



Saturna Island Local Trust Committee Regular Meeting Agenda

Date: July 27, 2023
Time: 11:30 am
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

		Pages
1.	CALL TO ORDER	11:30 AM - 11:45 AM
2.	APPROVAL OF AGENDA	
3.	TRUSTEE REPORT	
4.	CHAIR'S REPORT	
5.	ELECTORAL AREA DIRECTOR'S REPORT	
6.	TOWN HALL AND QUESTIONS	11:45 AM - 12:00 PM
7.	COMMUNITY INFORMATION MEETING	12:00 PM - 12:30 PM
7.1	SA-RZ-2023.1 (Gaines) - Proposed Bylaw No. 138	
8.	PUBLIC HEARING	12:30 PM - 1:30 PM
8.1	SA-RZ-2023.1 (Gaines) - Proposed Bylaw No. 138	
8.1.1	<u>Recess for Public Hearing</u>	
8.1.2	<u>Recall to Order</u>	
9.	MINUTES	1:30 PM - 1:40 PM
9.1	Local Trust Committee Minutes Dated May 25, 2023 (for Adoption)	3 - 10
9.2	Section 26 Resolutions-without-meeting Report Dated July 2023	11 - 11
10.	BUSINESS ARISING FROM THE MINUTES	
10.1	Follow-up Action List Dated July 2023	12 - 13
11.	DELEGATIONS	

12. CORRESPONDENCE

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

13. APPLICATIONS AND REFERRALS

1:40 PM - 2:10 PM

13.1 SA-RZ-2023.1 (Gaines) - Proposed Bylaw No. 138 - Post Public Hearing Staff Report (attached) 14 - 19

13.2 SA-RZ-2023.2 (Thachuk) – Preliminary Staff Report (attached) 20 - 38

14. LOCAL TRUST COMMITTEE PROJECTS

15. REPORTS

2:10 PM - 2:20 PM

15.1 Work Program Reports (attached)

15.1.1 Active Projects Report Dated July 2023 39 - 39

15.1.2 Future Projects Report Dated July 2023 40 - 40

15.2 Applications Report Dated July 2023 (attached) 41 - 43

15.3 Trustee and Local Expense Report Dated May 2023 (attached) 44 - 44

15.4 Adopted Policies and Standing Resolutions (attached) 45 - 49

15.5 Local Trust Committee Webpage

15.6 Islands Trust Conservancy Report - None

16. NEW BUSINESS

17. UPCOMING MEETINGS

17.1 Next Regular Meeting Scheduled for October 19, 2023 at the Saturna Recreation and Cultural Centre, Saturna Island

18. TOWN HALL

2:20 PM - 2:35 PM

19. CLOSED MEETING - None

20. ADJOURNMENT

2:35 PM - 2:35 PM

Saturna Island Local Trust Committee Minutes of Regular Meeting

Date: May 25, 2023
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island BC

Members Present: David Maude, Chair
Mairead Boland, Local Trustee
Lee Middleton, Local Trustee

Staff Present: Brad Smith, Island Planner
Pat Todd, Recorder

Others Present: There were six (6) members of the public present.

1. CALL TO ORDER

Chair Maude called the meeting to order at 11:30 a.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations. and welcomed CRD Director Brent.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- New Business 16.5 Trees
- 16.6 Free Store Building Permit Requirements
- 16.6 Funding of Indigenous Project

By general consent, the agenda was adopted as amended.

3. TRUSTEE REPORT

Trustee Boland spoke of being one of three Trustees and 2 staff attending a meeting to create a process for working with government agencies. There was a Chair/Vice Chair workshop – training session, which was excellent – good discussions.

Trustee Middleton added that Trustee Boland is very active in a number of committees. There is a Governance Committee meeting on May 29, 2023. Work continues with Parks Canada regarding the donation of Judy Myers property: slow process.

4. CHAIR'S REPORT

Chair Maude noted busy time with Executive and Trust Council. Trust personnel met with a number of agencies in an attempt to simplify and improve “working together”. Important for Agencies to acknowledge rural nature of islands vs. urban locations. Felt outcome was positive

and opened communication channels. Future meeting planned with Ministry of Transportation and Infrastructure (MoTI) and RCMP. Also noted Training session for Chair/Vice Chairs: facilitator was excellent and there is talk of having another session.

5. ELECTORAL AREA DIRECTOR'S REPORT

Capital Regional District (CRD) Director Brent spoke of focus being on housing and economic health of communities. Everything hinges on housing – supply, costs, and impact on communities. Some recommendations being developed to put forward regarding rural areas and increased housing options e.g., general use trailers.

6. TOWN HALL AND QUESTIONS

Speaker commended Trustees on efforts with Agencies to have them adapt policies to better reflect rural communities.

7. COMMUNITY INFORMATION MEETING – None

8. PUBLIC HEARING – None

9. MINUTES

9.1 Local Trust Committee Minutes Dated February 16, 2023

By general consent, the Local Trust Committee meeting minutes of February were adopted.

9.2 Section 26 Resolutions-without-meeting Report Dated May 2023 – received for information.

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated May 2023

Planner Smith noted two outstanding items pertaining to whale sanctuary zones.

11. DELEGATIONS - none

12. CORRESPONDENCE- none

13. APPLICATIONS AND REFERRALS

13.1 SA-RZ-2023.1 (Gaines)

Planner Smith reviewed the application for rezoning. Two water front lots would be created. There were three responses from First Nation referrals – no comments specific to rezoning.

Discussion:

- Question referral to Ministry - Preservation of Groundwater
- Input from IT Fresh water Specialist
- Already 2 drilled wells on site
- LTC can determine quality/quantity
- Currently using existent infrastructure
- Question of risk of salt water intrusion – not identified in this area

- Considerations can be reviewed again at time of development
- Staff have recommended proof of potable water

Applicant added there are 3 drilled wells at 6.5-8 gal/min that were tested 10 to 12 years ago for quality. To date there have been no salt water intrusion issues in area.

SA-2023-010

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Bylaw No. 138, cited as "Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023" be read for a first time.

CARRIED

SA-2023-011

It was Moved and Seconded,

that the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 138, cited as "Saturna Island Land Use Bylaw No. 119. 2018, Amendment No. 1, 2013," is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SA-2023-012

It was Moved and Seconded,

that the Saturna Local Trust Committee direct staff to schedule a public hearing on application SA-RZ-2023.1 (Gaines).

CARRIED

SA-2023-013

It was Moved and Seconded,

that the Saturna Island Local Trust Committee direct staff to schedule a community information meeting on application SA-RZ-2023.1 (Gaines) to be held concurrently with a public hearing.

CARRIED

Discussion:

- Question wait time till next meeting
- MoTi approval next step however need rezoning in place
- Zoom meeting
- Link with other application
- Question necessity of public hearing: can waive however notifications would still have to be made so no real time saver
- Staff recommendation to start working through process with MoTi
- Staff noted process is moving quite quickly at this time

13.2 SA-RZ-2022.1 (Bertolami/Crooks) - Proposed Bylaws 136 and 137

Planner Smith reported approval from Ministry regarding changes to Official Community Plan (OCP). Recommendation is to adopt Bylaws.

SA-2023-014

It was Moved and Seconded,

that the Saturna Island Local Trust Committee proposed Bylaw No. 136, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, amendment No. 1, 2022", be adopted.

CARRIED

SA-2023-015

It was Moved and Seconded,

that the Saturna Island Local Trust Committee proposed Bylaw No. 137, cited as "Saturna island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2022", be adopted.

CARRIED

Congratulations and appreciation expressed to Planner Smith and all staff who worked on this project.

14. LOCAL TRUST COMMITTEE PROJECTS

15. REPORTS

15.1 Work Program Reports

15.1.1 Active Projects Report Dated May 2023 – received for information

15.1.2 Future Projects Report Dated May 2023 – received for information

15.2 Applications Report Dated May 2023 – received for information

15.3 Trustee and Local Expense Report Dated March 2023 – received for information

15.4 Adopted Policies and Standing Resolutions – received for information

15.5 Local Trust Committee Webpage – to be updated at conclusion of meeting

15.6 Islands Trust Conservancy Report Dated Feb 2023 – received for information

16. NEW BUSINESS

16.1 Draft Annual Report Wording

SA-2023-016

It was Moved and Seconded

that the Saturna Island Local Trust Committee approves the format and outline of contents for the 2022/23 Annual Report.

