

Saturna Island Local Trust Committee

Minutes of Regular Meeting

Date: October 19, 2023
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

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

Staff Present: Brad Smith, Island Planner
Bruce Belcher, Planner 1
Carly Bilney, Recorder

Others Present: There were approximately five (5) members of the public present.

1. CALL TO ORDER

Chair Maude called the meeting to order at 11:32 a.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- New Business Item 16.5 – Bylaw Enforcement Update
- New Business Item 16.6 – Discussion on Saturna Island Schedule E Secondary Suites – Land Use Bylaw (LUB) No. 119
- New Business Item 16.7 – Discussion on Multiple Family Residential Zone (MFR) Permitted Uses

By general consent the agenda was adopted as amended.

3. TRUSTEE REPORT

Trustee Boland made the following comments in her report:

- There is need for an advisory panel that focuses on traffic and roadway infrastructure on Saturna Island, and acts as a point of contact for the Ministry of Transportation and Infrastructure (MoTI) and a source of information for islanders
- A proposed increase on tax was included in the budget at a recently held meeting of the Financial Planning Committee
- A housing needs assessment report for the Trust Area that is mandated by provincial regulations is due this year and will cost a hundred thousand dollars; the Islands Trust is hoping to seek funding from the Province to assist

Trustee Middleton made the following comments in his report:

- The Governance Committee will meet in early November
- At the last Trust Council meeting, the Governance Committee sought endorsement of its interpretation of the Trust's mandate as it applies to decision-making as needing to consider a balance between the ecological needs and the needs of the human population/communities

4. CHAIR'S REPORT

Chair Maude made the following comments in his report:

- A long-term vision statement was considered, but not agreed upon, at the recent Trust Council meeting
- The Union of British Columbia Municipalities (UBCM) recently met in Vancouver, during which the Islands Trust met with the Ministry of Transportation and Infrastructure (MoTI); the latter committed to setting up a Task Force where the Minister will formally meet with representatives of the Islands Trust to discuss projects

5. ELECTORAL AREA DIRECTOR'S REPORT – None

6. TOWN HALL AND QUESTIONS

Town hall was held and no comments were made.

7. COMMUNITY INFORMATION MEETING

7.1 SA-ALR-2023.1 (Hall) - ALR Land Exclusion/Inclusion Application

Island Planner Smith reviewed application SA-ALR-2023.1 (Hall). Discussion was held and comments were made about legislative changes made in 2020 whereby land exclusion applications to the Agricultural Land Commission (ALC) must be submitted by a local government body (rather than the property owner).

8. PUBLIC HEARING

8.1 SA-ALR-2023.1 (Hall) - ALR Land Exclusion/Inclusion Application

8.1.1 Recess for Public Hearing

Saturna Local Trust Committee meeting closed at 11:55 a.m.

8.1.2 Recall to Order

Saturna Local Trust Committee meeting recalled at 12:08 p.m.

Public Hearing record under separate cover.

9. MINUTES

9.1 Local Trust Committee Minutes Dated July 27, 2023 (for Adoption)

By general consent the Saturna Island Local Trust Committee meeting minutes of July 27, 2023 were adopted.

9.2 Local Trust Committee Public Hearing Record Dated July 27, 2023 (for Receipt)

9.3 Section 26 Resolutions-without-meeting Report Dated Oct 10, 2023

10. BUSINESS ARISING FROM THE MINUTES

10.1 Follow-up Action List Dated Oct 2023

Discussion was held regarding the Follow-up Action List. Comments were made in support of a staff review of the current wording on the marine traffic standing resolution and for incorporating two Follow-Up Action List statements of support into an updated standing resolution.

11. DELEGATIONS – None

12. CORRESPONDENCE

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

13. APPLICATIONS AND REFERRALS

13.1 SA-TUP-2023.1 (Hannay) - Staff Report

Planner Belcher provided an update on SA-TUP-2023.1 (Hannay). Discussion was held and the following comments were made:

- Island Planner Smith recently visited the site and no concerns were noted
- Requirements regarding septic and water would need to be met to transfer an accessory building to a single-family dwelling
- The LTC may only approve or deny the permit, but may not modify it (i.e. no requirement related to landscaping may be added)

SA-2023-029

It was Moved and Seconded,

That Saturna Island Local Trust Committee approve the issuance of renewal Temporary Use Permit SA-TUP-2023.1 (Hannay) for a three (3) year period.

