

ADOPTED

Saturna Island Local Trust Committee

Minutes of Regular Meeting

Date: July 24, 2025
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
Warren Dingman, Bylaw Compliance & Enforcement Manager (electronic)
Lisa Millard, Meeting Administrator / Recorder (electronic)

Others Present: There were approximately 8 members of the public present.

1. CALL TO ORDER

Chair Maude called the meeting to order at 11:33 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Maude acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. RISE AND REPORT – In-Camera Meeting April 24, 2025

Chair Maude reported that during the April 24, 2025 in-camera meeting Bert Hol, Priscilla Ewbank, and Dennis Perch were appointed to Board of Variance for a term ending April 24, 2028 and adoption of the November 7, 2024 in-camera meeting minutes.

4. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

18.5 Wetland Conservation Proposal for 105 Cliffside Road - Discussion

By general consent the agenda was adopted as amended.

5. TRUSTEE REPORT

Trustee Boland reported the following:

- Attended Trust Council in June
- Has been appointed as Chair of the Regional Planning Committee and attended a recent meeting during which a demonstration was provided on the Water Atlas which is a digital mapping platform that provides information about water resources throughout the Trust Area

- The tiny homes on wheels enabling project will be presented for rural island economic partnership consideration and a webinar may be forthcoming
- Has had discussions with representatives from the Ministry of Transportation and Transit regarding possibilities of road improvements, available budget, and if there is ability to leverage support to increase the budget

Trustee Middleton reported the following:

- Has received several letters from the community regarding concerns that roadside mowing has not been done yet this year which creates a fire hazard and potential to spread invasive species if mowed late in the season
- Has written to the Ministry of Transportation and Transit regarding the mowing issue and will correspond with the Ministry earlier next year in attempt to have the work scheduled in a timelier manner

6. CHAIR'S REPORT

Chair Maude reported the following:

- The draft Trust Policy Statement has been forwarded to Trust Council for consideration of First Reading to be followed by an engagement period with First Nations, agencies, and the public, and each Local Trust Committee will determine the form of engagement to take place in their local Trust Area
- A new Minister of the Ministry of Housing and Municipal Affairs has been announced
- The next Trust Council meeting will be held in September on Gabriola Island

7. ELECTORAL AREA DIRECTOR'S REPORT - None

8. TOWN HALL AND QUESTIONS

A member of the public spoke to commercial activity taking place on a neighbouring Rural Residential Property through the use of a Temporary Use Permit and the following comments were noted:

- The Official Community Plan creates an agreement between residents, businesses, neighbours, and the community
- If a Temporary Use Permit is allowed to extend beyond its established term and is subsequently renewed it has the effect of changing zoning without having to apply for rezoning
- The point of a Temporary Use Permit is questionable if it is allowed to continue indefinitely
- They built their home on a lot zoned Rural Residential and had the expectation that their neighbours would be rural residential owners
- The lot next door was purchased by a corporation that did not inform the community of its intentions and built an observation room hooked up to a septic system without regard to what is allowed within the Official Community Plan
- The corporation drilled into the foreshore for a period of approximately three weeks without intervention by Islands Trust staff
- Island Trust then issued a Temporary Use Permit which allowed a defined scope of work including quiet observation with employees only attending to check on equipment

- The property is being used for an operation under a multi million-dollar contract on a .71-acre lot and a commercial operation is only supposed to be permitted on a lot over 3 acres in size
- The organization is paying taxes on a bare land basis
- An occupancy permit was issued by the Capital Regional District and an employee is now residing on site which is not specified under the Temporary Use Permit
- They have heard that the operation is a whale research station
- They need to know what is going on at the property in the event they need to disclose information to a real estate agent should they sell their own property
- There is so much activity it has upset their dog, causing it to react, and cause damage to its back
- There is no benefit to the cetaceans or community
- A mediator attended a meeting between the parties and the organization stated they would restore the property to its original condition and install a fence but have done neither

The Planner provided the following information to the speaker:

