

# ADOPTED



## Saturna Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** May 9, 2019  
**Location:** Saturna Island Community Hall  
105 East Point Road, Saturna Island, BC

**Members Present:** Laura Patrick, Chair  
Paul Brent, Local Trustee  
Lee Middleton, Local Trustee

**Staff Present:** Gary Richardson, Island Planner  
Miles Drew, Bylaw Compliance and Enforcement Manager  
Brad Smith, Island Planner  
Ruth Daber, Recorder

**Public:** There were approximately (8) members of the public

#### 1. CALL TO ORDER

Chair Laura Patrick called the meeting to order at 12:33 p.m. She acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

Chair Patrick introduced herself, the Saturna Local Trustees, the Planner and Recorder.

#### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

**Under Projects:** Ground Water Sustainability Project.

**Under New Business:** Southern Resident Killer Whale Recovery Strategy.

**By general consent** the agenda was adopted as amended.

#### 3. TOWN HALL AND QUESTIONS

Chair Patrick invited public comments and questions.

**Priscilla Ewbank** asked if the Islands Trust has tools or jurisdiction regarding private landowners clear cutting given a very dry May, climate change and the distinction between clear-cutting and sustainable cutting.

Chair Patrick expressed concern about the growing urgency of the issue. She referred to the Coastal Douglas Fir tool kit specific to eco system protection and mentioned appealing to the

province to think about the islands differently and that other islands are feeling the same pressure.

**Pat Carney** asked for clarification of the Islands Trust's relationship with indigenous reserve lands, pointing out the risk of fire following the recent clear-cut and slash on the ground.

It was clarified that the Islands Trust has no authority over federally administered reserve lands.

**Pat Carney** enquired about the lead agency for Saturna Island in an emergency.

#### **4. COMMUNITY INFORMATION MEETING**

##### **4.1 Secondary Suites - Bylaws 124 and 125**

Planner Richardson explained the history and content of proposed bylaws 124 and 125.

Chair Patrick invited questions:

**John Money** asked if a secondary suite becomes another household/a separate water licence.

**Priscilla Ewbank** asked for clarification regarding East Point.

Planner Richardson referred to a bylaw map on page 23 and explained that the black area is where secondary suites are not permitted due to saltwater intrusion concerns.

**Pat Carney** asked to clarify who approves secondary suites.

It was noted that CRD is responsible for specific building code requirements for legal secondary suites.

#### **5. PUBLIC HEARING**

##### **5.1 Saturna Island Local Trust Committee Bylaw 124 - OCP Amendment 3, 2018 AND Saturna Island Local Trust Committee Bylaw 125 - LUB Amendment 1, 2018**

Public Hearing binder under separate cover.

#### **6. MINUTES**

##### **6.1 Local Trust Committee Minutes Dated March 7, 2019 (for information)**

Received for information.

##### **6.2 Section 26 Resolutions-without-meeting Report Dated May 2019 (for information)**

Received for information.

##### **6.3 Advisory Planning Commission Minutes**

None

#### **7. BUSINESS ARISING FROM THE MINUTES**

##### **7.1 Follow-up Action List Dated May 2019**

Planner Richardson summarised the Follow Up Action List (FUAL)

Trustee Brent requested for efficiency to not be sent bylaw referrals from adjacent LTCs that are not relevant.

**SA-2019-017**

**It was Moved and Seconded,**

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.

**CARRIED**

**8. DELEGATIONS**

None

**9. CORRESPONDENCE**

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

**10. APPLICATIONS AND REFERRALS**

**10.1 SA-RZ-2019.1 (Money) - Staff Report**

Planner Richardson reviewed the staff report about the rezoning of land around Money Lake. He advised that the application is to allow residential density on water shed lands. This application conflicts with several policies of the Saturna Official Community Plan. He recommended that this application not proceed.

The applicant, John Money, commented on the follows:

- Disagreed with the planning report ;
- Proposed two lots with density and giving the watershed to the community;
- Current zoning allows forestry related buildings; potentially a logging camp;
- Selling the land would be an uncertain future for the property; and
- The proposal is a way to protect watershed.

Chair Patrick invited comments from the audience and discussion included:

- Proceed no further with this application;
- Get more information/clarify facts;
- Include community in the process;
- Opposition to logging a watershed and living in a watershed;
- Consider other options of preserving the land; and
- Concern about climate change.

John Money explained that 25 acres of land around the lake would be gifted in the proposal and offered to provide additional densities from other land holdings on Saturna island.

Trustees discussed the following:

- The significant offer was acknowledged;
- The application is a potential way to protect the area from clear cutting; could be a potential protective benefit with details to be worked out.

Pat Carney recommended a new application that clarifies boundaries and adequate watershed protection and pointed out the existing easement for the protection of the reservoir.

