

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 127**

**A BYLAW TO AMEND SATURNA ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 70, 2000**

The Saturna Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2019”.

2. SCHEDULES

Saturna Island Official Community Plan No. 70, 2000 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

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	9 TH	DAY OF	MAY	2019
PUBLIC HEARING HELD THIS	18 TH	DAY OF	JULY	2019
READ A SECOND TIME THIS	18 TH	DAY OF	JULY	2019
READ A THIRD TIME THIS	18 TH	DAY OF	JULY	2019
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	4 TH	DAY OF	SEPTEMBER	2019
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS	7 TH	DAY OF	NOVEMBER	2019
ADOPTED THIS	23 RD	DAY OF	DECEMBER	2019

Chair

Secretary

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 127**

SCHEDULE 1

The Saturna Island Official Community Plan No. 70, 2000, is amended as follows:

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, “Saturna Island Official Community Plan Bylaw No. 70, 2018” is amended by deleting Part H (Temporary Commercial and Industrial Use Permits) in its entirety and replacing it with the following:

“PART H - TEMPORARY USE PERMITS

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

Objectives for Issuing Temporary Use Permits

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

Permit Guidelines

- H.1.2** Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- H.1.3** Permitted uses should be consistent with the policies of the designation and the provisions of H.1.1.
- H.1.4** Permitted uses should not preclude or compromise future permitted uses on the affected lot.
- H.1.5** Uses should not be allowed if they conflict with any ongoing planning policies or programs.
- H.1.6** Permit conditions must make reference to measures dealing with the following points:
- a) general activity levels that will not create any disturbance apparent beyond the property’s boundaries;
 - b) adequate landscape buffering or distance separation to adjacent lots;
 - c) provision of off-street parking spaces consistent with regulatory bylaws;
 - d) reclamation measures that will restore the permit area to suitability for its designated primary use; and
 - e) adequate supervision of the site.

- H.1.7** In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.
- H.1.8** Campsites may be permitted provided there is adequate supervision to a maximum density of 2 campsites per acre on properties of at least 2.02 hectares (5 acres).
- H.1.9** All individual campsites will have walk-in access only with no vehicle access directly to the site.
- H.1.10** In reviewing applications and establishing permit conditions, the Local Trust Committee should consider the climate change impacts of the proposed use.
- H.1.11** In addition, the following guidelines apply when the Local Trust Committee is considering the issuance of a temporary use permit for a commercial vacation rental:
- a) For the purpose of a temporary use permit, “commercial vacation rental” means the use of a residence as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier;
 - b) The Local Trust Committee should consider the cumulative effects on the neighbourhood and Island of all the temporary use permits issued for commercial vacation rentals;
 - c) The Local Trust Committee may consider issuance of a temporary use permit for a commercial vacation rental provided the proposal would not alter the residential appearance of the residence;
 - d) The Local Trust Committee may require mitigating measures to address neighbours’ concerns, such as retention of existing screening and fencing, or installation of additional screening;
 - e) The landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use. A pump test or other report may be requested in the application process. Where there is inadequate groundwater, a rainwater catchment system may be required as a condition of the permit. If the lot is served by a community water system, the application should be referred to the water system operator for approval.
 - f) A temporary use permit for a CVR on a parcel in the Agricultural Land Reserve may require approval of the Agricultural Land Commission.
- H.1.12** In addition to the above requirements any TUP issued for CVR use should:
- a) restrict advertising to one unilluminated sign, with a maximum area;
 - b) demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles;
 - c) require that the owner or other contact be available on Saturna by telephone 24 hours/day, seven days per week and include the name and contact information in the conditions of the permit;

- d) require the owner or manager to provide neighbours within a 100 metre radius of the vacation rental with the owner or manager's phone number, and a copy of the temporary use permit;
- e) require the landowner to post for guests information on noise bylaws, water conservation, fire safety, storage of garbage, septic care and control of pets (if pets are permitted), and remind guests that the property is located in a residential area;
- f) establish a maximum number of occupants;
- g) prohibit camping or occupancy of RVs on the property;
- h) prohibit outdoor fires;
- i) require the landowner/operator to post for guests emergency service contact information;
- j) require the landowner/operator to post contact information and permit information at the entrance to the property;
- k) require that a water licence for commercial use is to be obtained from prior to commencing the use; and
- l) ensure that there is legal access to the property where the CVR use is to be carried out. In the case of a shared access permission from all the property owners with an interest in the access be required.