

Saturna Island Local Trust Committee

Minutes of Special Meeting

Date: March 26, 2024
Location: Electronic Meeting

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

Staff Present: Brad Smith, Island Planner (electronic)
Katherine Vogt, Recorder (electronic)

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

1. CALL TO ORDER

Chair Maude called the electronic meeting to order at 1:34 p.m. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations. He introduced Trustees, staff, recorder, and members of the public. He noted that Trustee Middleton was delayed and would hopefully be joining the meeting shortly.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. MINUTES

3.1 Local Trust Committee Minutes Dated February 15, 2024 (for Adoption)

By general consent, the Saturna Island Local Trust Committee minutes dated February 15, 2024 were adopted as presented.

4. COMMUNITY INFORMATION MEETING

4.1 SA-RZ-2023.2 (Thachuk) - Proposed Bylaws 140 and 141

Chair Maude opened the Community Information Meeting at 1:37 p.m.

Island Planner Smith explained that the Community Information Meeting was for members of the public to ask questions regarding proposed Bylaws 140 and 141 for the application SA-RZ-2023.2 (Thachuk). Bylaws 140 and 141 would amend the Land Use Bylaw and Official Community Plan by rezoning the parcel at 100/101 Payne Road to permit an additional dwelling density transferred from 201 Harris Road. The transfer would occur through a private agreement between the property owners. The Harris Road property would also offer three additional densities to the Community Amenity Density Reserve.

An applicant representative noted that the intent of the application was to separate a Tenancy-In-Common property for estate planning purposes and are purchasing a density from the Harris Rd parcel to do so.

Members of the public noted or asked the following:

- What is the square footage of the residential building and cottage on the 100/101 Payne Road property?
 - Island Planner Smith responded that there was no record of the square footage of the structures
 - If the rezoning application was to proceed, the applicants would have the right to two residential dwelling units with no cottage rights, rather than their current permission for one dwelling unit and one accessory cottage
 - The cottage could be upgraded in size after rezoning
 - The applicant representatives responded that the main house was approximately 1800 square feet, and the cottage was approximately 995 square feet, which is just under the allowable 1000 square feet
 - LTC could establish a maximum square footage as part of the rezoning and/or require a s219 covenant establishing areas where no future development can occur
- Is the 201 Harris Road property separate from the 100/101 Payne Road property?
 - Island Planner Smith noted that the two properties were separate, and density transfers do not need to have the properties adjacent to each other.
- Why did we receive notification of this application only in March 2024, leaving us less than three weeks to prepare for this meeting? We are the immediate neighbors of this property proposed for rezoning and should have been notified sooner
 - Island Planner Smith responded that the statutory requirements were for notification to be sent to all property owners within a 100-meter radius of each subject parcel 10 to 21 days before the public hearing; but the application itself has been widely publicly available on numerous local agendas and the Trust website since 2023
 - Island Planner Smith added that they advise applicants to engage with neighbors but cannot require it
- This subdivision application is important for being adjacent to a significant and currently unprotected sensitive wetland which drains a very large watershed into Boot Cove, which the Trust needs to review
 - Island Planner Smith noted that he had a record of a bylaw complaint file from 2018 and the bylaw complaint was closed after finding that no structures were encroaching on any watercourse
 - The watercourse is not currently provincially registered
 - A member of the public noted that between 2017 and 2018, there was extensive correspondence involving numerous agencies and Trustee Middleton regarding the problematic diversion of the watercourse and subsequent flooding of a downstream property; a chronology of documents can be provided. Can the Trust compile this information for inclusion in a new public hearing?

- A member of the public commented that the concern would be if a future property owner converted the land to a farm, or for some other reason drained the wetland
 - This wetland should be registered and protected
- There are two charcoal pits historically used by Japanese farmers for their greenhouse operations on Mayne Island. The Trust should work on recognizing and protecting these historic sites
 - Island Planner Smith responded that there were no references to charcoal pits in his records
- Despite all the years spent on the Official Community Plan, it seems that anybody with enough money can bring about unfair personal exceptions to the rules. Personal estate planning should not be a community issue

The Community Information meeting ended at 2:17 pm.

Trustee Middleton joined the meeting at 2:17 pm.

5. PUBLIC HEARING

5.1 SA-RZ-2023.2 (Thachuk) - Proposed Bylaws 140 and 141

5.1.1 Recess for Public Hearing

The meeting recessed for public hearing at 2:18 a.m.

5.1.2 Recall to Order

The meeting was recalled to order at 2:34 p.m.

Public Hearing record under separate cover.

6. BUSINESS ITEMS

6.1 SA-RZ-2023.2 (Thachuk) - Proposed Bylaws 140 and 141 - Post Public Hearing Staff Report

Island Planner Smith presented the staff report that recommended that proposed Bylaws No. 140 and No. 141 be read a third time and forwarded for Executive Committee and Ministerial approval. He noted the following:

- Information recently received from the Community Information Hearing and the Public Hearing would not change staff recommendations at this time
- Last minute information is very common with applications. Staff reports must be completed well ahead of meetings to be included in the agenda package; but the deadline for receiving information is right up to the end of the Public Hearing

Trustee Middleton stated that his Islands Trust email, due to the ports being blocked for the Trust exchange server, had not been working, and he had not been able to read the two recent submission letters. He recognized that the applicants would be disappointed in the slowing of their application process, but requested to defer third reading of the Bylaws for prudence.

Island Planner Smith attempted to contact the Director of Legislative Services David Marlор or Regional Planning Manager Robert Kojima for guidance on the possibility of reopening the Public Hearing to give Trustee Middleton time to read through the recent correspondence. He noted the time and expense of redoing the Public Hearing.

By general consent the meeting was recessed at 2:47 p.m. and reconvened at 2:55 p.m.

Trustee Middleton expressed that a higher level of neighbor comfort with the application would benefit the applicant. Adjustments to the Bylaw may be a possibility. Citizens of Saturna want to see good governance and this is more important than rushing through the process.

Island Planner Smith confirmed that he was able to contact Director Marlор who advised that because the submissions were received yesterday and put on WebDAV, as well as being available on the public website, that Trustees could defer their decision and then proceed without a public hearing.

7. CLOSED MEETING (Distributed Under Separate Cover)

7.1 Motion to Close the Meeting

SA-2024-020

It was Moved and Seconded,

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(a) for the purpose of considering:

(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

AND that the recorder and staff attend the meeting.

CARRIED

7.2 Recall to Order

By general consent the meeting was recalled to order at 3:14 pm.

7.3 Rise and Report

Chair Maude reported that that Dennis Perch was appointed to the Board of Variance; and that Priscilla Ewbank, Rob Alloway, and Steven Brown were appointed to the Advisory Planning Commission.

8. ADJOURNMENT

SA-2024-021

It was Moved and Seconded,

that the meeting be adjourned.

CARRIED

The meeting was adjourned at 3:15 p.m.

David Maude, Chair

Certified Correct:

Katherine Vogt, Recorder