CARRIED

16.2 Saturna Island LTC Freedom of Information and Protection of Privacy Bylaw No. 139

Discussion

- Review and update
- Housekeeping issue
- Question of role of LTC Secretary and Secretary of the Executive Committee
- Staff not aware of any concerns/issues
- To examine role of Secretary IT and designation of role Secretary of SILTC

SA-2023-017

It was Moved and Seconded,

that the Saturna Island Local Trust Committee Bylaw No. 139, cited as "Saturna Island Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023", be read a first time.

CARRIED

16.3 New Fee Bylaw

Discussion

- Discuss further till Corporate Planning Process at next stage – mechanism to address financial factors
- Fee Bylaw has been adopted by all except for North Pender and Saturna
- Looking to be consistent across IT area
- First presented October 2021
- Need for more information to strike a balance – better understanding
- Defer to October 2023

Staff added development of fees table has been a lengthy process and that fees proposed still only represent a portion of true costs. Tax payer dollars are being used to subsidize an individual doing site development.

SA-2023-018

It was Moved and Seconded,

that the adoption of the New Fee Bylaw by Saturna Island Local Trust Committee be deferred to October 19, 2023 meeting.

CARRIED

16.4 Property owner request re: ALR inclusion/exclusion application on Narvaez Bay Road

Planner Smith informed the LTC that this type of application must be made by a Local Government or First Nations Council. This is a land owner and there is no fee for this type of application. Would request a resolution from LTC regarding cost recovery.

Trustees noted comprehensive and thorough staff memo.

SA-2023-019

It was Moved and Seconded,

that the Saturna Island Local Trust Committee direct staff to submit an Agricultural Land Reserve exclusion application of behalf of the property owner for the subject properties located on Narvaez Bay Road with the PID numbers of 004-521-889 (exclusion property) and 015-692-205 (inclusion property) and to collect the \$750.00 application fee from the property owner prior to submission of the application.

CARRIED

SA-2023-020

It was Moved and Seconded,

that the Saturna Island Local Trust Committee requires that the property owner, through hired consultants, provide all technical support required by staff in respect of the submission of an Agricultural Land Reserve exclusion application for the subject properties located on Narvaez Bay Road with the PID numbers 004-521-889 (exclusion property) and 015-692-205 (inclusion property) and to enter into a cost recovery agreement with the Islands Trust for all costs associated with the application.

CARRIED

16.5 Trees East Point Road

Discussion

- Years of preservation and protection
- Email circulated detailing history of road and development
- Agreement in the 1990's with IT and MoTI
- MoTI in agreement certain processes not followed
- Questioned use of geotechnician or Landscape Architect to improve "stumps"
- What are the requirements to maintain road
- Extensive letter writing – community very stressed and concerned
- Inclusion of MLA Olsen on issue
- Site very important to island
- Mistakes made – how to prevent in future

- Designation of road as iconic – significant corridor – heritage road – special management area
 - Question Special Project of LTC: to take responsibility to co-ordinate efforts moving forward
 - Staff noted no obvious mechanism: if within Right-of-Way then Hydro's responsibility
 - MoTI knows of ongoing concern – feels surprised by what occurred along road
 - Question MoTI regarding road classification
 - Meeting with MoTI to consider what can be done
 - MoTI removed 12 old trees after geotechnical report: erosion continues
 - Question concerning remediation
 - Need for a mechanism to allow community consultation
 - MoTI expecting vegetation growth to cover stumps
1. Letter to MoTI – Project Manager: geotechnical report now
 2. Create Minor Project: co-ordination and communication processes be developed
 3. Motion to Executive Committee: create a Task Force

SA-2023-021

It was Moved and Seconded,

that the Saturna Island Local Trust Committee request the Islands Trust Executive Committee to revitalize the 1997 agreement with Ministry of Transportation and Infrastructure and re-establish the Task Force described in that agreement.

CARRIED

16.6 Free Store – at Recycling

Discussion

- Fire damage repairs had started
- CRD stop work order as no permit for repairs
- Building Permit applied for and while CRD supports what's being done is requesting IT to review application
- MoTI owns land – leased to CRD on behalf of Saturna Island Recycling
- Connect with Planner – fast track

CRD Director Brent – is centre on MoTI Right-of-Way? All agencies working together to move forward

16.7 Funding Indigenous Project

SA-2023-022

It was Moved and Seconded,

that the Saturna Island Local Trust Committee request Islands Trust Executive Committee to pay the costs for Wetlands Book Launch Event in support of local community to First Nations Reconciliation as outlined in previous correspondence.

CARRIED

17. UPCOMING MEETINGS

17.1 Next Regular Meeting Scheduled for July 20, 2023 at the Saturna Recreation and Cultural Centre, Saturna Island

Staff recommended public hearing be scheduled for July 20, 2023 and application could go to Executive Committee meeting in August.

18. TOWN HALL

Speaker: regarding trees – infrastructure funding may be available through Climate Change projects – questioned if any CRD funding is available

19. CLOSED MEETING - None

20. ADJOURNMENT

By general consent, the meeting was adjourned at 1:45 p.m.

David Maude, Chair

Certified Correct:

Pat Todd, Recorder



Resolutions Without Meetings Log

Saturna Island

Resolution Number	Action	Date
2023-002	Carried	06-Jun-2023
July mtg date change		
THAT the Saturna Island Local Trust Committee July 20, 2023 regular scheduled business meeting be moved to July 27, 2023.		



Follow Up Action Report

Saturna Island

14-Feb-2020

Activity	Responsibility	Dates	Status
1 Letter to be sent from the chair to the appropriate agencies/people regarding the LTCs resolution supporting interim sanctuary zones for the recovery of Southern Resident Killer Whales (SKRWs). (see minutes and contact Trustee Middleton for further details). Trustee Middleton to provide draft wording for letter	Clare Frater Mike Richards	Target: 31-Dec-2022	In Progress
2 Letter to be sent from the chair to the appropriate agencies/people regarding the LTCs resolution supporting the regulation of commercial whale watching boats similar to the regulatory regime in the adjacent Washington State waters. (see minutes and contact Trustee Middleton for further details). Trustee Middleton to provide draft wording for letter	Clare Frater Mike Richards	Target: 31-Dec-2022	In Progress

25-May-2023

Activity	Responsibility	Dates	Status
1 9.1 Feb 16, 2023 LTC meeting minutes adopted as presented.	Emily Bryant Sheree Rialp	Target: 09-Jun-2023	Completed
2 13.1 SA-RZ-2023.1 (Gaines) BL given 1st reading, ITPS policy statement approved, schedule CIM and PH at next regular meeting, July 27, 2023	Brad Smith Jas Chonk	Target: 09-Jun-2023	Completed
3 16.1 Annual report wording approved as presented	Jas Chonk Robert Kojima	Target: 09-Jun-2023	Completed

Follow Up Action Report

Saturna Island

25-May-2023

Activity	Responsibility	Dates	Status
4 16.3 Fees bylaw discussion deferred to October 19, 2023 LTC meeting	Jas Chonk	Target: 09-Jun-2023	Completed
5 13.2 SA-RZ-2022.1 (Bertolami/Crooks) - BL 136/137 adopted. Staff to update base bylaws, remove application materials from SA current applications webpage, close out file	Brad Smith Chloe Cookson Jas Chonk	Target: 09-Jun-2023	Completed
6 16.2 FOI BL 139 given 1st reading only - staff to clarify if fees have increased in attached fees table, Trustee Middleton to clarify his questions around wording of 'secretary' in BL before consideration of 2nd/3rd reading at July meeting - David to amend staff report - Jas to include on July 27 draft agenda - DEFERRED TO OCTOBER MEETING	Brad Smith David Marlor Jas Chonk	Target: 16-Jun-2023	In Progress
7 16.4 Ron Hall ALR exclusion request - LTC directed staff to proceed - staff to initiate cost-recovery agreement with owner and application submission	Brad Smith	Target: 16-Jun-2023	Completed
8 16.7 First Nations event funding request - LTC passed resolution seeking payment from EC to Trustee Middleton - Clare to initiate request to EC with invoice	Clare Frater	Target: 09-Jun-2023	Completed

File No.: SA-RZ-2023.1 (Gaines)

DATE OF MEETING: July 27, 2023
TO: Saturna Island Local Trust Committee
FROM: Brad Smith, Island Planner
Victoria Office
SUBJECT: SA-RZ-2023.1 (Gaines) – Bylaw No. 138 – Post Public Hearing

RECOMMENDATION

1. That the Saturna Island Local Trust Committee Bylaw No. 138, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023” be read a second time.
2. That the Saturna Island Local Trust Committee Bylaw No. 138, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023” be read a third time.
3. That the Saturna Island Local Trust Committee proposed Bylaw No. 138 be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

REPORT SUMMARY

The intent of proposed Bylaw No. 138 is to amend the Saturna Island Land Use Bylaw No. 119, 2018 (LUB) to rezone the waterfront portion of the subject parcel located at 445 East Point from Rural Residential (RR) to Rural General (RG) to allow for the creation of two waterfront RG zoned lots through subdivision.

