants for industrial rezoning may be required by bylaw to provide an impact study covering the effects of discharges to the air, water, and soils, including greenhouse gas emissions and climate change impacts, and effects on local noise, groundwater and wildlife; and proposed environmental controls and failure contingency mechanisms; waste disposal systems; screening; and fire protection.

D.1.1.3 All goods, materials, wastes, and equipment associated with industrial activities must be handled and stored in a manner that does not cause significant environmental damage.

D.1.1.4 Industrial uses are to establish adequate appropriate buffer zones, setbacks, and screening from roads, neighbours and the sea except where the nature of the use relates to the sea.

D.1.1.5 Any rezoning involving coastal areas may be required to include public access to the foreshore.

D.1.1.6 Industrial rezoning should not increase the current residential density of a lot.

D.1.1.7 The minimum lot area for subdivision for general Commercial and Industrial use zones shall not be less than 0.40 hectares (1 acre).

BL 101 **D.1.1.8** Clustering of commercial uses such as artisan shops, gift shops, food small shops and repair shops for small appliances or tools may be on existing lots less than 0.40 hectares (1 acre) if appropriate servicing is provided and proximity to residential uses is considered.

D.1.1.9 Commercial and Industrial uses policies, (D.1.1.1 through D.1.1.7), may be applied within the Farmland and Forest designations subject to the policies and conditions of those designations.

D.2 FARMLAND

The Farmland designation includes lands where soil conditions and topography have created areas suitable for agriculture.

- BL 101 The objectives of this designation are: to support agriculture; to enhance local food security; to preserve arable Farmland and to prevent conversion of Farmland to uses that may degrade or impair the land's long-term agricultural potential or productivity.
- BL 101 **D.2.1** Farmland may be used for growing, rearing, producing and harvesting of agricultural products, including trees, and processing on a farm of primary agricultural products harvested, reared or produced in the Islands Trust Area and repair of farm machinery and implements used for local farming on Saturna Island. Zoning regulations should be crafted so as not to preclude local food production, processing and distribution. An exception will be permitted in zoning for special cases where it is a normal part of the operation, for example a winery needing to bring in grapes from outside the Area to blend with locally grown grapes.
- D.2.2** Within the Farmland designation zoning for commercial recreation & accommodation, or commercial and light industrial uses may be permitted as farm sub-zones accessory to the farm use, but only if the present potential and future productivity of arable land will not be adversely affected.
- D.2.3** Zoning should establish a modest total lot site coverage of not greater than ½% of arable area for any permitted non-agricultural uses.
- D.2.4** Residential density is not to exceed one primary residence and one cottage on an arable farmland lot. If a lot has split Farmland and Rural designations then section D.7.1 applies.
- D.2.5** Notwithstanding any other provisions of this bylaw, all lands within the Agricultural Land Reserve and Forest Land Reserve are subject to the provisions of the *Agricultural Land Reserve and Forest Land Reserve Acts*, their regulations and orders of the Land Reserve Commission. Saturna Island Local Trust Committee bylaws may contain more stringent policies and regulations supporting agriculture than those contained in the Land Reserve Commission Regulations and recognizes the *Farm Practices Protection Act*.
- D.2.6** Where buffers are needed between residential and adjacent farm operations, the obligation to provide the buffer is to be borne by the non-farm land use.
- D.2.7** Farmland Subdivision Capacity:
The maximum number of lots that can be created shall equal the acreage of the lot designated Farmland divided by fifty (50) except where:
a) a restrictive covenant limits further subdivision then it shall be the amount specified in the covenant; or
b) the lot has split designations then section D.7 applies.
- D.2.8** The minimum lot area for subdivision in a Farmland zone shall not be less than 20.24 hectares (50 acres).
- D.2.9** Subdivision regulations should ensure that fragmentation of arable land by roads, service or communication corridors is avoided.
- BL 124 **D.2.10** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

Farm Advocacy Policies

- D.2.11** The Land Reserve Commission is requested to retain agricultural land within the Agricultural Land Reserve and to bring into the reserve lands with agricultural potential into the Agricultural Land Reserve.
- D.2.12** Agricultural activities should minimize adverse environmental impacts, groundwater and fish-bearing streams and should operate in accordance with standards as published or promoted by the Ministry of Environment, Lands, and Parks, the Department of Fisheries and Oceans, and the Ministry of Agriculture, Food and Fisheries.
- D.2.13** Property owners of land in the Farmland designation are encouraged to locate all buildings and structures on non-productive portions of their land.
- D.2.14** The Provincial government is requested to ensure that service or communication corridors do not fragment arable land.

D.3 WATERSHED

The Watershed designation identifies some of the major high-elevation recharge areas and catchment basins capable of being dammed for fresh water storage and use.

The objective of this designation is to protect and ensure that the quality and quantity of fresh water resources are not degraded.

- D.3.1** Watershed designated lands can be used for open space and the growing and harvesting of forest products.
- D.3.2** No residential, commercial accommodation or industrial use is to be permitted in Watershed designated areas of a lot.
- D.3.3** Development should be discouraged and Watershed Subdivision Capacity should be transferred out of the designation for use elsewhere.
- D.3.4** Watershed Subdivision Capacity:
The maximum number of lots that can be created shall equal the acreage of the lot designated watershed divided by twenty-five (25) except where:
 - a) a restrictive covenant limits further subdivision then it shall be the amount specified in the covenant; or
 - b) the lot has split designations then section D.7 applies.
- D.3.5** Minimum lot area for subdivision in the watershed zone shall not be less than 10.12 hectares (25 acres).
- D.3.6** Dedication of Watershed designated land for non-residential public uses will be considered a community amenity with respect to amenity rezoning under the Community Amenity Density Reserve.

Watershed Advocacy Policies

- D.3.7** Where there is forestry use, selective logging should be used to maintain undiminished the capacity of the land to absorb and retain water, prevent erosion, and permit groundwater recharge throughout the harvest cycle.
- D.3.8** Dam construction to create or enhance storage of water for human use, wetlands, swamps and ponds is encouraged, except where natural fish habitat would be adversely affected.
- D.3.9** Any activity that accelerates erosion should be discouraged.
- D.3.10** All Provincial agencies with jurisdiction are requested to prohibit the use of chemical pesticides and herbicides in the watershed area.
- D.3.11** The Ministry of Transportation and Highways is requested to relocate public roads away from any reservoir used for public potable water supply.

D.4 FOREST

The Forest designation identifies areas traditionally used or held for forestry purposes.

The objectives of this designation are to:

- maintain the traditional value of a forestry economy,
- manage forestry to minimize erosion and runoff,
- retain the moisture absorbing characteristics of the forests,
- preserve the fertility of forest soils,
- provide habitat for indigenous plant and animal species, and
- enhance the growth, harvesting, and regeneration of forests, generally.

- D.4.1** Regulatory bylaws will provide separate forestry zones for the following uses:
- a) Forest Reserve - for public or private green space permitting harvesting and all silviculture practices but excluding all residential use;
 - b) Forest General - for all silviculture practices with one residence and one cottage permitted on a lot;
 - c) Forest Residential - for residential use, which may include sub-zones for multiple family and comprehensive residential use;
 - d) Commercial and Industrial uses subject to policies D.1.I.1 through D.1.I.7; and
 - e) Commercial Recreation and Accommodation uses subject to policies D.1.A.1 through D.1.A.7.
- D.4.2** Notwithstanding any other provisions of this bylaw, all lands within the Forest Land Reserve are subject to the provisions of the *Forest Land Reserve Act*, regulations thereof and orders of the Land Reserve Commission. The Saturna Island Local Trust Committee's bylaws may contain more stringent policies and regulations supporting sustainable forestry than are contained in the Forest Land Reserve regulations.
- D.4.3** Set backs, depth to width ratio, and site coverage, will be specified in regulatory bylaws for each type of residential use and each form of commercial and industrial use.