John Money indicated his interest in seeing the land go to CRD and Parks Canada who are already working together.

Trustees raised the following points:

- The current application is not supported and needs to be modified, providing densities as a primary step;
- The conditions for proceeding with the application includes: correct accounting of densities, better understanding of watershed protection and the potential benefit to the community.

John Hutchinson commented on the logging aspect of the application, septic/leach field impact, as well as drilling a well into current water resources.

John Money added that his water rights on the lake will go with the amenity.

**SA-2019-018**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee receive the application and for the planner to work with the applicant and review the OCP policies to determine if proceeding with the application is appropriate.

**CARRIED**

Trustee Middleton supported the LTC endorsing a strategy that sees the community get the lake, dam, attached lot and the applicant's remaining water rights in Money Lake. He hoped that Parks Canada would purchase the remainder of the lands which is the watershed.

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Saturna Island Local Trust Committee Secondary Suite Bylaws 124 and 125 - Staff Report (for further consideration)**

Chair Patrick advised there not be any further discussion due to the public hearing earlier.

**SA-2019-019**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be read a Second time.

**CARRIED**

Trustee Middleton asked to note the scientific source of the saltwater intrusion vulnerability mapping which Planner Richardson confirmed is to be cited.

**SA-2019-020**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be read a Second time.

**CARRIED**

**SA-2019-021**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be read a Third time.

**CARRIED**

**SA-2019-022**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be read a Third time.

**CARRIED**

**SA-2019-023**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

**CARRIED**

**SA-2019-024**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 125 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2018” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

**CARRIED**

**SA-2019-025**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 124 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.3, 2018” be forwarded to the Minister of Municipal Affairs and Housing.

**CARRIED**

**11.2 Density Transfer - Saturna Island LTC Bylaw No. 126 - Staff Report (for further consideration)**

Planner Richardson explained the purpose of the bylaw.

**SA-2019-026**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 126 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2019” be read a Second time.

**CARRIED**

**SA-2019-027**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 126 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2019” be read a Third time.

**CARRIED**

**SA-2019-028**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Proposed Bylaw No. 126 cited as “Saturna Land Use Bylaw No. 119, 2018, Amendment No.1, 2019” be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

**CARRIED**

**11.3 Commercial Vacation Rentals – Saturna Island LTC Draft Bylaw 127 – Staff Report**

Planner Richardson explained the draft bylaw and the amendments that were made based on previous direction given by the LTC.

**SA-2019-029**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee Draft Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” be read a first time.

**CARRIED**

**SA-2019-030**

**It was Moved and Seconded,**

that the Saturna Island Local Trust Committee direct staff to schedule a public hearing for Bylaw No. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019”.

**CARRIED**

**SA-2019-031**

**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. 127 cited as “Saturna Official Community Plan Bylaw No. 70, 2000, Amendment No.1, 2019” is not contrary or at variance with the Islands Trust Policy Statement.

**CARRIED**

**12. REPORTS**

**12.1 Work Program Reports**

**12.1.1 Top Priorities Report dated May 2019**

Chair Patrick referred to the listed priorities and the added item: Ground Water Sustainability Project. Reference was made to an email communication about the project. It was indicated as the highest priority for Saturna and the other Southern Gulf Islands.

**SA-2019-032**

**It was Moved and Seconded,**

that the Saturna LTC replace Secondary Suite Review with Groundwater Sustainability Project on the top priorities list.

**CARRIED**

**SA-2019-033**

**It was Moved and Seconded,**

that the Saturna Island Local Trust Committee be part of the Groundwater Sustainability Project.

**CARRIED**

**SA-2019-034**

**It was Moved and Seconded,**

that the Saturna Local Trust Committee direct staff to request that Saltwater Intrusion Vulnerability Mapping be placed on a Trust Council agenda for discussion.

**CARRIED**

12.1.2 Projects List Report Dated May 2019

Received for information.

**12.2 Applications Report Dated May 2019**

No questions or comments.

**12.3 Trustee and Local Expense Report Dated February 2019**

Received for information.

**12.4 Adopted Policies and Standing Resolutions**

It was stated that a new standing resolution was added today regarding bylaws being referred to the Saturna LTC from adjacent LTCs.

**12.5 Local Trust Committee Webpage**

No comments were made.

**12.6 Trustee Report**

Trustee Middleton reported on the following:

- The Southern Resident Killer Whale Recovery Strategy to support these species at risk from the LTC level.
- It is called a voluntary bylaw, for freighters to reduce speed in the area from May to October and to connect with the Local Trust areas of North Pender, South Pender and Mayne to cover critical habitat.

Trustee Brent credited this project to Trustee Middleton's efforts.