The recommendations above are supported as:

- All statutory requirements have been completed including the required notification and holding of a public hearing consistent with the *Local Government Act*;
- There have been no public, government agency or First Nation concerns raised with the proposed rezoning; and,
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption.

BACKGROUND

The Saturna Island Local Trust Committee (LTC) is considering Bylaw No. 138 that would amend the LUB and OCP to rezone the waterfront portion of the subject parcel located at 445 East Point from Rural Residential (RR) to Rural General (RG) to allow for the creation of two waterfront RG zoned lots through subdivision.

Proposed Bylaw No. 138 was given first reading on May 25, 2023.

A public hearing is scheduled for July 27, 2023. A public hearing is a quasi-judicial process within and following which specific procedures must be followed.

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

1. Consideration of Second and Third Reading.
2. Forwarding of the bylaw to Executive Committee for approval.
3. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaws only).
4. Reconsideration and adoption.

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

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

In this case, as there is no OCP amendment, there is no requirement for Ministerial approval. If the Executive Committee approves the bylaw, the next step for the LTC would be to adopt the bylaw.

ALTERNATIVES

1. Make amendments to the bylaw.

The LTC may amend the bylaw.

Resolution:

That Saturna Island Local Trust Committee proposed Bylaw No. 138, cited as "Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023" be amended as follows: _____

2. Receive for information

The LTC may receive the report for information.

3. Proceed no further with the bylaw.

The LTC may decide to proceed no further with Bylaw No. 138.

Resolution:

That the Saturna Island Local Trust Committee proceed no further with Bylaw No. 138.

NEXT STEPS

Upon direction from LTC, staff will send proposed Bylaw No. 138 to the Islands Trust Executive Committee for approval.

Submitted By:	Brad Smith, Island Planner	June 26, 2023
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	Southern Team	
Concurrence:	Robert Kojima, Regional Planning Manager	June 28, 2023

ATTACHMENTS

1. Proposed Bylaw No. 138

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 138

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

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

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2023”.

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

2.1 Inserting a new row in the Site Specific Regulations Table immediately following the row referencing RG(d) with the Site-Specific Zone Reference of “RG(e)”, such that it reads:

RG(e)	The North West 1/4 Of Section 12, Saturna Island, Cowichan District, Except Parts In Plans 19569, 20704, VIP63161, VIP79024 and VIP84336	(4) Despite 4.2.12 no subdivision plan may be approved unless the lots created by the subdivision have an average area of at least 2.3 hectares (5.68 acres).
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2.2 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of the lands legally described as The North West 1/4 Of Section 12, Saturna Island, Cowichan District, Except Parts In Plans 19569, 20704, VIP63161, VIP79024 and VIP84336 from Rural Residential (RR) to Rural General (e) [RG(e)], as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 119 as are required to effect this change.

3. SEVERABILITY

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

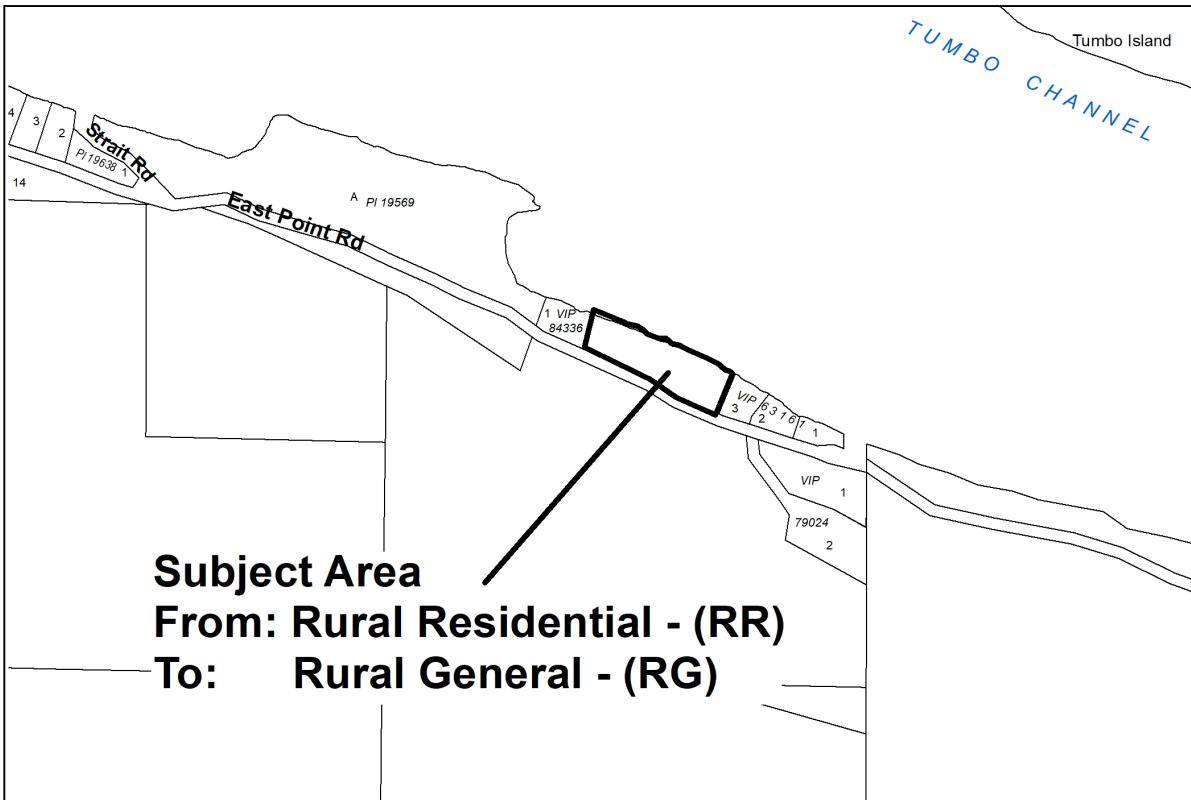
READ A FIRST TIME THIS	25 TH	DAY OF	MAY	2023.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 138

Plan No. 1



DATE OF MEETING: July 27, 2023

TO: Saturna Island Local Trust Committee

FROM: Brad Smith, Island Planner
Southern Team

COPY: Robert Kojima, Regional Planning Manager

SUBJECT: 101 Payne Rd Rezoning Application – Preliminary Report

Applicants: M Daniel Thachuk, Jean Morgan, Linda Cunningham, Beverly Lowsley and Judith Myers

RECOMMENDATION

1. **That the Saturna Island Local Trust Committee directs staff to proceed with application GL-RZ-2023.2 (Thachuk) and to prepare draft bylaws.**

REPORT SUMMARY

The purpose of this preliminary report is to provide information regarding rezoning application GL-RZ-2023.2 (Thachuk) and to seek direction from the Saturna Island Local Trust Committee (LTC) to proceed, or not proceed, with the application, including the preparation of draft bylaws.

The above recommendation is supported as:

- As submitted, the proposal is reasonable and appears consistent with Saturna Island Official Community Plan No. 70 (OCP) policies and Islands Trust Policy Statement (ITPS);
- The applicants have secured the purchase of an additional density from a willing property owner to allow for an additional dwelling on the subject parcel; and,
- Proceeding with draft bylaws will facilitate First Nations, public and agency consultation to identify any outstanding issues or concerns with the proposed rezoning.