- D.4.4** Forest Subdivision Capacity:
The maximum number of lots that can be created shall equal the acreage of the lot designated forest divided by twenty (20) except where:
- a) a restrictive covenant controls further subdivision then it shall be the amount specified in the covenant;
 - b) the lot has split designations then section D.7 applies; or
 - c) density from the Community Amenity Reserve has been granted.
- D.4.5** In subdivisions where a lot of less than 20.24 hectares (50 acres) is created, restrictive covenants are to be required on all lots of 20.24 hectares (50 acres) or more prohibiting further subdivision and all residential uses.
- D.4.6** The Saturna Island Local Trust Committee, when zoning Forest designated land, shall ensure that the density of residential use does not permit the number of primary residences to exceed the Forest Subdivision Capacity of the lot.
- D.4.7** Except for agriculture within the Agricultural Land Reserve, non-forestry uses including paving and asphalt, should not necessitate clearing more than 6% of a site.

Forest Reserves

- D.4.8** Zoning for Forest Reserve use shall assure the maintenance of the area exclusively for forestry and open space purposes.
- D.4.9** No residential, commercial or commercial recreation use is to be permitted.
- D.4.10** Forest designated land held for public open space purposes should be zoned to Forest Reserve.

Forest General

- D.4.11** Zoning for Forest General use provides for a mix of home based enterprises together with a family residence, a cottage and all forestry and silviculture uses. Subject to a parcel's Forest Subdivision Capacity, the minimum lot area for subdivision shall not be less than 20.24 hectares (50 acres).
- D.4.12** A full range of home based occupations customary to rural areas will be accommodated subject to D.4.3 and D.4.7.
- D.4.13** Residential density is not to exceed one primary residence and one cottage on a lot zoned Forest General.
- BL 124 **D.4.14** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

Forest Residential

- D.4.15** Zoning for Forest Residential use provides an opportunity to cluster and concentrate permitted residential development on small areas with the balance of the forest area reserved exclusively for forestry and conservation purposes.
- D.4.16** Every rezoning for Forest Residential use is to entail a simultaneous rezoning of the residual forest

lands for Forest Reserve use only. All Forest Subdivision Capacity attributable to the forestlands is to be transferred to the area zoned Forest Residential, and result in the subdivision capacity of the area zoned Forest Reserve to be nil.

D.4.17 The minimum lot area for subdivision for Forest Residential shall be 0.81 hectares (2 acres) and the maximum lot area 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.

D.4.18 A maximum of one house on lots less than 1.21 hectares (3 acres) will be permitted and a maximum of one residence and one cottage will be permitted on lots of 1.21 hectares (3 acres) or more.

D.4.19 On lots that are more than 1.21 hectares (3 acres), comprehensive residential use to accommodate co-operatives and other forms of joint ownership will be permitted only where the subdivision capacity of the lot has not been exhausted. Residential density shall be limited to a number of primary residences that does not exceed the parcel's subdivision capacity.

BL 124 **D.4.20** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence on Forest Residential zoned land.

D.4.21 Multiple Family use will be permitted on Forest designated land only within a Forest Residential zone and policies D.1.M.1, D.1.M.2 and D.1.M.3 apply.

Forest Industrial, Commercial and Commercial Recreation and Accommodation

D.4.22 Zoning for Forest Industrial, Commercial and Commercial Recreation uses will be permitted only where the present potential and future productivity of the land for forestry will not be negatively affected. The use must be achieved on small areas with poor natural attributes for forestry, or if the proposed use is consistent with forestry practices and use.

D.4.23 Where commercial and industrial uses are permitted within the Forest designation policies D.1.I.1 through D.1.I.7 apply.

D.4.24 Where commercial recreation and accommodation uses are permitted in the Forest designation policies D.1.A.1 through D.1.A.7 apply.

Forest Advocacy Policies

D.4.25 Property owners of land in the Forest designation are encouraged to locate buildings and structures on non-productive portions of the land.

D.4.26 Private landowners are encouraged to adopt and use forest management practices, which maintain forest habitat and water recharge areas, prevent soil erosion, and generally maintain a sustainable forest resource.

D.4.27 Forest lot owners, government agencies with jurisdiction, and managers of any future community managed forest are encouraged to maintain the full spectrum of ages, forest types and ecosystems in the area to support bio-diversity. Periodic harvesting of some forestlands to replace the necessary effects of natural wildfire on forest ecology should be carried out as a part of any forest management plan.

D.4.28 Net forest cover should be maintained and permitted uses should not impair the capacity to grow forests.

D.4.29 The rate of harvest should be sustainable.

D.4.30 Small-scale sustainable forestry, community-managed forests, and related value added industries should be encouraged and supported.

BL 101 **D.4.31** Landowners, including Parks Canada, are encouraged maintain forest cover as a means of capturing and storing carbon.

D.5 HERITAGE FOREST

Heritage Forests are representative forest types of Saturna Island. The objectives of this designation are to: preserve a representative forest landscape and historical views; provide for environmental monitoring and scientific study; and protect natural environmental processes, such as forest soils, habitat for indigenous plant and animal species and the growth and natural regeneration of forests.

D.5.1 Preservation of the forest is the primary land use. Except for agriculture on Agricultural Land Reserve land, a site coverage of 1%, including paving and asphalt, should not be exceeded for any non-forestry use.

D.5.2 Generally net forest cover should be maintained. No uses shall impair the long-term natural processes of forest growth or regeneration.

D.5.3 On Heritage Forest designated lots, only one residence may be permitted and it should be located in an area with the least impact on the existing forest.

D.5.4 Minimum lot area for subdivision in the Heritage Forest designation shall be at least 20.24 hectares (50 acres).

D.5.5 Heritage Forest Subdivision Capacity:

- a) The maximum number of lots that can be created shall equal the acreage of the lot designated Heritage Forest divided by fifty (50) except where:
- b) a restrictive covenant limits further subdivision then it shall be the amount specified in the covenant; or
- c) the lot has split designations then section D.7 applies.

BL 124 **D.5.6** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

D.6 WILDERNESS RESERVE

Wilderness Reserve includes lands reserved under the *Ecological Reserves Act* and other privately and publicly held lands which are set aside to remain largely untouched.

The objective of this designation, is to preserve representative examples of the Gulf Island biotic zones.

- D.6.1** The principal use of Wilderness Reserve designated lands is the observation, monitoring and studying of natural processes.
- D.6.2** Limited public use for open space, primitive hiking trails, and viewpoints will be permitted unless prohibited under the *Ecological Reserve Act*.
- D.6.3** Only one residence per parcel is to be permitted and lot coverage should not exceed 1%.
- D.6.4** There is to be no subdivision of land in the Wilderness Reserve.
- D.6.5** One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

BL 124

Wilderness Reserve Advocacy Policies

- D.6.6** The Provincial and Federal governments are requested to prohibit campfires, hunting, and removal of indigenous flora and fauna in the Wilderness Reserve except by permit under the *Ecological Reserves Act*. ‘
- D.6.7** The Provincial and Federal Parks Departments are requested to consult with the community in an open public process on the development of all Park Master Plans.
- D.6.8** The Open Space Map Schedule “C” identifies some privately held lands that would be desirable as conservation areas for inclusion in the Wilderness Reserve designation.

D.7 PROPERTIES WITH MORE THAN ONE LAND USE DESIGNATION

The objectives of this section is to promote locating development in the most appropriate part of a lot that contains more than one designation, and to address particular issues relating to Watershed and Farmland.

RESIDENTIAL USE OF SPLIT DESIGNATED LOTS

D.7.1 Farmland together with Rural Designations

This policy is included to allow farmers to derive rental income from non-agricultural portions of their land.

Where a lot contains both the Farmland and Rural designations, regulatory bylaws may treat the area of both designations as Rural area for the purpose of determining maximum residential density on the lot provided that:

- all residential use is excluded from arable portions of the lot;
- a maximum of 5 primary residences and 5 cottages is not exceeded; and
- where a restrictive covenant limits subdivision or residential density to a lesser amount, the amount specified in the covenant is not to be exceeded.

Implementation may require the placing of a covenant prohibiting residential use of the arable portions of the lot.

D.7.2 Watershed together with Rural or Forest Designations

This policy is included to protect watersheds. It allows owners a development benefit for keeping watershed areas undeveloped.