CARRIED

Discussion continued and comments were made about how it would be helpful for the LTC if the monitoring requirements included notification of when a building permit has been issued. Staff added to FUAL.

13.2 SA-RZ-2023.2 (Thachuk) - Staff Report

Island Planner Smith reviewed the staff report related to SA-RZ-2023.2 (Thachuk). Discussion was held and the following comments were made:

- The applicants have secured the purchase of an additional density from a willing property owner (Judy Myers) to allow for an additional dwelling on the subject parcel
- The process of adopting these bylaws will continue regardless of what happens with the three Myer property densities being considered for addition to the Community Amenity Density Reserve
- Support for the proposed bylaws was expressed as they set the property owner up for land transfer to Nature Trust of Canada

SA-2023-030

It was Moved and Seconded,

That the Saturna Island Local Trust Committee Bylaw No. 140, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2023” be read a first time.

CARRIED

SA-2023-031

It was Moved and Seconded,

That the Saturna Island Local Trust Committee Bylaw No. 141, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 2, 2023” be read a first time.

CARRIED

SA-2023-032

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. 140, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2023” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SA-2023-033

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. 141, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 2, 2023,” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

Discussion continued about the process and next steps for the application, including referrals and scheduling a Community Information Meeting (CIM) and Public Hearing (PH).

It was noted that there is potential to schedule a CIM and PH at the February LTC meeting, though timing would be tight and clarification on notification regulations is needed.

13.3 SA-ALR-2023.1 (Hall) - ALR Land Exclusion/Inclusion Application – Post Public Hearing Staff Report

Island Planner Smith reviewed the staff report related to SA-ALR-2023.1 (Hall). Discussion was held and the following comments were made:

- This is one of first applications staff has seen with a request of this nature, and the recommendation from staff to provide a site visit for First Nations will likely become more common as part of the Trust's commitment to Reconciliation
- This application received more response than the LTC gets on most bylaws
- Applications related to the Agricultural Land Reserve (ALR) seem to trigger more interest because there is potentially meaningful impact on the land base
- First Nations have a reason to see and understand what farming activities might do to known archaeological sites
- There is broader discussion within the Islands Trust about how to involve First Nations in the referral process from its beginning rather than approaching First Nations once a conclusion has been reached
- The current system, where a referral comes in when the LTC is at the end of a process, is not good – Lyackson First Nation received a Public Hearing Notice before having the opportunity for staff to respond to their referral
- Lyackson First Nation gave a clear request that a site visit was necessary
- There is no clear way forward for the applicant and engagement with First Nations could produce entirely unknown outcomes
- It is a morally good thing to engage with and build relations with First Nations, but the expenses must be considered
- Anything other than following the staff recommendation that was shared with Lyackson First Nation could be a mistake
- A more correct course of action would be to respond to Lyackson First Nation with an invitation to a site visit and open that invitation to other First Nations
- The cost of a site visit is too much of a burden to put on a single person/applicant
- The duty to consult is government's responsibility and should not be a financial responsibility of the property owner
- The LTC could acknowledge the interests of First Nations and the concern that has been expressed, but point out that those interests would be better addressed by the body responsible for the ALR
- The ALC process is unclear and needs to be confirmed

- It was suggested that the LTC might respond to Lyackson First Nation to say it is pausing to address this issue with the ALC
- It was suggested that the LTC note it is seeking to understand the consultation process for the ALR and will follow up with more information
- It is impossible to proceed with the referral process without clarification of the expectation and goals of the ALC
- The LTC is placed in the position of having to make political decisions of First Nations, which is not an appropriate move, and to adequately deal with those concerns causes the LTC to download to the property owner unspecified expenses that may not be what the ALC requires
- The process is new and LTC must honour what has been requested but should get advice first

SA-2023-034

It was Moved and Seconded,

That the Saturna Island Local Trust Committee direct staff to contact Agricultural Land Commission staff to clarify the process and steps the Agricultural Land Commission would take to consider First Nations input after submission by a local government and that First Nations respondents be informed of this step.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

15. REPORTS

15.1 Work Program Reports

15.1.1 Active Projects Report Dated Oct 2023

Received for information.

15.1.2 Future Projects Report Dated Oct 2023

Received for information.