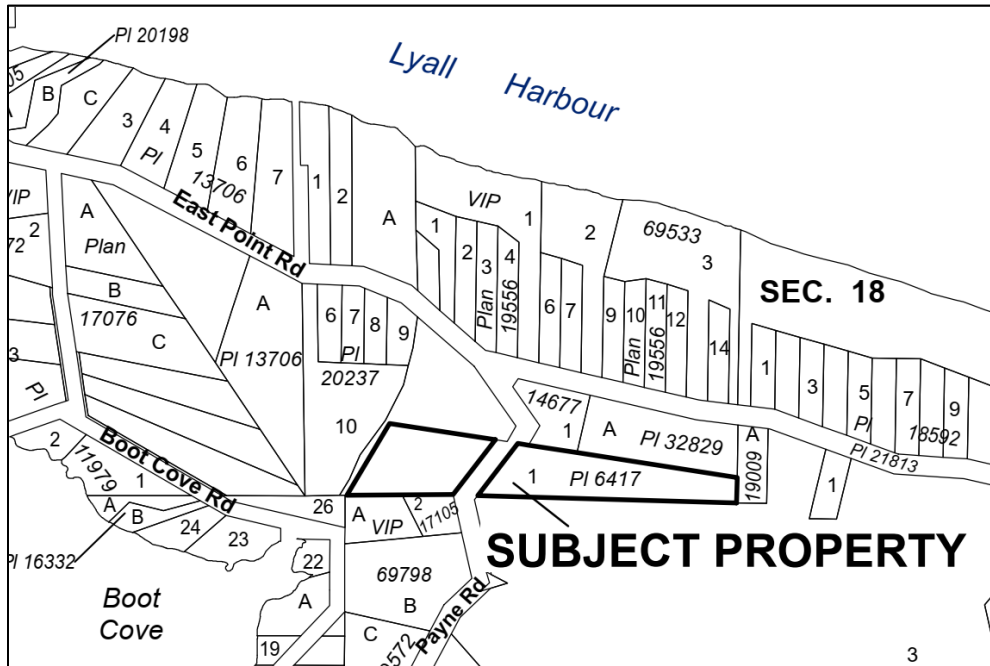
BACKGROUND

A rezoning application was submitted in March 2023. The joint property owners of 100 and 101 Payne Road are seeking to rezone the subject property to allow for an additional dwelling density to be added. Currently, the shared property has a single primary dwelling and an accessory cottage which are lived in by separate families, and these families are now seeking to separate their financial/property obligations to ensure their estate planning is properly taken care of.

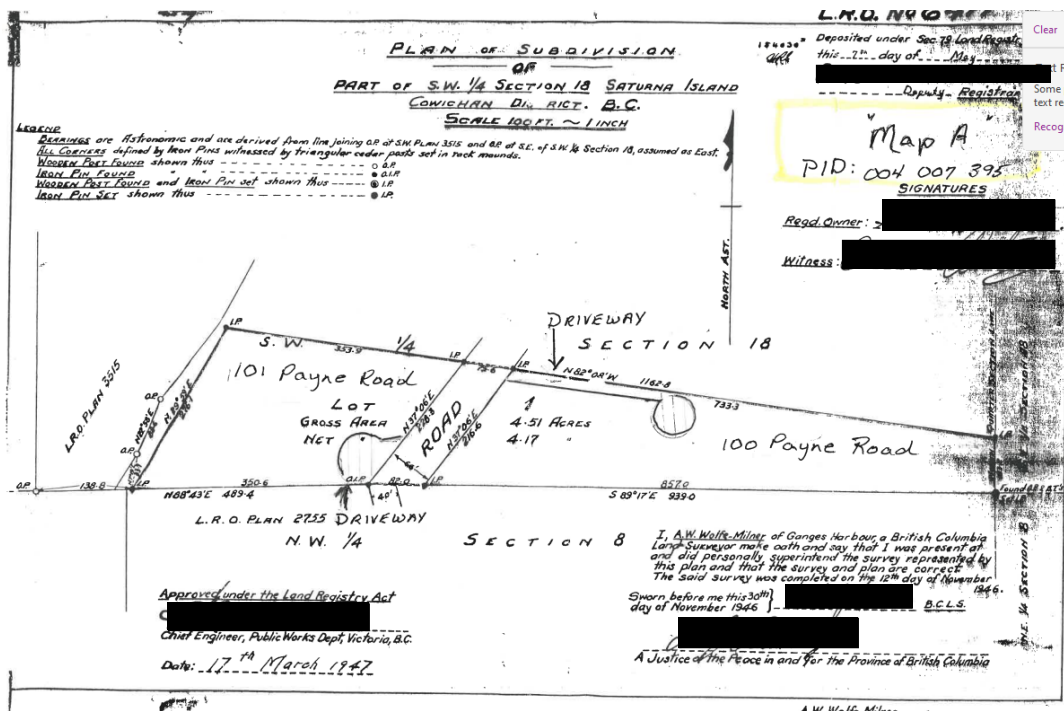
The proposed additional density is to be purchased by the property owners from Judith Myers who owns a 35.56 acre lot located at 201 Harris Road. This lot has been the subject of recent discussion between the LTC and the

property owner who intends for a significant portion to be donated to the Nature Trust of Canada or another non-profit land conservancy agency.

Figure 1. Location of Subject Property on Payne Road



The original hooked lot parcel was created by subdivision in 1947.



The subject parcel presently has one dwelling and one accessory cottage, one on either side of the hooked lot. The dwelling is located at 100 Payne Rd and the cottage at 101 Payne Road.



Figure 2. Photos - 101 Payne Road

100 Payne Road

Attachment 1 provides additional site context. Attachment 2 includes maps and plans. Attachments 3 and 4 are two letters of rationale provided by the applicants.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement

The proposal appears consistent with Islands Trust Policy Statement (ITPS) policies, in particular with respect to policies related to ecosystem protection and preservation, stewardship of resources, groundwater, and growth and development.

If the LTC decides to proceed, the ITPS policy checklist will be presented to LTC for review and consideration in a future staff report when the draft bylaws are presented for 1st reading.

Official Community Plan

The general policies of the OCP state the following with respect to increased density:

- 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.

In this case, as the additional proposed density is being transferred from another parcel on Saturna, there is no net increase in overall density, so the application is consistent with this policy. In this case, a site specific zoning

amendment would be required to increase the density of the subject property by one, and also to reduce the density at 201 Harris Road by one.

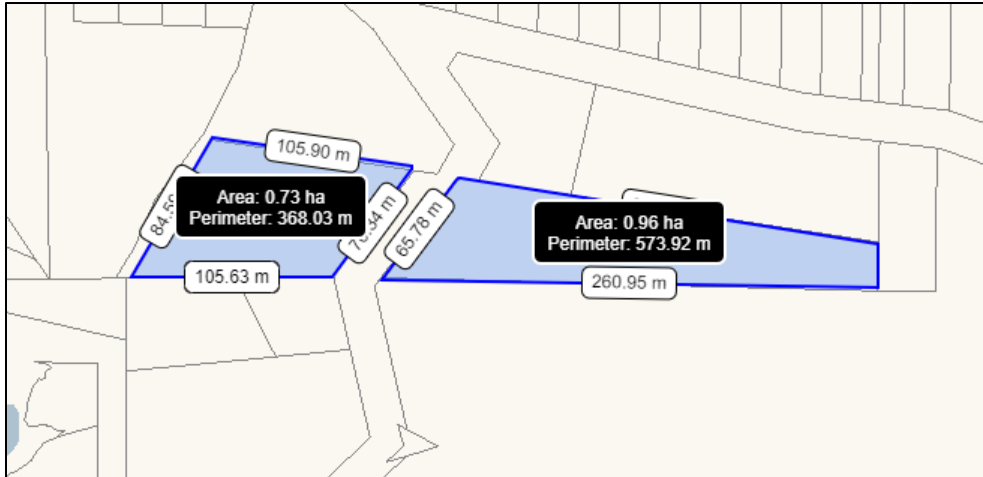
The subject parcel is designated as Rural (R) in the OCP, and is zoned Rural General (RG). The RG OCP policies are:

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).
D.1.G.6 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.

The application is generally consistent with these policies. To ensure policy D.1.G.2 is met, a site specific zoning amendment would establish that only one dwelling per lot be allowed.

Policy D.1.G.5 creates some practical challenges with the proposed rezoning and subsequent subdivision. While the lot is 1.69 ha and could technically be split in two with a minimum lot size of 0.81 ha realized for each lot, the physical layout of the lot separated by Payne Road complicates matters.

As shown below, a rough calculation of total area for the portion of the lot on either side of Payne Road shows that 100 Payne Road is approximately 0.96 ha, and 101 Payne Road is approximately 0.71 ha. As policy D1.G.5 requires a minimum lot size of 0.81 ha, a subdivision creating the lots on either side of Payne Road does not comply with this OCP policy.



As such, there are two options to proceed:

- 1) The recommended option of staff is to proceed without an OCP amendment. If rezoning is approved, this would then require the property owner to create a hooked lot at time of subdivision to include a portion of the lot on the 100 Payne Rd side with the 101 Payne Road portion to meet the minimum lot size of 0.81 ha for each lot.
- 2) The other option would be to require that the applicant also pursue an OCP amendment to reduce the minimum lot size to fit a new lot configuration separated by Payne Road. Staff do not recommend this one-off approach as typically OCP amendments are established via broader OCP review processes and in this case reducing the minimum average lot size could have significant precedent setting ramifications for other lots on the island. It would also increase the cost of the application fee by \$500 and would increase the timeline to completion as an OCP amendment would require approval by the Minister of Municipal Affairs.