Where a lot contains both Watershed and either Rural or Forest designated land; regulatory bylaws may permit a residential density allotment of one primary residence per 10.12 hectares (25 acres) of Watershed; provided that:

- the residential density doesn't exceed the subdivision capacity; and
- all residential use is restricted to the Rural or Forest designated portions of the lot.

Implementation will be facilitated by the placing of a covenant prohibiting development of the Watershed designated portion of the lot.

D.7.3 Heritage Forest together with Rural or Forest

Where a lot contains both the Heritage Forest designation and the Rural or Forest designations, transfer of the residential building density to the Rural or Forest designation should be encouraged and may be required. Implementation of this policy may require the placing of a covenant prohibiting residential use on the Heritage Forest designated portion of the lot.

D.7.4 Wilderness Reserve together with Rural or Forest

Where a lot contains areas within the Wilderness Reserve designation and the Rural or Forest designations, transfer of the residential building density to the Rural or Forest designation should be encouraged and may be required. Implementation of this policy may require the placing of a covenant prohibiting residential use on the Wilderness Reserve designated portion of the lot.

SUBDIVISION CAPACITY OF SPLIT DESIGNATED LOTS

D.7.5 Rural together with Farmland, Forest or Watershed

Where a lot contains areas of Rural together with any Heritage Forest, Farmland, Forest or Watershed designated land, the subdivision capacity from these designations, if any, may be transferred to the Rural 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.

D.7.6 Forest together with Farmland or Watershed

Where a lot contains areas of Forest together with any Heritage Forest, Farmland, or Watershed designated land, 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.

D.8 HARBOURS

Harbours are marine areas that may provide shelter to mariners due to the natural surrounding topography, bottom conditions, and prevailing weather patterns. The Harbour designation includes the adjacent coastal area.

The objective of this designation is to indicate where maritime related development should be located.

- D.8.1** Commercial and private facilities for boats and related marine uses should be located within this designation. Various levels of use may be permitted according to location and environmental impact.
- D.8.2** Marine industrial and commercial uses, including aquaculture, may be permitted subject to site specific zoning. Zones are to be created, or temporary use permits areas established, for various uses including: log dumps, sorts and booming grounds, dock yards, terminals, maritime construction, and salvage and repair. Applicants may be required to provide an impact study covering the effects of discharges to the air and water, the effect on local noise, proposed environmental controls and failure contingency mechanisms, waste disposal systems, fire protection and emergency services.
- D.8.3** Commercial marina facilities should be near or combined with lodging and resort facilities in Tumbo Channel, Lyall Harbour, Narvaez Bay, Breezy Bay, and Irish Bay. Limited marina facilities for moorage, storage and boat repair may be permitted in Boot Cove and Winter Cove, provided the scale of use and density are limited to local marine traffic.
- D.8.4** When zoning for marina use, the Saturna Island Local Trust Committee may require marinas that generate marine transient accommodation to provide sewage pump-out and treatment facilities.
- D.8.5** All commercial marinas are to accommodate public access to the foreshore and toilet facilities for customers only.
- D.8.6** Permanent private moorage facilities, including docks, ramps, floats, and breakwaters, should be as small as practicable given the particular conditions, including shoreline topography, depth of navigable water, exposure to weather and other navigational considerations. These facilities shall be designed to facilitate public access along the foreshore.
- D.8.7** All goods, materials, wastes, and equipment associated with or produced by a commercial or industrial operation must be handled and stored in a manner that does not cause significant damage to the environment.
- D.8.8** The Saturna Island Local Trust Committee shall regulate land and water use so that commercial uses will not displace or degrade swimming beaches or water quality. In addition, the Saturna Island Local Trust Committee shall not permit the use of the sea, coastal area, or bluffs beneath soar zones, which disrupts the habitat of migratory and indigenous seabirds or marine mammal colonies.
- D.8.9** To preserve natural environmental processes and scenic qualities of the area:
- a) no fill or riprap should be permitted within coastal areas; and
 - b) no building or structure, except those for providing access to the foreshore, is to be constructed within 7.62 metres (25 feet) of the high water mark, measured on a horizontal plane.
- D.8.10** Where the application of D.8.9 would adversely affect a marine related development or land use which is deemed to be in the public interest, and subject to approval by Provincial authorities having jurisdiction, a building or the placement of fill may be permitted after community consultation and consideration of:
- a) the current state of environmental and physical features of the site;
 - b) the impact of the proposal on hazards, physical features and the natural environment;
 - c) the need and value to the community of the proposal; and
 - d) where physical or environmental hazards have been identified, the potential impact of these hazards on both existing and proposed development and how these hazards may be overcome

a manner consistent with accepted engineering techniques and environmental management practices.

Harbour Advocacy Policies

- D.8.11** The BC Assets and Lands Corporation, when granting leases or licenses of occupation, is requested to ensure public rights-of-way along the foreshore are preserved by design or by providing non-exclusive use of any works on the foreshore portion of any lease or license.
- D.8.12** Any permitted use in the coastal area should be carried out in an environmentally sustainable manner.
- D.8.13** Co-operative development of private docks should be encouraged wherever practical.
- D.8.14** The Ministry of Transportation and Highways, BC Parks and Parks Canada are requested to maintain access for small boat launching at Lyall Harbour, Winter Cove, and East Point.
- D.8.15** Moorage of nuclear-powered vessels is not supported.

D.9 OPEN WATERS

The Open Waters designation includes all the surface of the sea and coastline of the abutting lands located in the Area, except for those areas designated as Harbours.

The objectives of this designation are to minimize disruption and maintain the visual quality.

- D.9.1** The principal uses of Open Waters designated areas are navigation, navigational aids, private temporary (seasonal) moorage, fishing and aquaculture.
- D.9.2** Use of the Open Waters designation under the jurisdiction of the Saturna Island Local Trust Committee shall be regulated by zoning bylaws. The bylaws will provide separate zones for different types and classes of use and may control the size and scale of each to provide adequate separation between potentially conflicting uses.
- D.9.3** All permitted uses in the Open Waters designation and coastal areas must be carried out in an environmentally sustainable manner that respects the environmental policies of the Plan.
- D.9.4** To preserve the natural landscape and scenic qualities of coastal areas adjacent to the Open Waters designation:
 - a) no fill or riprap should be permitted within the coastal area;
 - b) no building or structure, except those for providing access to the foreshore, should be constructed within 15.24 metres (50 feet) of the high water mark, measured on a horizontal plane with the exception of lots in Sections 13, 14, and the east half of the northwest quarter of Section 17, which shall continue with a 7.62 metres (25 feet) setback.
- D.9.5** Permanent docks, breakwaters and long term moorage are not to be permitted in the Open Waters designation.

Open Waters Advocacy Policies

- D.9.6** The BC Assets and Land Corporation when granting leases or licenses of occupation, is requested through the referral process to ensure public rights-of-way along the foreshore are preserved by design or by providing non-exclusive use of the foreshore portion of any lease or license.
- D.9.7** The Saturna Island Local Trust Committee requests:
- adjacent regional governments to halt the discharge of sewage, wastes and other contaminants which effect the Area's waters and beaches;
 - Federal and Provincial agencies to restrict all unsustainable rates of harvesting of any native fish, shellfish, or other marine life;
 - Federal Department of Fisheries and Oceans to establish 'slow speed' marine zones where erosion may result, enforce safety requirements for tankers and other high seas marine traffic; require escort vessels for tanker traffic passing through the Area and prohibit the pumping of bilges and holding tanks by international vessels while in the Area;
 - Federal and Provincial agencies to prohibit ocean dumping, enforce whale watching regulations and guidelines; and ensure contingency plans and resources are in place to mitigate any negative impacts to the air, marine, or foreshore environments from off-loading or transferring of cargo from vessels in the Area; and
 - Provincial ministries, having jurisdiction, to enforce their regulations relating to the private use of public foreshore, particularly the enforcement of relevant environmental legislation.
- D.9.8** Passage of nuclear-powered vessels is not supported.
- D.9.9** The Federal Department of Fisheries and Oceans and the Provincial Ministry of Environment, Lands and Parks are requested to monitor the flow of effluent from offshore and require expeditious removal of pollution and remediation of any adverse impacts in the Area.