- A Temporary Use Permit can be issued for up to 3 years with the option to renew it once and, following expiration of a renewal, a new permit application would need to be put forward
- The operation falls under federal jurisdiction and legal advice has been received indicating federally regulated activities are not subject to local government regulations
- Once an occupancy permit has been issued the lot is permitted to have someone live on the property
- The owner has inquired about next steps to either seek rezoning, make application for another Temporary Use Permit, or to determine if they meet home occupation regulations with an employee living on site now that the Local Trust Committee has amended the Bylaw to allow hydroacoustic activity to occur in the Water 1 zone
- Whether or not another Temporary Use Permit is issued the operator can likely carry out activities they are contracted to perform under federal authority
- The Local Trust Committee determined the only tool they had that might attempt to regulate some aspects of the land use was through a Temporary Use Permit but if conditions of the permit are not met it is unlikely they can be enforced against the federally regulated operation
- The speaker might try to address the issue with the local MLAs office
 - Trustees indicated they can try to speak to the organization's representative to determine if there are things that can be done to alleviate the situation and inquire if there is a prospect of the contract continuing

The agenda was reordered and item 18.5 was discussed following Town Hall.

9. COMMUNITY INFORMATION MEETING - None

10. PUBLIC HEARING - None

11. MINUTES

11.1 Saturna Island Local Trust Committee Minutes Dated April 24, 2025 (for Information)

Received for information.

11.2 Section 26 Resolutions-without-meeting Report Dated July 2025

Received for information.

12. BUSINESS ARISING FROM THE MINUTES

12.1 Follow-up Action List Dated July 2025

Received for information.

13. DELEGATIONS - None

14. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the Local Trust Committee webpage

15. APPLICATIONS AND REFERRALS

15.1 South Pender Island Local Trust Committee Referral for Proposed Bylaw No. 129 (for Response)

SA-2025-017

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee interests are unaffected by the South Pender Island Local Trust Committee Draft Bylaw No. 129.

CARRIED

15.2 Mayne Island Local Trust Committee Referral for Proposed Bylaws 194 and 195 (for Response)

SA-2025-018

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee interests are unaffected by the Mayne Island Local Trust Committee Draft Bylaw Nos. 194 and 195.

CARRIED

16. LOCAL TRUST COMMITTEE PROJECTS

16.1 Minor Housing Amendments Project - Staff Report

The Planner noted First Nations and agency bylaw referrals have been completed and Bylaw No. 143 is being brought forward for consideration of next steps.

Trustees had no questions for the Planner.

SA-2025-019

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee amends draft Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024’ by including the definition of freshwater as provided by staff in the July 24, 2025 staff report.

CARRIED

SA-2025-020

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024’ is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SA-2025-021

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee directs staff to initiate notice of first reading for draft Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024”.

CARRIED

17. REPORTS

17.1 Work Program Reports

17.1.1 Active Projects Report Dated July 2025

Received for information.

17.1.2 Future Projects Report Dated July 2025

Discussion ensued regarding potential future projects and the following comments were noted:

- Bylaw No. 143 is still in progress and the Local Trust Committee might wish to consider priorities for a project to begin at the start of next term
- Any change to the use of densities in the Community Amenity Density Reserve to accommodate accessible / affordable housing initiatives requires community conversation
- Focus could be given to securing densities into the Community Amenity Density Reserve in the short term, and then looking at potential to amend the Official Community Plan to change the use of the densities within the reserve in the future

17.2 Applications Report Dated July 2025

Received for information.

17.3 Trustee and Local Expense Report Dated May 2025

Received for information.

17.4 Adopted Policies and Standing Resolutions

Received for information.

17.5 Local Trust Committee Webpage

No updates requested.

17.6 Islands Trust Conservancy Report Dated March and June 2025

Received for information.

18. NEW BUSINESS

18.1 Road Matters on Saturna - Status and Plans

A Trustee noted the response received from the Ministry of Transportation and Transit will be circulated at the Southern Gulf Island Forum and the issues of verge mowing and road maintenance were discussed during Trustee Reports.