There are no development permit areas on the property.

Land Use Bylaw

The parcel is zoned Rural General (RG). Residential site density in the RG zone is as follows:

Residential Site Density.

- 4.2.4 On a lot 1.21 hectares (3 acres) in area or less the maximum density is one (1) *residence*.
- 4.2.5 On a lot having an area greater than 1.21 hectares (3 acres) and less than 4.05 hectares (10 acres) the maximum density is one (1) *residence* and one (1) *cottage*.
- 4.2.6 On lots having an area of 4.05 hectares (10 acres) or greater one (1) *residence* and one (1) *cottage* per 2.02 hectares (5 acres) are permitted up to a maximum density of five (5) *units* and five (5) *cottages* per lot *parcel*.
- 4.2.7 One *secondary suite* is permitted per *residence* subject to section 2.18.

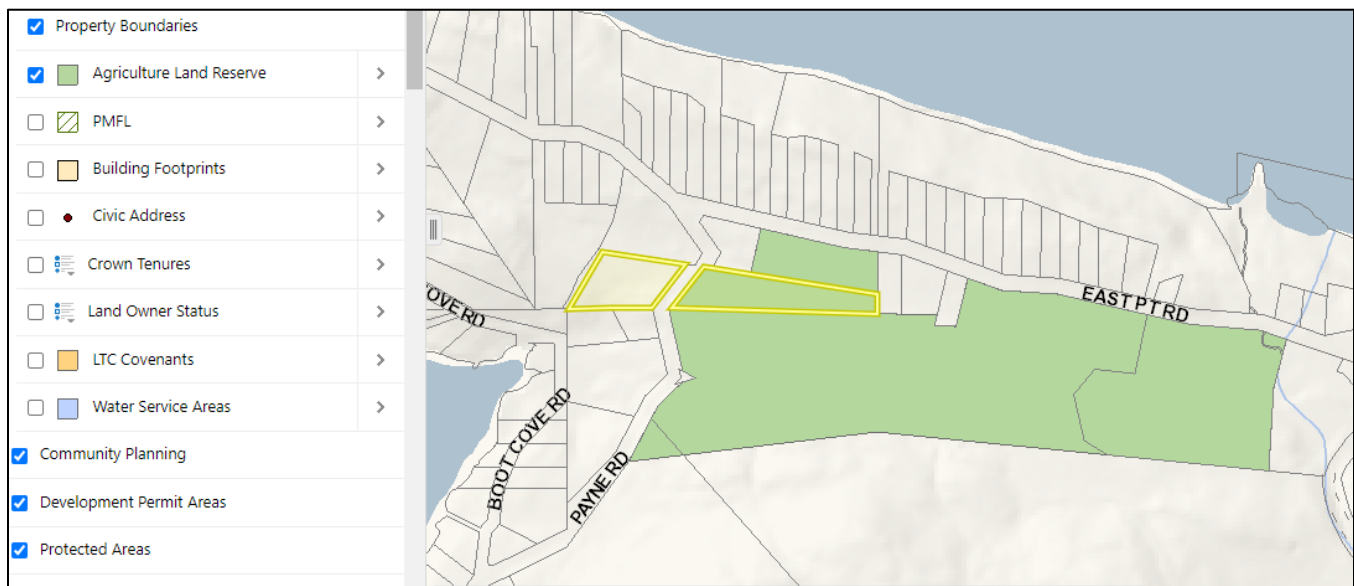
LUB amendments would be required to reduce the density of the 201 Harris Road parcel and increase the density of the Payne Road parcel by one. These changes would be realized through site specific bylaw amendments for each parcel. To ensure policy OCP D.1.G.2 is met, a site specific zoning amendment would also establish that only one dwelling per lot be allowed. In the interim between rezoning and subdivision, the cottage would be deemed legal non-conforming as it was in place prior to the rezoning.

If the LTC decides to proceed, staff will present an amending bylaw for consideration at a future LTC meeting.

ALR Designation

A significant portion of the subject parcel is located within the ALR, including the entire portion of 100 Payne Road. The applicant should be aware that this may complicate subdivision approval as the Agricultural Land Commission (ALC) will also need to approve any subdivision. The applicant is recommended to contact the ALC to review their options and feasibility for future subdivision.

ALR Designation



Water and Septic

Both the existing house and cottage are serviced by the Boot Cove Lyall Harbour Water System. If the LTC decides to proceed, staff would refer the amending bylaws to the CRD Integrated Water Services for comment. The house and cottage also have separate septic systems.

Archaeological Sites

Islands Trust reviews all applications/permits using Remote Access to Archaeological Data (RAAD) mapping to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. In this case, there are no registered archaeological sites on the subject property, however there is archaeological potential identified.

Further to that review, staff have directed the applicants to the following guidelines:

- All archaeological and cultural heritage is protected under the *Heritage Conservation Act* and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the *Heritage Conservation Act* (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits: <https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits>.
- In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca.
- Any impacts, would include the following: landscaping, tree removal, digging, using heavy equipment, development, fencing, footings, or any form of groundwork.
- For more information regarding registered archaeological sites and archaeological potential on the subject property, submit an Archaeological Information Request Form: www.archdatarequest.nrs.gov.bc.ca.

Consultation

Statutory Requirements

In accordance with regular statutory requirements, a public hearing is required and it is normal practice to hold a Community Information Meeting (CIM) prior to that. With direction from LTC, these would be scheduled either separately or concurrently after draft bylaws are complete, reviewed and have received at least First Reading.

Public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing.

Agencies

Staff have identified the following agencies for bylaw referral; the LTC may direct staff to include other agencies not listed.

- CRD, Planning and Protective Services, Building Inspection
- CRD, Integrated Water Services (Lyall Harbour – Boot Cove Water System)
- Agricultural Land Commission
- Island Health
- Ministry of Transportation and Infrastructure
- Mayne Island Local Trust Committee
- North Pender Island Local Trust Committee
- South Pender Island Local Trust Committee

First Nations

Staff have identified the following First Nations for bylaw referral:

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Malahat First Nation
- Pauquachin First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Snuneymuxw First Nation
- Stz'uminus First Nation
- Tsartlip First Nation
- Tsawout First Nation
- Tsawwassen First Nation
- Tseycum First Nation
- WSANEC Leadership Council

Rationale for Recommendation

Based on the foregoing, the recommendation on page 1 is supported as:

- As submitted, the proposal is reasonable and appears consistent with Saturna Island Official Community Plan No. 70 (OCP) policies and Islands Trust Policy Statement (ITPS);
- The applicants have secured the purchase of an additional density from a willing property owner to allow for an additional dwelling on the subject parcel; and,
- Proceeding with draft bylaws will facilitate First Nations, public and agency consultation to identify any outstanding issues or concerns with the proposed rezoning.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution:

That the Saturna Island Local Trust Committee request that the applicant submit to the Islands Trust
_____.

2. Deny the application

The LTC may deny the application.

Resolution:

That the Saturna Island Local Trust Committee proceed no further with application SA-RZ-2023.2 (Thachuk).

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

Resolution:

That the Saturna Island Local Trust Committee hold application SA-RZ-2023.2 (Thachuk) in abeyance.

NEXT STEPS

With direction from the LTC, Staff will draft amending bylaws for further consideration by the LTC.