PART E - OVERLAY DESIGNATIONS FOR SPECIAL CIRCUMSTANCES

Overlay designations cover portions of the base designations and have supplemental policies to those of the underlying base designation.

The objective of the Overlay designations is to deal with the special issues and values of Open Space and Heritage.

E.1 OPEN SPACE

The Open Space overlay designation includes all public conservation and recreation uses such as: conservation areas, ecological reserves, parks, wilderness recreation areas, trails, viewpoints, and foreshore access points.

The objective of this section is to identify the location of lands recommended as suitable for future acquisition as public open space.

- E.1.1** Land identified on the Open Space Map, Schedule “C”, designates high priority areas suitable for acquisition and preservation.
- E.1.2** The Saturna Island Local Trust Committee will work with the Parks and Recreation Commission in accordance with the Letter of Administrative Understanding between the two groups.
- E.1.3** Park and environmental conservation uses are to be a permitted. Land acquired for public park use may be zoned to specify the type of park or conservation use.
- E.1.4** Park uses that may be specified in zoning will include:
 - a) Community Parks - These parks primarily serve the outdoor recreation needs of residents of the Area and are usually administered by the Saturna Island Parks and Recreation Commission;
 - b) Trails, Viewpoints, and Foreshore Access - These areas, easements and rights-of-way are to serve outdoor recreation needs and to provide a secondary means of movement throughout the Area for residents and visitors; and
 - c) Regional, Provincial, and National Scale Parks - These lands comprise areas which, due to water access, shore topography, proximity to good anchorage or relative isolation from more developed portions of the Area, have recreational potential for visitors to the Gulf Islands, generally, and to the Area in particular.

E.1.5 Parks Plan

The Saturna Island Local Trust Committee shall require parkland dedication upon subdivision, in accordance with the following Parks Plan:

- a) land that is shown as open space on the map, Schedule “C”;
- b) land that contributes to a community trail system, consisting of both local neighbourhood trails and interconnected trails that link major island destinations, recreation areas, interest points and public lands and residential areas located primarily in the following locations:
 - c) Monarch Head to Breezy Bay along the coastline, and the foot and head of Prairie Hill/Brown Ridge;
 - d) Narvaez Bay to Lyall Harbour and to Bruce Bight;
 - e) Breezy Bay to Boot Cove and Lyall Harbour;
 - f) Winter Cove, Mount David, Mount Elford to Narvaez Bay;

- g) East Point to the boundary of Indian Reserve No. 7;
- h) The restoration of the historic East Point Lighthouse trail through Sections 10, 11, 16 and 17;
- i) The restoration of Quarry Trail from Taylor Point to Saturna Beach; and
- j) On Samuel Island, Ralph Grey Point to Irish Bay and to Grainger Point.
- k) land that allows development of “greenways” or habitat corridors linking natural areas;
- l) land that helps carry out the *Saturna Parks Master Plan* of the Parks and Recreation Commission; and
- m) land that the Saturna Island Local Trust Committee considers would either provide for the recreational needs of the community, provide public access to the sea, or protect a significant area or feature of natural or scientific interest.

E.1.6 The Saturna Island Local Trust Committee should implement policies and strategies to link the community’s parklands, conservation lands and other open space. The development of community greenways that serve both a recreational and conservation function should be encouraged.

E.1.7 When a bylaw amendment or subdivision application is made, the Open Space designation indicated by the Plan may exceed the statutory dedications required of the proposed development. The Saturna Island Local Trust Committee, prior to approval of the development, should request appropriate government agencies and environmental conservation organizations to acquire such additional lands, easements, and rights-of-way as are necessary to accomplish the indicated open space objective.

E.1.8 When appropriate the Saturna Island Local Trust Committee should request Regional, Federal, and Provincial governments to acquire lands designated on the Open Space Map Schedule “C”, as open space use, particularly when the land is offered for sale.

E.1.9 Conservation uses that may be specified in zoning will include:

- a) Ecological Reserves established by the *BC Ecological Reserves Act*;
- b) Wilderness Conservation Areas for the preservation of natural wildlife habitats and environment where use may be restricted to further environment objectives; and
- c) Wilderness Recreation Areas for the preservation of the natural environment and indigenous ecosystems with limited public facilities such as pit privies and signs.

BL 129

E.1.10 Lands located within the Gulf Islands National Park Reserve should have a separate designation on Schedule B of this plan and should be zoned appropriately, recognizing the Local Trust Committee has no jurisdiction over federal land.

Open Space Advocacy Policies

E.1.11 The Capital Regional District should be encouraged to acquire additional land in the Area for park and recreation use through its park function.

E.1.12 Where a land subdivision has been proposed for a property next to a body of water, the Subdivision Approving Officer is requested not to waive the requirement for water access without the agreement of the Saturna Island Local Trust Committee.

E.1.13 The Subdivision Approving Officer should be requested to require the dedication and construction of public pathways for non-vehicular traffic to link island destinations.

- E.1.14** The Ministry of Transportation and Highways is encouraged to approve applications by the Parks and Recreation Commission for the development of recreational water accesses and urged to install signs identifying public recreation areas.
- E.1.15** The Ministry of Transportation and Highways is requested to co-operate in the development of new public recreational lands by:
- a) approving applications by the Parks and Recreation Commission for trails on road rights-of-way;
 - b) approving community applications to fund and construct cycle paths; and
 - c) requiring new or upgraded roads to include cycle paths as outlined in the protocol agreement between the Ministry and the Islands Trust.
- E.1.16** The Provincial and Federal Parks Departments are requested to ensure Park use is limited in order to protect the natural areas of the Parks.
- E.1.17** The Provincial and Federal Parks Departments are requested to not include accommodation for visitors other than walk-in campsites within Park boundaries.
- E.1.18** The Provincial and Federal Parks Departments are requested to provide adequate toilet, drinking water, trail and parking facilities for visitors at trailheads.
- E.1.19** The Federal Parks Department is requested to provide grants in lieu of property and local area taxes and to ensure expanded coverage for park visitors for fire, medical and other emergency services.
- E.1.20** The Local Trust Committee will work with Parks Canada to address community impacts arising from the establishment of the Gulf Islands National Park Reserve.

BL 129

E.2 HERITAGE

The Heritage designation identifies known heritage sites and areas of historical or cultural significance.

The objective of these policies is to preserve places of historical or cultural significance from wanton destruction through whim or ignorance. These places are to be identified and means for their preservation should be sought.

- E.2.1** The Saturna Island Local Trust Committee may create a Heritage Commission to study and recommend sites, areas, landmarks, buildings, roads, trails, and other features of historical or cultural significance for inclusion together with sites that are on a registry in a Heritage designation under the *Local Government Act* and archeological sites protected under section 13 of the *Heritage Conservation Act*.
- E.2.2** The Saturna Local Trust Committee, in consultation with the Heritage Commission, may:
- a) develop a Community Heritage Registry to identify island heritage buildings or other heritage and archaeological sites and features;
 - b) develop heritage conservation areas for inclusion in the Plan;
 - c) require heritage alteration permits for heritage features identified in the Community Heritage Registry and heritage conservation areas;
 - d) require heritage impact assessments for designated heritage features and archaeological sites protected under section 13 of the *Heritage Conservation Act*;
 - e) encourage heritage conservation covenants to protect heritage features; and

f) encourage dedication or donation of heritage features for long-term protection.

E.2.3 The Saturna Island Local Trust Committee shall encourage and support creation of a community heritage museum on Saturna Island to maintain and display heritage artifacts originally located within the Area.

E.2.4 The Saturna Island Local Trust Committee may apply the provisions of the Community Amenity Density Reserve when considering:

- a) rezoning applications from property owners who wish to transfer their development potential from land that contains heritage buildings or other heritage features;
- b) securing the protection and restoration of heritage buildings;
- c) creating a community heritage museum; and
- d) protecting or dedicating heritage sites, areas or features.

E.2.5 The Saturna Island Local Trust Committee will consider applications to change or vary requirements that would achieve the maintenance or restoration of a heritage structure.