18.2 Saturna Island LTC Meeting Procedures Repeal Bylaw No. 144 - Request for Decision

It was noted that Trust Council adopted Bylaw No. 197 Local Trust Committee Procedures Bylaw for the purpose of administrative efficiency, it presents minimal changes to local procedures bylaw, and the Trust Council bylaw supersedes local meeting procedures bylaw.

SA-2025-022

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 144, cited as “Saturna Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 144, 2025”, First Reading.

CARRIED

SA-2025-023

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 144, cited as “Saturna Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 144, 2025”, Second Reading.

CARRIED

SA-2025-024

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 144, cited as “Saturna Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 144, 2025”, Third Reading.

CARRIED

SA-2025-025

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 144, cited as “Saturna Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 144, 2025” to the Islands Trust Executive Committee for consideration of approval.

CARRIED

18.3 Saturna Island LTC Public Notification Bylaw No. 145 - Request for Decision

Trust Council adopted the model Public Notification Bylaw which allows Local Trust Committees the authority to adopt public notice bylaws that supersede the requirements for publishing public notices in newspapers as specified in the *Local Government Act* which was not necessarily effective for rural islands that do not have local newspapers.

SA-2025-026

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 145, cited as “Saturna Island Local Trust Committee Public Notification Bylaw No. 145, 2025”, First Reading.

CARRIED

SA-2025-027

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 145, cited as “Saturna Island Local Trust Committee Public Notification Bylaw No. 145, 2025”, Second Reading.

CARRIED

SA-2025-028

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 145, cited as “Saturna Island Local Trust Committee Public Notification Bylaw No. 145, 2025”, Third Reading.

CARRIED

SA-2025-029

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee give Bylaw No. 145, cited as “Saturna Island Local Trust Committee Public Notification Bylaw No. 145, 2025” to the Islands Trust Executive Committee for consideration of approval.

CARRIED

18.4 Bylaw Enforcement Policy - Staff Report (2:15)

The Bylaw Compliance and Enforcement Manager summarized the staff report and highlighted the following:

- The draft Local Trust Committee Bylaw Compliance and Enforcement Policy document has been brought back to the Local Trust Committee for reconsideration along with information on the feasibility of integrating some, or all, of the document into the Saturna Island Local Trust Committee Bylaw Infraction Investigations Bylaw No. 30
- The draft Compliance and Enforcement Policy incorporates all standing resolutions for compliant enforcement into a single document and establishes priorities for enforcement
- The Local Trust Committee has authority to adopt bylaws and provide regulations around inspecting private property under the *Local Government Act*
- Bylaw No. 30 authorizes enforcement of bylaws and authorizes Bylaw Officers to inspect properties at reasonable times which is language repeated from the *Local Government Act*
- The Saturna Island Land Use Bylaw also contains a section that authorizes Bylaw Officers to enter private property for inspection at any reasonable time after giving 24 hours notice and this regulation is not consistent with Bylaw No. 30 nor the proposed Local Trust Committee Enforcement Policy which would require 30 days notice with some exceptions
- Staff recommend that when the Land Use Bylaw is amended the 24-hour notice provision be removed to more clearly support the policy being used to establish what the Local Trust Committee considers a reasonable time to be and what exceptions are in place
- The policies can be readily revised by resolution to reflect changed circumstances whereby bylaws cannot be easily changed and require an amendment process

Discussion ensued and the following comments and clarifications were recorded:

- The Enforcement Policy and Bylaw No. 30 are equally applicable
- The policy is the direction to staff on what staff can do, the Land Use Bylaw does not need to reference when inspection can occur as it is covered in the *Local Government Act*
- The Local Trust Committee can either have a standing resolution that provides a 30-day notice or adopt the policy that provides the same
- Bylaw No. 30 serves the purpose of appointing Bylaw Officers
- A Trustee noted it is not understood that the wording in the policy would have the same standing as the wording in the bylaw from a legal perspective
- The Bylaw Compliance and Enforcement Manager noted that their interpretation of legal opinion is that The *Local Government Act* states a Bylaw Officer can enter private property at any reasonable time and the only legal jeopardy they face is in regards to evidence collected while a Trustee's interpretation is that the enabling act is the vehicle by which a Bylaw Officer is permitted to enter private property
- The bylaw allows unfettered access and should have a clear structure from which the policy is built
- As an enabling bylaw to the policy, Bylaw No. 30 should state there is a 30-day notice requirement which may be varied by resolution of the Local Trust Committee