Submitted By:	Brad Smith, Island Planner	July 19, 2023
Concurrence:	Robert Kojima, Regional Planning Manager	July 19, 2023

ATTACHMENTS

1. Site context
2. Mapping and photos
3. Letter 1 from applicant
4. Letter 2 from applicant

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 1, Section 18, Saturna Island, Cowichan District, Plan 6417
PID	004-007-395
Civic Address	101 Payne Rd Saturna BC V0N 2Y0
Lot Size	1.69 hectares (4.17 acres)

LAND USE

Current Land Use	Rural General (RG)
Surrounding Land Use	Rural General (RG)

HISTORICAL ACTIVITY

File No.	Purpose
None	SA-BP-2009.3 – BP review for construction of single family dwelling

POLICY/REGULATORY

Official Community Plan Designations	Saturna Island OCP No. 70, 2000 Designations: Rural (R)
Land Use Bylaw	Saturna Island LUB No. 119, 2018: Rural General (RG)
Other Regulations	None
Covenants	None
Bylaw Enforcement	SA-BE-2018.1 – concern about potential structure in setback – no structures identified and file was closed

SITE INFLUENCES

Islands Trust Conservancy	There are no Islands Trust Conservancy covenants or properties in the direct area; therefore no referral has been made to the Board.
Regional Conservation Strategy	The proposal does not impact the objectives and priorities of the Islands Trust Fund regional conservation plan.
ALR Status	A portion of the subject property is located within the ALR.
Species at Risk	None identified
Sensitive Ecosystems	None identified
Hazard Areas	Portions identified as steep slope (primarily moderate and low risk)

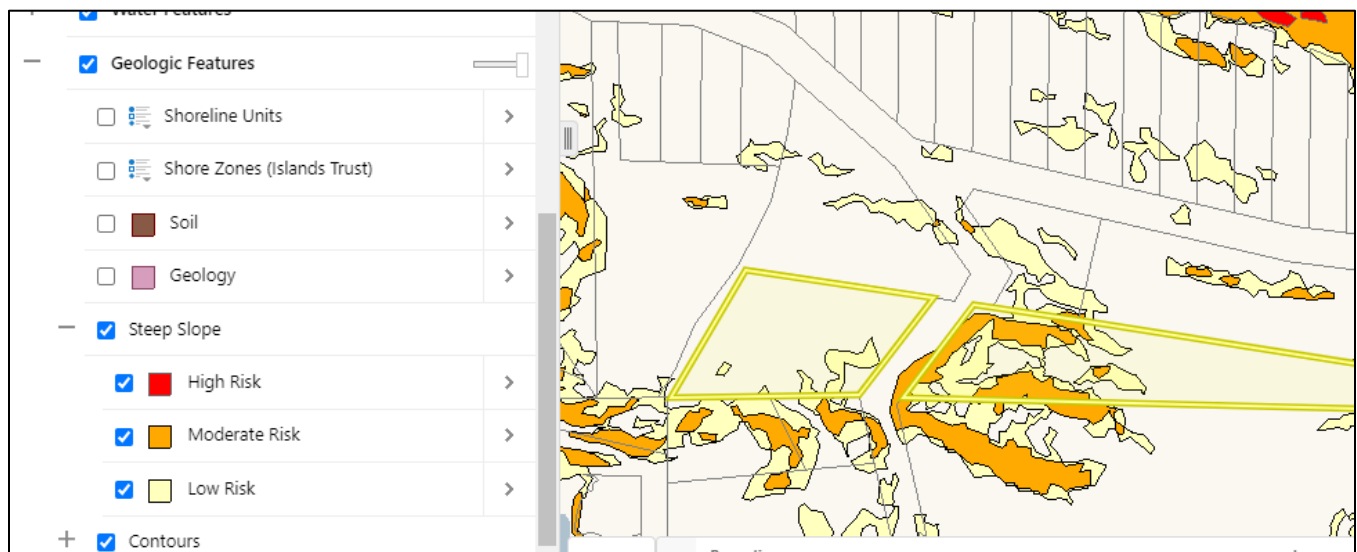
Archaeological Sites	There are no registered archaeological sites on the property. However, there is potential for archaeological material to be located on the property. Staff have directed the applicant to the following guidelines: • All archaeological and cultural heritage is protected under the <i>Heritage Conservation Act</i> and areas of archaeological potential may contain undocumented archaeological sites which would be automatically protected under the <i>Heritage Conservation Act</i> (including all intact or disturbed sites) and require a permit from the BC Archaeology Branch. Further information regarding permits: https://www2.gov.bc.ca/gov/content/industry/natural-resource-use/archaeology/permits. • In the event that archaeological features or materials are found, either intact or disturbed on the subject property, stop work immediately and contact the BC Archaeology Branch at 250-953-3334 or archaeology@gov.bc.ca. • Any impacts, would include the following: landscaping, tree removal, digging, using heavy equipment, development, fencing, footings, or any form of groundwork. • For more information regarding registered archaeological sites and archaeological potential on the subject property, submit an Archaeological Information Request Form: www.archdatarequest.nrs.gov.bc.ca, or contact Islands Trust to access mapping of the subject property.
Climate Change Adaptation and Mitigation	None
Shoreline Classification	N/A
Shoreline Data in TAPIS	N/A