E.2.6 The Saturna Island Local Trust Committee shall continue to work with the Ministry of Transportation and Highways to identify and develop guidelines for protecting the scenic and heritage value of island roads. Those sections identified as having particularly high scenic and heritage values are shown on Schedule "C".

Heritage Advocacy Policies

E.2.7 The Capital Regional District and other taxing authorities are requested to consider property tax exemptions or other actions requested to protect heritage property.

E.3 SHALE, SANDSTONE, SAND AND GRAVEL RESOURCES

No large deposits of sand or gravel have been located within the Area. Small deposits are dispersed unevenly throughout the Area.

E.3.1 Large scale, prolonged extraction of shale, sandstone, sand or gravel for commercial purposes should require industrial zoning or a temporary use permit that can require site rehabilitation.

E.4 SPECIAL HAZARDS TO THE ENVIRONMENT

Hazards Advocacy Policy

E.4.1 The Saturna Island Local Trust Committee in its capacity to co-operate with and influence other levels of government should encourage other government authorities to:

- a) enforce the prohibition of the release of ozone depleting chemicals into the atmosphere and to monitor potential sources of release such as: home and automobile air conditioners, heat pumps, refrigerators and freezers until such chemicals are removed prior to disposal;
- b) prohibit the introduction, processing, disposal, or re-conversion of any potentially hazardous chemical, biological, radioactive, or other physical wastes, products, or materials potentially harmful to the natural environment or occupants of the Area;
- c) ensure the Area's community health and safety is not at risk from discharges into the air, land, or water; and
- d) reduce carbon dioxide and methane gas emissions.

E.5 CLIMATE CHANGE MITIGATION AND ADAPTATION

BL 101

Background

Climate change results from the increasing concentration of heat-trapping greenhouse gases in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. The rise in atmospheric greenhouse gas concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise over the next century. Although seemingly slight, these temperature changes could have potentially dramatic and negative impacts on ecological systems around the globe.

The *Local Government Act* now requires that all local governments include in their Official Community Plans targets to reduce greenhouse gas (GHG) emissions and policies and actions to achieve these targets.

The following targets, objectives, policies and actions are the first step to ensuring that the reduction of GHG emissions specifically and the impact of climate change in general become part of the planning process for Saturna Island. This section of the Plan contains objectives and policies relating to the reduction of GHG emissions and the broader topic of climate change adaptation and mitigation.

E.5.1 Target

Recognizing that the measurement base and methodology is not yet established formally, to accept as an interim target, the reduction of greenhouse gas emissions by 33% by 2020 from 2007 levels. Within the local trust area this reduction will be achieved by actions resulting from individual and community services initiatives, the actions of other agencies and levels of government, technological changes, and changes to land use policies and regulations.

E.5.2 The Local Trust Committee should consider climate change as a factor in land use decision-making.

E.5.3 The Local Trust Committee should support land uses that result in a more compact, complete and connected community.

E.5.4 The Local Trust Committee should support efforts and policies to help the community adapt to climate change impacts.

E.5.5 The Local Trust Committee should work with others to support actions to limit emissions.

E.5.6 The Local Trust Committee should recognize the role that natural areas, particularly forests, wetlands, and other sensitive ecosystems, watersheds, forests, parks and open spaces play in storing carbon.

E.5.7 The Local Trust Committee should work with the Trust Fund Board (and others) to set targets for ecosystem protection and restoration.

E.5.8 The Local Trust Committee should consider potential climate change impacts and GHG emissions in reviewing any application for additional density or any increase in intensity of use.

E.5.9 The Local Trust Committee may consider amending policies, zoning and development permit area

provisions to allow for mixed uses, including second-storey residential dwelling units, in commercial designations in order to provide for a mix of housing types and to encourage residences closer to services and amenities in appropriate locations and with appropriate regulation.

- E.5.10** The Local Trust Committee should consider amending zoning regulations to permit or facilitate small-scale renewable energy production, such as solar collectors, wind turbines and geothermal heating.
- E.5.11** The Local Trust Committee should consider amending the parking requirements for commercial uses, to require alternatives to parking spaces, including but not limited to: bicycle racks, electric vehicle plug-ins, or cash-in-lieu for use for trails and paths.
- E.5.12** The LTC should review and potentially amend the provisions for existing development permit areas to ensure that objectives and guidelines support energy conservation and alternative transportation options.
- E.5.13** The LTC may consider creation and implementation of development permit areas to effectively manage lot layout in new subdivisions, manage tree removal and require restoration, and to implement energy conservation in significant new commercial development.
- E.5.14** The Local Trust Committee may consider amending zoning to permit secondary dwelling units in appropriate locations.
- E.5.15** The Local Trust Committee may consider amending zoning to permit attached dwellings where current zoning permits more than one dwelling on a parcel.
- E.5.16** The Local Trust Committee may consider amending zoning to limit floor area or lot coverage of single family dwellings.
- E.5.17** The Local Trust Committee should consider developing or adopting a sustainability checklist for use by applicants for new construction.
- E.5.18** The Local Trust Committee should support development of a Community Energy Strategy and regional community energy plans.
- E.5.19** Regional, provincial and federal agencies are encouraged to undertake and support initiatives to reduce greenhouse gas emissions.
- E.5.20** Developers of public and community buildings are encouraged to incorporate energy conservation design features in all projects.
- E.5.21** The Local Trust Committee should support efforts to create shared energy production in neighbourhoods.
- E.5.22** The Local Trust Committee should support incentives to incorporate alternative energy features and energy efficient building design in all buildings.

PART F - PROVISION OF SERVICES

F.1 PUBLIC TRANSPORTATION

Public Transportation Advocacy Policies

F.1.1 Transportation services should meet but not create demand for services.

BL 101 **F.1.2** Transportation developments that encourage alternative forms of transportation and reduce dependence on private motor vehicles for travel to and from the Area are encouraged.

F.2 ROADS, TRAILS AND BICYCLE PATHS

BL 101 The objective of this section is to ensure roads are designed to minimize environmental and social impact, minimize the contribution of greenhouse gas emissions, provide safe transportation, and maintain rural character.

F.2.1 To conserve the rural character of the Island and minimize the impact of roads, the functional characteristics of main roads, local roads, lanes, and trails should be as follows:

<u>Designation</u>	<u>Function</u>
Main Roads	To provide access to the principal population centres of the island.
Local Roads	To carry traffic from main roads to individual land lots within local areas. The primary function of these roads is to provide access to abutting properties. Alteration to vegetation should be minimized. Grade standards for short distances should be less stringent.
Lanes	To provide minor rights-of-way for vehicular service access to buildings, foreshore and viewpoints.
Pathways	To provide pedestrian and non-motorized movement between individual land lots within a neighbourhood and to connect neighbourhoods to viewpoints, coastal areas, parks, open space areas and centres of island activity. Pathways should also be required between cul-de-sacs and to connect isolated developments to other trails and roadways. The average dedicated width for a pathway should be 3 metres (9.84 feet).

Roads and Trails Advocacy Policies

F.2.2 The Ministry of Transportation and Highways is requested to reduce existing road standards and design to the lowest safe design speed consistent with the existing rural character of the Area, which in most cases is 30 kilometres per hour. The Saturna Island Local Trust Committee will not support road development with impacts that significantly exceed those of existing roads in the Area.

F.2.3 The disturbance of natural ground cover, trees, and topography should be minimized and road maintenance, ditching and clearing should not negatively influence the ambience of the Area. Clearing of verges should be minimal, be co-ordinated with maintenance of other services, and include the removal of invasive plants such as broom, thistles and gorse.