- It was proposed that the bylaw not apply to individuals of First Nations ancestry who have fee simple ownership of land and can prove long-term attachment to the island and this exemption was successfully applied to the Galiano Local Trust Committee policy
- There is a differing opinion about the law on the matter and additional information is required in terms of how the *Local Government Act* dispenses its authority to local governments
- The highest level of legislation states a bylaw officer can enter a private property at all reasonable times and leaves it to the local government authority to state what the reasonable times are

Ben Mabberley, Galiano Island Trustee, was invited to speak and he noted that Galiano entered into an exemption to acknowledge that the Penelakut Tribe had been on Galiano since time immemorial, an exception was introduced in the bylaw to allow First Nations on traditional territory be exempt, the exemption was accepted and passed by Executive Committee, and while a symbolic gesture, it was the first time the Penelakut Tribe had been recognized within the Official Community Plan.

The Trustees indicated they would like to defer adoption of the policy to allow time to engage with First Nations and Trustee Middleton will put concerns in writing for staff to address prior to next meeting.

18.5 Wetland Conservation Proposal for 105 Cliffside Road - Discussion

A property owner submitted a letter to the Local Trust Committee seeking preliminary discussion regarding wetland conservation opportunities for part of a 30-acre property and the following comments were noted:

- They would like to subdivide 2 one-acre parcels on one end of the property, 2 two-acre parcels on the other end, keep approximately 25 acres for themselves and protect the wetlands area through the Natural Area Protection Tax Exemption Program (NAPTEP)
- Islands Trust Conservancy staff have indicated willingness to look into the opportunity if they receive confirmation from the Local Trust Committee that there is community interest in conservation of the area

Discussion ensued and the following comments were noted:

NAPTEP is a joint Islands Trust and Islands Trust Conservancy program that provides landowners with an annual exemption of up to 65% of their property taxes when they permanently protect the natural features of the land through covenant

- The previous property owner removed all but one of the densities on the property through s. 219 covenant to use elsewhere resulting in restricting the property to one density although current zoning would permit up to 5 lots
- The Community Amenity Density Reserve holds four (4) donated densities for use for community amenity conservation purposes and there might be opportunity to transfer these densities to permit four additional lots and use the NAPTEP mechanism to creative conservancy

- A community benefit would be realized through wetland preservation
- Islands Trust Conservancy needs to understand if the property owner wishes to move forward with conservation regardless of rezoning outcomes
- A rezoning application can take upwards of two years to process and proof of water and septic would need to be shown for the proposed new lots
- Significant community discussion would be required regarding the use of the densities in the Community Amenity Density Reserve
- The property owner was provided with options and suggestions on how to bring a community presentation forward

SA-2025-030

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee request staff to schedule a Community Information Meeting to be held during the October 23, 2025 Local Trust Committee meeting to discuss proposal for wetlands conservation options at 105 Cliffside Road.

CARRIED

19. UPCOMING MEETINGS

SA-2025-031

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee scheduled for October 23, 2025 at the Saturna Recreation and Cultural Hall start at 11:00 a.m.

CARRIED

19.1 Next Regular Meeting Scheduled for October 23, 2025 at the Saturna Recreation and Cultural Hall, Saturna Island

20. TOWN HALL

A member of the public stated that by initiating the conversation about First Nation exemption the public engagement process has started as members of the public will speak about it, research it, and seek ways of moving forward.

21. CLOSED MEETING - None

22. ADJOURNMENT

By general consent the meeting was adjourned at 3:28 p.m.

David Maude, Chair

Certified Correct:

Lisa Millard, Meeting Administrator / Recorder