ATTACHMENT 1 – MAPS

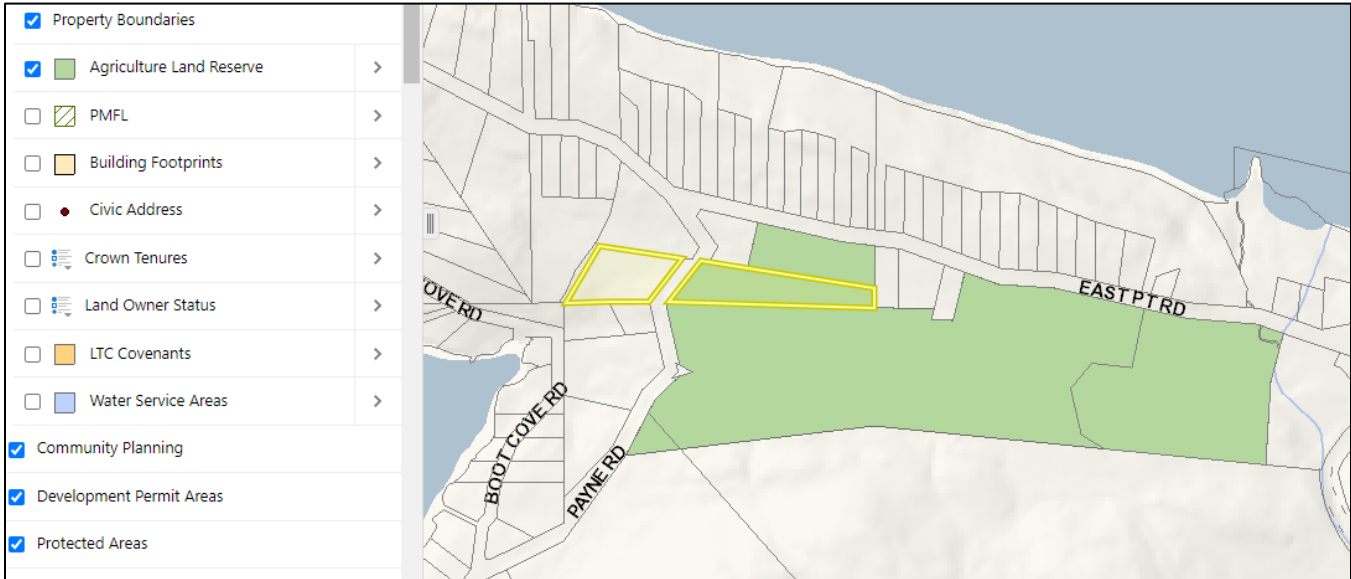
1.1 ORTHOPHOTO AND ZONING



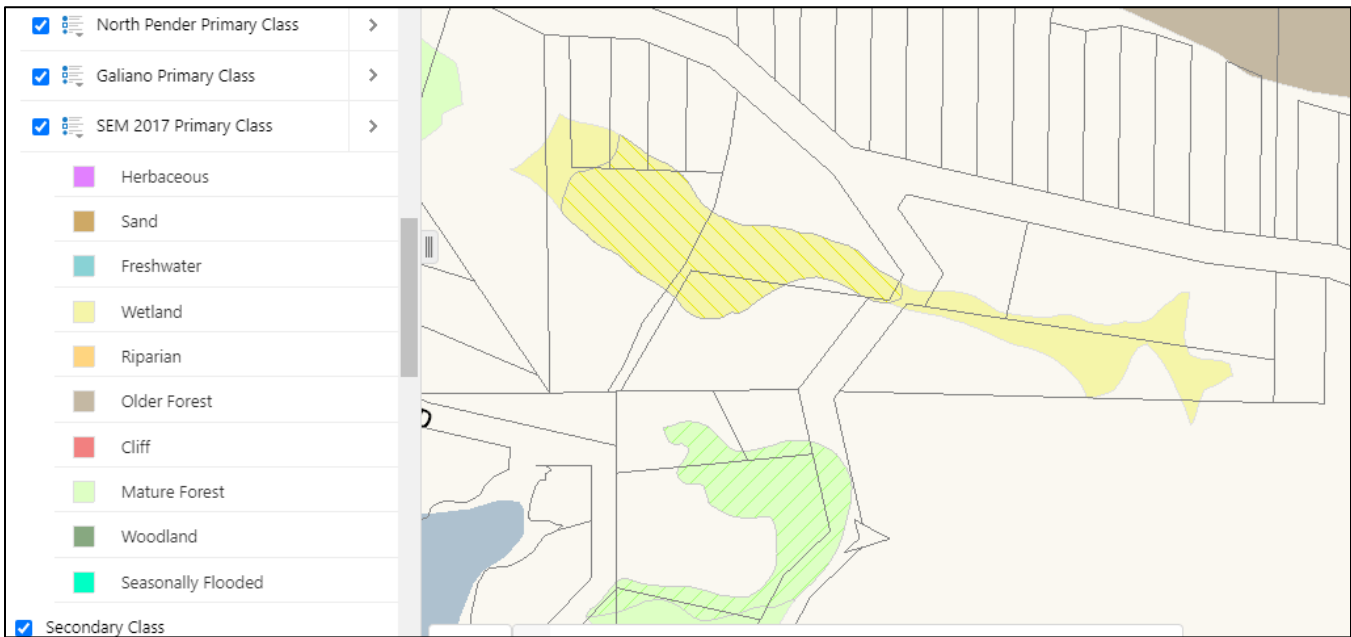
1.2 STEEP SLOPE HAZARD AND CONTOURS



1.3 ALR LANDS



1.4 SENSITIVE ECOSYSTEMS



2



Islands Trust
Victoria Office
200 – 1627 Fort Street
VICTORIA, BC. V9R 1H8

February 22, 2023

ATTENTION: MR. BRAD SMITH

RE: Proposed Density Transfer between Judith Myers, 201 Harris Road, Saturna, BC and Linda Cunningham and Beverly Lowsley, 101 Payne Road, Saturna, BC and M. Daniel Thachuk and Jean Morgan, 100 Payne Road, Saturna, BC.

This letter forms part of the re-zoning application for 201 Harris Road, Lot 1, Plan VIP25360, Section 5, Cowichan Land District, Portion Saturna Island, PID: 002-614-383, comprising of 35.56 acres owned by Judith Myers (Judith's property); and for 101/100 Payne Road, Lot 1, VIP6417, Section 18, Cowichan Land District, Portion Saturna Island, PID: 004-007-395 comprising of 4.17 acres owned by Linda Cunningham and Beverly Lowsley, joint tenants; and M. Daniel Thachuk and Jean Morgan, joint tenants, and both as to tenants in common (the Payne Road property).

It is the intent of Judith Myers to transfer 1 lot density from her property to the benefit of the Payne Road property, thereby reducing the available density by 1 on Judith's property, and increasing the density by 1 for the Payne Road property. It is understood by Judith Myers that the reduction of density to her property requires a site specific rezoning, and as a consequence Judith has signed the Rezoning Form, together with Linda Cunningham and Beverly Lowsley and M. Daniel Thachuk and Jean Morgan, who also seek a site specific rezoning.

It is agreed by Judith Myers that the proposed lot density transfer, as described above, occur.

Judith wishes to donate her property (less her current home site and the lot density transferred as noted) to Natures Trust to ensure the land, which

is ecologically significant, remains undeveloped. Linda and Beverly (101 Payne Road owners) and Dan and Jean (100 Payne Road owners) wish to change ownership of their property from tenants in common, to each of them owning the property on which each respectively lives, to joint tenancy. It is understood that this requires rezoning. The Payne Road owners are seeking the rezoning and subsequent subdivision of that property for the purposes of estate planning. Judith wishes to use the consideration paid by the Payne Road owners toward assisting with the Natures Trust acquiring this special piece of Saturna.

Dated: 21 February, 2023

 JUDITH MYERS
Judith Myers


Linda Cunningham


Beverly Lowsley


M. Daniel Thachuk


Jean Morgan

ISLANDS TRUST

March 6, 2023.

200 – 1627 Fort Street

VICTORIA, BC V8R 1H8

ATTENTION: Mr. Brad Smith.

RE: Property municipally known as 100 and 101 Payne Road, and legally described as: Lot 1, Plan VIP 6417, Section 18, Cowichan District, Portion Saturna Island; PID: 004-007-395; consisting of 4.17 net acres (the "Property")

The purpose of this letter is to offer the Trust some observations concerning the history of the development of this Property; some information about the owners; and the rationale for their request to re-zone and subsequently subdivide that Property.

SOME OF THE HISTORY OF DEVELOPMENT OF THE PROPERTY:

The Property was surveyed and subdivided in March 1947, but remained undeveloped until 2007. The Property was purchased on June 29, 2004 by Linda M. Cunningham and Beverly A. Lowsley, as Joint Tenants; and by M. Daniel Thachuk and Jean A. Morgan, as Joint Tenants, each as to an undivided one-half interest.

It was the intention of each of the Joint Tenants of the Property to develop their residence independent of the other, and each would be responsible for their own part of the Property. The Property lent itself to this concept because the Property is a hooked lot, and there were two existing driveways separated by Payne Road, approximately 200 feet apart. One driveway entered the western portion of the Property and one driveway entered the eastern portion of the Property on the opposite side of Payne Road. Each portion of the Property divided by Payne Road was approximately equal in size. (see Map "A")

Linda Cunningham and Beverly Lowsley began to develop the western portion of the Property ("Property A") in 2005. It was developed independent from the property on the

eastern portion ("Property B"). Property A has its own septic system, Hydro, and water connection to the Boot Cove Lyall Harbour Water System. The house is a 995 square foot, single story home. The municipal address became 101 Payne Road, Saturna. They have resided in the home since 2007.

Daniel Thachuk and Jean Morgan began to develop the eastern portion of the land, Property B, in 2009. It was developed independent from the Property A. Property B has its own septic system, Hydro, and water connection to the Boot Cove Lyall Harbour Water System. The house is approximately 1600 square foot and is a two story home. It was used by them as a recreational property until 2015 when they moved into the residence permanently.

Due to the fact that each residence has its own driveway, separated by Payne Road, the Fire Chief of Saturna Island (then John Wiznuk) designated Property B with the municipal address of 100 Payne Road for purposes of a locator for utilities and emergency services.

Each property has been developed and treated separately. The only shared responsibility between the parties is the property taxes, which are assessed on the single PID number.

THE OWNERS:

All the owners have been and remain committed to the community of Saturna and have volunteered with various organizations and services in various capacities both prior to coming to live on Saturna Island and after their homes were completed.

RATIONALE FOR THE PROPOSED RE-ZONING OF THE PROPERTY:

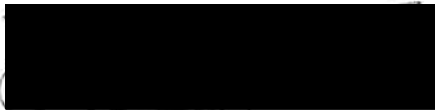
The owners of the Property wish to re-zone it for purposes of better estate planning. It is understood that a density is required to be purchased from another property owner to apply to the lot currently owned by the undersigned, and an application for a site-specific rezoning be made to allow for a smaller minimum average lot size than 5 acres. If the re-zoning is approved, it is the intent of the owners to sub-divide the property, which will continue to reflect its current use and occupation.

Judith Myers, 201 Harris Road, has agreed to our purchase of one lot density from her. Judith wishes to donate her property (less the density purchased by us and less her current home site) to Natures Trust. Judith's property consists to 35.56 acres which is ecologically significant, and which she wishes to remain undeveloped (save the site of her home). Judith wants to use the consideration paid to her by us to assist Natures Trust to acquire her land.

The requested re-zoning reflects the current occupation and uses of the Property. If granted it will permit the owners the opportunity to better plan their separate estates without altering the character of the Payne Road neighbourhood.

We have enclosed a letter dated February 22, 2023 and the Re-zoning Application signed by us and by Judith Myers, required documents, and our application fee of \$4400.

Regards,



Linda Cunningham



Beverley Lowsley



M. Daniel Thachuk



Jean A. Morgan

Active Projects Report

Saturna Island

<i>ALR Exclusion / Inclusion</i>	Responsible	Dates
ALR legislation requires local governments to initiated ALR exclusion applications. LTC is applying for an exclusion (and concurrent inclusion) on NORTH EAST 1/4 OF SECTION 2, SATURNA ISLAND, COWICHAN DISTRICT, EXCEPT PART IN PLAN 31309 (Hall)	Brad Smith	Rec'd: 25-May-2023 Target: 31-Oct-2023

Future Projects Report

Saturna Island

1. *Groundwater Sustainability Project*

Responsible

Date Received

Phase 1 report pending completed

LTC direction to defer proceeding with consideration of implementation

2. *Review of split zoning regulations in LUB*

Responsible

Date Received

Review of split zoning regulations in LUB

16-Feb-2023

3. *Review of bylaw enforcement notification requirements in BL 30 and 119*

Responsible

Date Received

16-Feb-2023



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2023.1	Gaines, John	12-Jan-2023	Application for a rezoning to permit the creation of 2 new waterfront lots 2 acres or greater.