- BL 101 **F.2.4** In the locations described in section E.1 and in locations shown on Schedule “C” the Saturna Island Local Trust Committee shall request the Subdivision Approving Officer to require dedication and construction of highways for non-vehicular traffic pursuant to section 75(1)(a) of the *Land Title Act*. These highways include public paths, walkways and trails, as defined in section 1 of the *Land Title Act*, to assist in meeting local and provincial targets for greenhouse gas emission reduction and are to accommodate non-vehicular traffic in addition to any dedication required under section 941 of the *Local Government Act*.
- F.2.5** The Saturna Island Local Trust Committee shall give high priority to the provision of trails for pedestrian walkways, horse riding trails, and bicycle paths. Subdivision applicants are encouraged to design proposals that reduce road construction and encourage non-automotive travel.
- F.2.6** The Saturna Island Local Trust Committee should not support road development or improvements that would increase traffic speeds to the detriment of non-automotive transportation, or environmental, aesthetic, heritage or scenic values.
- F.2.7** The Saturna Island Local Trust Committee should not support construction of bridges or tunnels to connect islands within the Area.
- BL 101 **F.2.8** The Ministry of Transportation and Infrastructure, and others, are encouraged to support alternative transportation initiatives, including, but not limited to, car stops, neighbourhood zero emission vehicles, car shares, a bicycle path network and walking trails linking population to services.

F.3 WATER TRANSPORTATION

The objective of this section is to meet but not create demand for water transportation services.

Water Transportation Advocacy Policies

- F.3.1** BC Ferries is requested to retain the ferry system as a public service and as an extension of the highway system.
- BL 101 **F.3.2** The Saturna Island Local Trust Committee will support a ferry system that is consistent with Area needs and provides priority services for full and part time residents of the Area and B.C. Ferry Services Inc. is encouraged to consider basing a ferry at Saturna.
- BL 101 **F.3.3** Alternative service, in the form of freight and passenger-only ferries, is encouraged to assist in meeting local and provincial targets for greenhouse gas emission reduction.
- BL 101 **F.3.4** Large parking facilities at the ferry terminal on Saturna should not be provided, and B.C. Ferry Services Inc., the Ministry of Transportation and Infrastructure, and B.C Transit are encouraged to create and maintain facilities and services supporting ferry travel by means other than private automobiles.
- F.3.5** The public wharf is an integral part of the community and a major infrastructure resource, which must be maintained by a public agency.

F.4 AIR TRANSPORTATION

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

Air Transportation Advocacy Policies

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

F.5 WATER SUPPLY

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

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

Water Supply Advocacy Policies

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

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

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

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

F.6 UTILITIES

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

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

Utilities Advocacy Policies

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

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

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

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

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

F.7 WASTE DISPOSAL

The objective of this section is to protect the environment.

F.7.1 The Saturna Island Local Trust Committee should not zone to allow the on-island disposal of hazardous waste or industrial wastes produced outside the area.

F.7.2 The Saturna Island Local Trust Committee shall not permit sewage to be discharged into the Ocean, a lake or a stream.

F.7.3 Every new lot created by subdivision should be capable of disposing of the sewage generated on the lot within the boundaries of the lot by a sewage disposal system acceptable to the authority having jurisdiction.

BL 101 **F.7.4** The Local Trust Committee should support efforts to reduce waste, including expansion of recycling, composting and chipping services, in order to move towards a goal of zero waste.

Waste Disposal Advocacy Policies

F.7.5 Individual and collective recycling efforts are strongly supported.

F.7.6 The Ministry of Health is requested to authorize the use of innovative techniques for the disposal of solid and liquid wastes that reduces the use of water.

F.7.7 The Board of the Capital Health Region is encouraged to consider approving alternative methods of liquid waste disposal, such as composting toilets, constructed wetlands and reuse of grey water.

F.7.8 The Board of the Capital Health Region is requested to develop a program to detect and correct failing septic systems, particularly within the Watershed designation and development permit areas.

F.7.9 The Ministry of Environment, Lands and Parks and the Capital Regional District are requested to prohibit any sewage systems that have marine outfalls.

F.8 COMMUNITY FACILITIES AND EMERGENCY SERVICES

The objective of this section is to build a sense of community and shared responsibility through the creation, use and continuing support and maintenance of community facilities and emergency services.

F.8.1 The Saturna Island Local Trust Committee will support the collection and local storage of fire fighting water supplies in all developments, in co-operation with the Saturna Island Fire Department.

F.8.2 The Saturna Island Local Trust Committee will be mindful, when considering new developments, of the added costs and stress on volunteers to meet increased demand for emergency services.

Fire Protection Advocacy Policies

- F.8.3** The Federal, Provincial and regional governments should provide adequate fire protection for parks within their jurisdiction.

F.9 EDUCATIONAL SERVICES

The Saturna School provides public primary education for Saturna's children. No additional schools are currently proposed for the Area. Other public elementary schools exist on Galiano, Mayne and Pender islands, and the high school is located on Salt Spring Island. The Objective of this section is to promote the retention of primary education on Saturna Island.

- F.9.1** Saturna Island Local Trust Committee shall continue to support delivery of primary education at Saturna School as an essential service to this rural community.

PART G – DEVELOPMENT PERMIT AREAS

BL109

G.1 DEVELOPMENT PERMIT AREA ONE - LYALL CREEK

G.1.1 Designation

This development permit area includes all land designated on Schedule E of this plan as being within DPA 1, consisting of:

- a) Riparian assessment areas related to the watercourses, wetlands and water bodies that are a stream as that term is defined in the Riparian Areas Regulation, which includes any of the following that provides fish habitat:
 - a watercourse, whether it usually contains water or not;
 - a pond, lake, river, creek or brook;
 - a ditch, spring or wetland that is connected by surface flow to a stream;

and consisting of the surface of the water body, and:

- for a watercourse, a 30 metre strip on both sides of the stream measured from the high water mark;
 - for a lake, wetland or other water body, a 30 metre area around the water body measured from the high water mark of the water body.
- b) The surface area of the other water bodies and an area consisting of a 7.6 metre strip on both sides of the water body measured from the natural boundary;

and Schedule D shall be so interpreted. The actual location of the streams, water bodies and the DPA boundary may need to be determined on a site-specific basis by a qualified environmental professional or a surveyor.

G.1.2 Authority

This development permit area is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

Terms used in this section that are defined in the Riparian Areas Regulation (RAR) are intended to be interpreted in accordance with the definition given in the Regulation, as it may be amended from time to time.

G.1.3 Special Conditions and Objectives that Justify the Designation

Lyall Creek, its tributaries and wetlands provide natural fish and wildlife habitat, particularly for sea-run cut-throat trout and salmon. Development in this development permit area shall ensure there is no degradation of water quality and quantity that would be detrimental to fish and wildlife populations.

This Development Permit Area contains riparian habitat important to many different species and is particularly susceptible to disturbance. It also contains plants and wildlife that have been placed on the red or blue list of rare and endangered species by the Ministry of Environment and the Ministry of Forests, Lands and Natural Resource Operations. Development could lead to the disturbance or loss of a large number of different native plant and animal species.

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Furthermore, the province of British Columbia’s *Fish Protection Act*, requires that local governments establish regulations to protect riparian areas. The reason for this designation is to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

G.1.4 Development Approval Information

Development Permit Area 1 – Lyall Creek is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified environmental professional (QEP) may be required due to the special conditions and objectives described above.

G.1.5 Application Requirements

The applicant must, in addition to any other application requirements enacted or imposed by the Local Trust Committee, provide at their expense an assessment report from a Qualified Environmental Professional (QEP), and which where required by the Riparian Areas Regulations, has been submitted to the RAR notification system.

G.1.6 Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

- a) Subdivision of land;
- b) Construction of, addition to or alteration of a building or other structure;
- c) Alteration of land; and
- d) Development as that term is defined in the Riparian Areas Regulation.