15.2 Applications Report Dated Oct 2023

Received for information.

15.3 Trustee and Local Expense Report Dated Aug 2023

Received for information.

15.4 Adopted Policies and Standing Resolutions

Received for information.

15.5 Local Trust Committee Webpage

15.6 Islands Trust Conservancy Report – None

16. NEW BUSINESS

16.1 New Fee Bylaw – Request for Decision (Deferred from May 19, 2022 meeting)

Discussion was held and the following comments were made:

- Almost all other Southern Gulf Islands have adopted the New Fee Bylaw
- If directed to proceed, a draft fees bylaw will be developed for Saturna Island planning area using the model bylaw as the template

SA-2023-035

It was Moved and Seconded,

That Saturna Local Trust Committee request Staff to draft a new Fee Bylaw based on the model Fee Bylaw attached to Trust Council Policy “5.6.1 Application Processing Services.”

CARRIED

16.2 Saturna Island LTC Freedom of Information and Protection of Privacy Bylaw No. 139 – Updated Request for Decision

SA-2023-036

It was Moved and Seconded,

That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023”, be read a second time.

CARRIED

SA-2023-037

It was Moved and Seconded,

That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023”, be read a third time.

CARRIED

SA-2023-038

It was Moved and Seconded,

That Saturna Island Local Trust Committee Bylaw No. 139, cited as “Saturna Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 139, 2023” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

16.3 Advisory Committee Discussion

Discussion was held about how to address road infrastructure issues on Saturna Island.

SA-2023-039

It was Moved and Seconded,

That Saturna Island Local Trust Committee direct staff to initiate advertising for up to five members of an Advisory Planning Commission with the scope of addressing road infrastructure issues on Saturna Island.

CARRIED

16.4 Census Infographics - Briefing (for information)

Comments were made about the need to share the Census Infographics more widely, including on the LTC webpage.

16.5 Bylaw Enforcement Update

Discussion on bylaw enforcement notification was held and the following comments were made:

- The Land Use Bylaw currently provides for 24-hour notice to be given to property owners before investigations are carried out by bylaw enforcement officers
- Support was expressed for updating the current notice from 24 hours to two weeks, in accordance with the standing resolution

SA-2023-040

It was Moved and Seconded,

That Saturna Island Local Trust Committee add a review of the bylaw enforcement notification provisions in Bylaw 30 and Bylaw 119 to the Projects List.

CARRIED

16.6 Discussion on Saturna Island Schedule E Secondary Suites – LUB No. 119

Discussion was held on Saturna Island Schedule E Secondary Suites – LUB No. 119 and the following comments were made:

- Mapping that outlines areas of salt water intrusion vulnerability around the Saturna Island is used to exclude the use of secondary suites
- Work has since been done by the Province that relates to salt water intrusion and provides guidelines on how to manage the risk
- Support was expressed for reconsidering the mapped area so less areas are excluded from creating secondary suites

SA-2023-041

It was Moved and Seconded,

That Saturna Island Local Trust Committee add to the Future Projects list a review of the new information available that would influence the Saturna Island Schedule E Secondary Suites – Land Use Bylaw No. 119 map pertaining to secondary suites.

CARRIED

16.7 Discussion on Multiple Family Residential Zone (MFR) Permitted Uses

Discussion was held on Multiple Family Residential Zone (MFR) Permitted Uses and the following comments were made:

- Support was expressed for considering the removal of restrictions that limit MFR zoning to the purpose of providing affordable, senior or special need housing
- The suggestion was made that removing the constraint may create housing flexibility
- Comments were made that removing the restriction would be a significant shift and could lead to commercial multi-family housing developments, a cautious approach with robust community consultation is recommended by staff.

17. UPCOMING MEETINGS

17.1 Next Regular Meeting

17.1.1 Draft 2024 LTC Meeting Schedule (for approval)

SA-2023-042

It was Moved and Seconded,

That Saturna Island Local Trust Committee adopt the 2024 LTC regular meeting schedule as proposed by staff.

CARRIED

18. TOWN HALL

Town hall was held and no comments were made.

19. CLOSED MEETING – None

20. ADJOURNMENT

By general consent the meeting was adjourned at 3:15 p.m.

David Maude, Chair

Certified Correct:

Carly Bilney, Recorder