Planner: Brad Smith

Planning Status

Status Date: 19-Jul-2023

CIM and PH scheduled for July 27, 2023

Status Date: 25-May-2023

BL 138 given 1st reading, ITPS policy statement approved, staff directed to schedule CIM and public hearing

Status Date: 16-Feb-2023

LTC directed staff to proceed - staff to draft amending bylaw and initiate referrals - LTC declined to direct staff to require proof of water and septic viability

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2023.2	Linda Cunningham, Beverley Lowsley, M. Daniel Thachuk, & Jean Morgan	15-Jun-2023	101 PAYNE RD/201 HARRIS RD: Application for rezoning for a density transfer.

Planner: Brad Smith

Planning Status

Status Date: 19-Jul-2023

Preliminary report added to July 27, 2023 agenda package

Status Date: 27-Jun-2023

Requested Subject Property Map from GIS.

Status Date: 21-Jun-2023

Planner Brad Smith assigned.



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2017.1	RONALD H HALL	22-Nov-2017	Referral of a subdivision to create one new lot.

Planner: Brad Smith

Planning Status

Status Date: 19-Jul-2023

Applicant indicates proof of water has been completed, staff waiting on submission of final subdivision plan from applicant to send letter to MOTI

Status Date: 08-Feb-2023

Applicant still working on proof of water

Status Date: 13-Oct-2022

Planner emailed applicant seeking status update

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2018.1	RONALD HALL	01-Feb-2018	Referral of a subdivision to create one new lot.

Planner: Brad Smith

Planning Status

Status Date: 08-Feb-2023

Applicant still considering options

Status Date: 13-Oct-2022

Planner emailed applicant seeking status update

Status Date: 10-Feb-2022

Applicant still considering options



Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2022.1	Gaines Enterprises Ltd.	01-Feb-2022	Application for a proposed eleven lot subdivision.

Planner: Brad Smith

Planning Status

Status Date: 01-Feb-2023

Applicant has submitted rezoning application (SA-RZ-2023.1)

Status Date: 08-Sep-2022

Planner discussed options with applicant - applicant still exploring alternative layouts

Status Date: 18-Mar-2022

Applicant advised that layout plan does not comply with zoning and to revise. MoTI advised of delayed response so applicant can revise plan

Islands Trust
LTC EXP SUMMARY REPORT F2024
Invoices posted to Month ending May 2023

660 Saturna	Invoices posted to Month ending May 2023	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-660	LTC "Trustee Expenses"	104.00	0.00	104.00
LTC Local				
65200-660	LTC - Local Exp - LTC Meeting Expenses	783.00	271.25	511.75
65210-660	LTC - Local Exp - APC Meeting Expenses	333.00	0.00	333.00
65220-660	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-660	LTC - Local Exp - Special Projects	271.00	0.00	271.00
TOTAL LTC Local Expense		<u>1,637.00</u>	<u>271.25</u>	<u>1,365.75</u>
Projects				
TOTAL Project Expenses		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2023-008 (Standing)	Carried	16-Feb-2023
16.5 Bylaw notification requirements on Saturna that it be resolved that Clause 2 in Saturna Local Trust Committee Bylaw 30 - A Bylaw to Authorize Inspection of Alleged Infractions Against Regulations - is replaced on an interim basis with the wording of Clause 14.1 from Saturna Local Trust Committee Bylaw 119 - Land Use Bylaws amalgamated. This clause reads 'The Island Trust Bylaw Enforcement Officer or any other person designated by the Saturna Island Local Trust Committee to administer this Bylaw is authorized to enter, at any reasonable time and after having given 24 hours prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed.' This Standing Resolution will remain in place until such time a review of Bylaw No. 30 and Bylaw No. 119 Section 1.4 'Inspection and Enforcement' can be reviewed and re-enacted through public process embodying Bylaw Enforcement Best Practices outlined in the 2022 Ombudsperson of British Columbia report concerning Local Government Bylaw Enforcement Policy and Practice.		
2021-007 (Standing)	Carried	21-Oct-2021
14.4 Potable rain water catchment systems That the Saturna LTC endorses the use of potable rain water catchment systems as proof of adequate potable water for residential subdivision, subject to the withholding of temporary or final occupancy permits until such catchment systems are in place.		
2020-006 (Standing)	Carried	14-Feb-2020
15.2 Whale Watching Vessel Operation in the Waters of the Local Trust Area Whereas the waters of the Saturna Island Local Trust area extend to the US border in Boundary Pass and Georgia Strait, the Saturna Island Local Trust Committee resolves that in the waters of the Local Trust area commercial whale watching boats be regulated and or licensed to mirror the regulatory regime under development in the adjacent waters of Washington State.		

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2020-005 (Standing)	Carried	14-Feb-2020
15.2 Whale Watching Vessel Operation in the Waters of the Local Trust Area Be it resolved that the Saturna Island Local Trust Committee fully supports the interim sanctuary zone for the recovery of Southern Resident Killer Whales (SRKWs) in the waters of the Saturna Island Local Trust Area.		
2019-047 (Standing)	Carried	18-Jul-2019
14.4 Adopted Policies and Standing Resolutions Be it resolved that in the waters of the Saturna Local Trust Area we support large commercial vessel speed reduction initiatives as part of the Southern Resident Killer Whale 2019 Conservation agreement signed between Canada and shipping industry stakeholders. We acknowledge voluntary speed reduction efforts in the Local Trust Waters and view the requirement to reduce transit speeds in support of SRKW recovery to be the equivalent of a voluntary bylaw in the Saturna Local Trust Area.		
2019-036 (Standing)	Carried	09-May-2019
13.2 Unlawful Short-Term Vacation Rental Enforcement Policy - Staff Report that the Saturna Island Local Trust Committee only authorize enforcement against unlawful short term vacation rentals, unless one of the following circumstances exists: 1. There is more than one complainant from the immediate neighbourhood; 2. The complaint is made by a representative of an improvement district and it concerns overuse of water; 3. The complaint concerns use of a common driveway servicing at least two separate lots; 4. There is a written complaint by owners or residents in the immediate neighbourhood about bona fide nuisance issues such as noise or parking congestion related to the STVR.		
2019-017 (Standing)	Carried	09-May-2019
7.1 Follow-up Action List Dated May 2019 that Saturna Local Trust Committee no longer wishes to receive bylaw referrals from adjacent local trust committee areas unless the planner deems it in the interest of the LTC to review and comment on a specific referral.		

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2019-011 (Standing) 13.2 Unlawful Dwelling Policy - Mayne Policies & Standing Resolutions Table that the Saturna Island Local Trust Committee directs staff to take enforcement action against unlawful dwellings only if one of the following conditions exists: There is a complaint from an immediate neighbour; or there is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement. Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.	Carried	17-Jan-2019
2018-050 (Standing) - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the local trust committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. - The public consultation process shall be determined by the local trust committee after initial review of the proposal. - However, as a minimum, the local trust committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms - o The location of the proposed establishment and the subject site - o The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered. - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - o How public comments may be submitted to the local trust committee.	Carried	04-Oct-2018

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2012-011 (Standing)	Carried	09-Feb-2012
It was Moved and Seconded that where a Liquor Control and Licensing Branch Special Occasion License referral relates to a property where Saturna Island Land Use Bylaw No. 78, 2002 permits public assembly uses, such as halls, recreation facilities or restaurants, and where there have been no issues related to parking or past complaints for the preceding three years, planning staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration		
2011-000 (Standing)	Carried	22-Jun-2011
It was Moved and Seconded that the Saturna Island Local Trust Committee adopt a Standing Resolution to direct staff to place the in camera minutes on the agenda when there is a need to close the meeting or at least once a year.		
2009-009 (Standing)	Carried	25-Feb-2009
It was Moved and Seconded that the Saturna Island Local Trust Committee draft minutes be adopted by Resolution without meeting within 30 days of the meeting and posted to the website.		

Standing Resolutions Log

Saturna Island

Resolution Number	Action	Date
2007-016 (Standing)	Carried	16-May-2007
Travel Trailer or Camper It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: - The travel trailer or camper is being used for recreational purposes by the owners of the lot and; - The travel trailer or camper is being used intermittently and for short periods not exceeding two months. Notwithstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: - The travel trailer or camper is being used as a second residence or; - The trailer or camper is situated within the setbacks for a structure or; - There are serious safety issues, unsightliness, noise, or health problems related to the use or; - A complaint based on the above three items is received from a person who owns neighboring property. Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.		