G.1.7 Exemptions

The following activities are exempt from any requirement for a development permit:

- a) the reconstruction, repair or maintenance of a pre-existing permanent structure on its existing foundation

- b) interior or structural exterior alterations, renovations or repair to a pre-existing permanent building or structure on an existing foundation to an extent that does not alter, extend or increase the building's footprint
- c) forest management activities, as defined in the *Private Managed Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*
- d) forest management activities on land that is the subject of a woodlot license or tree farm license under the *Forest and Range Practices Act*
- e) farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*
- f) mining activities regulated by the *Mines Act*
- g) all park uses not consisting of commercial, residential, or industrial activities
- h) the removal of trees that have been examined by an arborist or qualified professional and certified to pose an immediate threat to life or property
- i) gardening and yard maintenance activities within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land
- j) the placement of impermanent or moveable structures, such as benches, tables and garden ornaments
- k) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i) emergency actions for flood protection and erosion protection;
 - ii) clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow;
 - iii) repairs to bridges and safety fences carried out in accordance with the *Water Act*.
- l) the construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence, or 1.5 metres on either side of the fence in agricultural areas
- m) ecological restoration and enhancement projects undertaken or authorized by a public body
- n) work that is authorized by Fisheries and Oceans Canada by permit under section 35 of the *Fisheries Act*
- o) changes in or about a stream authorized under Section 9 of the *Water Act*
- p) works undertaken by a local government or a body established by a local government
- q) for certainty, any work that is not "development" as that term is defined in the *Riparian Area Regulation*
- r) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use
- s) for certainty, actions undertaken by the Crown or an agent of the Crown
- t) for certainty, cemeteries.

G.1.8 Guidelines

Prior to undertaking any development activities within Development Permit Area 1 an owner of property shall apply to the LTC for a development permit, and the following guidelines apply:

- a) In general, all development in this DPA should be undertaken in a manner that minimizes impact on riparian areas, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on riparian areas and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and ecosystems consistent with the measures and recommendations described in the report.
- b) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) or other buffer area recommended by a QEP, and the owner should be required to implement a plan for protecting the SPEA or buffer area over the long term through measures that may be implemented as conditions of the development permit.
- c) Where the QEP's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
- d) The following guidelines are applicable to floats and associated structures within the development permit area:
 - i) floats should not be placed in areas identified as important to fish life processes where installation of a float would compromise the functioning of the processes;
 - ii) a ramp or float should not rest on the bed of the water body;
 - iii) the use of treated wood in the water body should be avoided;
 - iv) floatation material should be contained within a durable shell to prevent disintegration;
 - v) pervious surfacing should be used on ramps and floats (e.g. grating or separated boards);
 - vi) any areas disturbed during installation should be restored;
 - vii) where a float is being replaced, all old materials should be removed from the riparian area.
- e) The following guidelines are applicable to other structures permitted by zoning on the foreshore within the development permit area:
 - i) In general, development of the foreshore should be limited, should minimize negative impacts on the ecological health of the immediate area, and should not impede public access.
 - ii) Shoreline protection measures should be limited to those necessary to prevent damage to existing structures or established uses on the adjacent upland. Softer shore protection measures should be considered first, and only if all options to locate and design without the need for shore protection works have been demonstrated to have been exhausted should such works be considered.

- iii) Sea level rise, storm surges, and other anticipated effects of climate change should be addressed in all applications.
- iv) New upland structures or additions to existing structures within the DPA should be located and designed to avoid the need for shore protection works.
- f) If the nature of the proposed project changes after the QEP report has been prepared such that it is reasonable to assume that the QEP's assessment of the impact of the development may be affected, the LTC may require the applicant to have the QEP update the assessment at the applicant's expense and DP conditions may be revised accordingly.
- g) The LTC may consider variances to subdivision or building siting or size regulations where the variance may result in enhanced protection of a sensitive area in compliance with recommendations of a QEP report.

G.2 BLUFFS

G.2.1 To preserve the natural values, landscape and scenic qualities of the bluffs, a Bluffs Development Permit Area is designated as shown on Schedule D along the edge of the drop off.

G.2.2 All development in this development permit area is exempted from the requirement to obtain a development permit, except the following actions that do require a development permit:

- a) removal of trees or other vegetation;
- b) construction of an impervious surface, including paving or buildings;
- c) location of any structures; and
- d) creation of new lots.

Reasons for Bluffs Development Permit Areas

G.2.3 Bluffs have at least a 30% slope and frequently reach vertical and overhanging positions. The sites are dry and exposed with variable aspect and shallow soil veneers. They provide unique sites for rare plants and nesting sites inhospitable to predators.

G.2.4 The bluffs are a distinctive feature of the visual landscape of Saturna Island and provide high scenic qualities to the area.

G.2.5 The Bluffs Development Permit Area contains habitat important to many different species and is particularly susceptible to disturbance. It also contains plants and wildlife that have been placed on the red or blue list of rare and endangered species by the Ministry of Environment, Lands and Parks. Development could lead to the disturbance or loss of a disproportionately large number of different native plant and animal species.

Objectives of the Bluffs Development Permit Area

G.2.6 To protect the highly visible scenic qualities of the fragile natural features of vegetation and habitat of the bluffs.

G.2.7 To maintain a treed buffer along the top and bottom of rock bluffs to reduce disturbance of breeding birds and to provide perch sites for raptors.

- G.2.8** To protect all rock bluff and cliff habitats as nesting areas for birds and red and blue listed species of plants and animals found in these ecosystem units.

Guidelines for the Bluffs Development Permit Area

- G.2.9** The habitat should be left undisturbed.
- G.2.10** Any proposed development must not provide predators access to nesting and roosting areas nor disturb fragile root systems for the stunted tree growth, shrubs, grasses, lichens and mosses.
- G.2.11** If development is permitted, it should be undertaken only under the supervision of a qualified or recognized professional biologist or botanist, with advice from the Ministry of Environment, Lands and Parks, the Department of Fisheries and Oceans, or Environment Canada. The report should indicate the type of conditions that should be incorporated into the development permit to achieve the objectives and comply with the guidelines of this development permit area.

Guidelines for Subdivision in the Bluffs Development Permit Area

- G.2.12** If a proposed land subdivision will create additional new lots, issues such as construction of accesses and changes to vegetative cover shall be addressed in the development permit.

PART H - TEMPORARY USE PERMITS

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

Objectives for Issuing Temporary Use Permits

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

Permit Guidelines

- H.1.2** Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- H.1.3** Permitted uses should be consistent with the policies of the designation and the provisions of H.1.1.
- H.1.4** Permitted uses should not preclude or compromise future permitted uses on the affected lot.
- H.1.5** Uses should not be allowed if they conflict with any ongoing planning policies or programs.
- H.1.6** Permit conditions must make reference to measures dealing with the following points:
- a) general activity levels that will not create any disturbance apparent beyond the property's boundaries;
 - b) adequate landscape buffering or distance separation to adjacent lots;
 - c) provision of off-street parking spaces consistent with regulatory bylaws;
 - d) reclamation measures that will restore the permit area to suitability for its designated primary use; and
 - e) adequate supervision of the site.
- H.1.7** In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.
- H.1.8** Campsites may be permitted provided there is adequate supervision to a maximum density of 2 campsites per acre on properties of at least 2.02 hectares (5 acres).
- H.1.9** All individual campsites will have walk-in access only with no vehicle access directly to the site.
- H.1.10** In reviewing applications and establishing permit conditions, the Local Trust Committee should consider the climate change impacts of the proposed use.

H.1.11 In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a temporary use permit for a commercial vacation rental:

- a) For the purpose of a temporary use permit, “commercial vacation rental” means the use of a residence as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier;
- b) The Local Trust Committee should consider the cumulative effects on the neighbourhood and Island of all the temporary use permits issued for commercial vacation rentals;
- c) The Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence;
- d) The Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening;
- e) The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use. A pump test or other report may be requested in the application process. Where there is inadequate groundwater, a rainwater catchment system may be required as a condition of the permit. If the lot is served by a community water system, the application should be referred to the water system operator for approval.
- f) A temporary use permit for a CVR on a parcel in the Agricultural Land Reserve may require approval of the Agricultural Land Commission.

H.1.12 In addition to the above requirements any TUP issued for CVR use should:

- a) restrict advertising to one unilluminated sign, with a maximum area;
- b) demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles;
- c) require that the owner or other contact be available on Saturday by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit;
- d) require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager’s phone number, and a copy of the temporary use permit;
- e) require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage of garbage, septic care and control of pets (if pets are permitted), and remind guests that the property is located in a residential area;
- f) establish a maximum number of occupants;
- g) prohibit camping or occupancy of RVs on the property;
- h) prohibit outdoor fires;
- i) require the landowner/operator to post for guests emergency service contact information;
- j) require the landowner/operator to post contact information and permit information at the entrance to the property;
- k) require that a water licence for commercial use is to be obtained from prior to commencing the use; and
- l) ensure that there is legal access to the property where the CVR use is to be carried out. In the case of a shared access permission from all the property owners with an interest in the access be required.

PART I - ADMINISTRATION

- I.1** The bylaw may be amended by the Saturna Island Local Trust Committee at its initiative or in response to an application. Applicants are encouraged to gain the support of at least 5% of the Area's electors before submitting an application. All applications must be submitted in accordance with Saturna Island Local Trust Committee bylaws.
- I.2** The Saturna Island Local Trust Committee will hold an annual public meeting to receive recommendations for appointment to the Advisory Planning Commission.
- I.3** Referrals from other levels or agencies of government shall be dealt with promptly by the Saturna Island Local Trust Committee in conformity with the Plan. Approval by default is inconsistent with proper administration of the Plan.
- I.4** All applications and referrals received by the Saturna Island Local Trust Committee affecting development or use of land or water areas should be referred to the Advisory Planning Commission.
- I.5** In order to avoid confusion and ensure consistent application of the Plan's policies, a common set of terms and definitions should be used in all Saturna Island Local Trust Committee bylaws. While additional terms may be needed to accomplish particular objectives in regulatory bylaws, the addition of analogous terms should be avoided.
- I.6** The Saturna Island Local Trust Committee shall interpret the policy provisions of the Plan.
- I.7** If any part of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that a part is invalid shall not affect the validity of the remainder.
- I.8** Islands Trust officers, employees and agents may enter, at all reasonable times and with due notice, on any property that is subject to the provisions of a conservation covenant, development permit, temporary use permit, or other permit issued by the Islands Trust, to ascertain whether the conditions of the permit are met.

PART J - GLOSSARY

"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.

"amenity" means a conservation value that furthers the object of the *Islands Trust Act* and that the community considers is desirable to retain or enhance.

"aquaculture" means marine based culturing of uni and bivalves and specifically excludes fin-fish farming.

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

"base designation" means the Rural, Farmland, Watershed, Forest, Heritage Forest, Wilderness Reserve, Harbour, or Open Waters designations within the Saturna Island Local Trust Area as shown on Schedule "B", without respect to any particular zoning permitted.

"coastal area" means the foreshore lands comprised of the intertidal area between high and low tide; backshore lands comprised of the storm-tide wetted, but normally dry area located between the high tide line and the coastline; and the coastline comprised of the highest landward line of long-term erosion attack of marine waters upon the land caused by storm tides where there is a marked change in vegetation.

"community managed forest" means forest lands managed by a community-based organization on Saturna Island for the benefit of Saturna Island residents and landowners.

"cottage" means a residence ancillary to a primary residence that shall not be greater than 92.9 square metres (1,000 sq. ft.) in total floor area.

"density" when used in relation to:

- a) the subdivision of land means subdivision capacity;
- b) any residential use, means the maximum number of primary residences, cottages and residential units permitted on a lot; and
- c) accommodation for the transient public means the total number of sleeping units permitted.

"greenways" means linear green corridors that connect natural areas, help retain functioning ecological processes and can include both public and privately held land.

"marine area" means all the surface of the sea from shore to the boundary of an adjoining Local Trust Area or international boundary.

"primary residence" means a residence not subordinate to any other use.

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

"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.

"riparian" means related to the bank of a river, lake, stream or water course.

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

"site coverage" means the total floor area of all buildings and structures on a lot expressed as a percentage of the total lot area.

"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 base land use designation.

"sustainable use" means use of renewable resources which is within the capacity of those resources for renewal and which conserves the ecological processes that support that use.

SCHEDULE “E”
Appendix A

Community Amenity Density Reserve

The Community Amenity Density Reserve (CADR) represents and is to account for subdivision and residential building capacity removed from lots through rezoning. When subdivision or residential density is removed, that density is to be placed in a pool of unallocated density, which in the future may be drawn from and granted to a lot in exchange for community amenities. The following requirements shall be met when implementing this provision:

- a) The amount of density to be added to the CADR pool from the voluntary down-zoning of privately held lots shall not exceed 100% of the density removed;
- b) No increased density shall be granted to a lot through amenity zoning except in accordance with these policies regarding the CADR;
- c) No density can be transferred off Park land or Crown Land;
- d) No increase in density shall be granted to a lot unless sufficient density to cover the grant is available in the CADR;
- e) Community amenities should include land dedication for public purposes, environmental protection, heritage site protection, community forests, parks, or heritage areas;
- f) Density increases shall not be permitted in the Wilderness, Heritage Forest, or Watershed land use designations;
- g) Density increases shall not be permitted on parcels that are less than 4.05 hectares (10 acres) or that have a covenant against further subdivision;
- h) Private land that donates density must be down-zoned and covenanted to reduce its maximum subdivision and residential building capacity by the amount of density transferred to the CADR;
- i) All land that receives density from the CADR shall be rezoned to permit the added density as determined by the Trust Committee and that density shall not exceed the density of the parent lot plus the density granted from the CADR; and
- j) Zones that have had density allocated to or from the CADR shall be noted in both the text and maps of regulatory bylaws; and
- k) The Local Trust Committee should ensure that any additional density minimizes greenhouse gas emissions, considers requirements for energy efficient building standards, and should be in locations near existing services and transportation infrastructure.

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INFORMATION NOTE

Tracking Table for Unallocated Density Designated as Community Amenity Density Reserve (CADR)

CADR Transaction	Date Transferred	Amending Bylaws	Total # Densities in CADR	Comments
3 densities added	August 2, 2024	140/141	3	3 densities transferred from 201 Harris Road as part of rezoning application SA-RZ-2023.2

SCHEDULE "E"

Appendix B

When considering all permits, referrals, applications, and bylaw amendments, the Saturna Island Local Trust Committee shall consider the following factors:

- a) preservation of aesthetics; - The aesthetic quality of open, undisturbed natural areas is a scarce and finite resource, which diminishes in proportion to its exposure to development. From an economic perspective, this quality is the most valuable, and most difficult to define, source of wealth within the Strait of Georgia. Aesthetic quality strikes most visitors and brings many back. It also drives development and will continue to do so, if left unchecked, until the resource is exhausted.
 - In considering all matters relating to development, the Saturna Island Local Trust Committee shall consider how best to allocate this scarce resource for the maximum benefit to the Area's community over time and at the least possible cost to this resource.
 - Within regulatory bylaws, the Saturna Island Local Trust Committee shall use setbacks, screening or other means to abate adverse visual impacts from proposed development on the aesthetic resource as a condition for approval of the development.
- b) compatibility of the bulk, scale, type, and intensity of use with adjoining existing and proposed use of land and water;
- c) preservation of the rural nature of the area;
- d) impact on trees, vegetation and the natural landscape;
- e) impact on surface and groundwater systems;
- f) impact on air quality;
- g) suitability of soils and slope for the proposed development;
- h) potential impacts on natural processes governing the supply and distribution of sediments to coastal lands;
- i) adequacy of waste disposal, water supply and road access for the proposed use;
- j) the relationship to, and impact on, existing facilities;
- k) impact on the subdivision and development potential of adjacent lots;
- l) maintenance of reasonable privacy for property owners;
- m) the siting of buildings or structures on a lot so as not to restrict the normal view from other buildings on separate lots;
- n) building design sensitive to the natural environment and does not detract from the natural beauty of the Area;
- o) tree protection in relation to siting buildings and structures;
- p) screening and buffering of noise, light and undesirable visual effects;
- q) outside storage of materials or goods and garbage disposal facilities;
- r) design and type of signs;
- s) landscaping and fencing;
- t) provision of public access to foreshore areas for use and enjoyment of the public;
- u) provision of a system of trails to connect coastal areas, viewpoints, and other points of interest or community activity;
- v) retention of large lots;
- w) the degree of damage to the environment;
- x) impacts of motor vehicles and parking; and
- y) potential climate change impacts and GHG emissions.