Trustee Brent reported on the following:

- A meeting at Poets Cove under the Community Resource Centre that included First Nations, CRD and Islands Trust people.
- Being on the executive (Acting President) of the Community Resource Centre, an initiative that started last year that is looking at developing educational programs with First Nations.
- Explains that they plan to put on courses outside normal tourist times; provide information with an indigenous perspective on protecting the Salish Sea environment and travelling through the Southern Gulf Islands, with lectures



including: residential school, Douglas Treaty and furthering relationships with First Nations.

- He considered it a great way to engage, build relationships with a common goal.
- First Nations are interested and this is a great way to build relationships and implement reconciliation and healing.
- Initiative to do senior education for computers, assisting young people for job interviews, assisting organisations to attract volunteers and having funding for tourism.
- There was mention of funds of \$90,000 dollars and going to see a Community Resource Centre representative on Saturna Island and the other islands for some time.

### **12.7 Chair's Report**

Chair Patrick reported on the declaration of climate emergency which gives permission to think more aggressively. There will be more conversations in June.

Islands Trust made a Reconciliation Declaration and which she read out.

### **12.8 Islands Trust Conservancy Report Dated March 2019**

Chair Patrick mentioned Trust Conservancy is seeking more funding to purchase more land as a key focus for the next term.

## **13. NEW BUSINESS**

### **13.1 Annual Report**

**SA-2019-035**

**It was Moved and Seconded,**

that Saturna Island Local Trust Committee endorse the 2018-2019 Annual Report as drafted.

**CARRIED**

### **13.2 Unlawful Short-Term Vacation Rental Enforcement Policy - Staff Report**

Bylaw Compliance and Enforcement Manager (BCEM) Drew pointed out that there was a standing resolution directing staff to take proactive enforcement of unlawful STVRs. He noted that in his experience authorised suites often become STVRs rather than affordable housing and cautioned about the negative impacts. He explained that the proposal is an updated version and differentiated between commercial use versus family and friends' use and that the policy can potentially prevent intervention.

Trustees raised the following points:

- The shortage of accommodation for 30+ people for an event;
- The uniqueness of Saturna Island needs to be reflected by its policies;
- Favoured the alternatives on page 68 of the staff report;
- Legal action could be taken against misuse

In response to trustee comments, BCEM Drew explained:

- That a temporary use permit makes the STVR lawful;
- Referred to Hornby Island as an example;
- In absence of enforcement there is no compliance;
- The alternatives are not proactive enforcement;
- The recommended enforcement policy prevents enforcement from taking place unless one of the criteria for enforcement exists;
- Bylaws could be amended to have legal opportunities that also satisfy the need for accommodation;
- The ticketing bylaw has been successful on Mayne Island;
- Without the enforcement regime the TUP guidelines for STVRS are not effective;
- An enforcement regime deals with enforcement by complaint;
- Proactive enforcement already exists on Saturna Island;
- To comply, the current procedure would be slow by court order with a 30-40k dollar cost and that a ticketing system would be fast and issue a 500 dollar fine; and
- Ticketing has reduced the legal fees a lot.

Comments from the public included:

- Past and potential noise issues in residential areas were highlighted;
- A considerate relationship with the “green bus” business was supported;
- Renters increase the water usage substantially;
- Deal with inconsiderate usage; and
- An example was cited where owner rented to maximum occupancy leading to five documented water danger issues in past 16 months.

**SA-2019-036**

**It was Moved and Seconded,**

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.

**CARRIED**

**SA-2019-037**

**It was Moved and Seconded,**

That the Saturna Island Local Trust Committee instruct staff to bring forward a bylaw enforcement notification system bylaw for consideration.

**CARRIED**

### **13.3 Policy Statement Amendment Process - Staff Report**

Trustee Brent expressed concern about the initial title “2099: The Future of the islands in the Salish Sea” as being too far reaching, as well as the limitations attached to and the alternatives action offered, and that configured would be a waste of staff, resources and time.

Trustee Middleton expressed concern on the following points:

- At the scope of the project, in terms of the amount of staff time that would be involved on a project; it did not appear to have a clear benefit statement for the community;
- In light of some other activities that the Trust desperately needs to undertake, it seems wise to scale back the scope of the policy review or better articulate the benefit to the local community in a way that lets members of the community see the Trust is in fact proactively acting on the mandate.

**SA-2019-038**

**It was Moved and Seconded,**

that the Saturna Island Local Trust Committee table the Policy Statement Amendment Process.

**CARRIED**

### **14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for July 18, 2019, at 1:00 p.m., at the Recreation and Cultural Centre, Saturna Island**

### **15. TOWN HALL – N/A**

### **16. CLOSED MEETING**

The closed meeting was postponed to the July meeting as it was not considered urgent.

### **17. ADJOURNMENT**

The meeting was adjourned at 4:06 p.m.

**SA-2019-039**

**It was Moved and Seconded,**

to adjourn the meeting.

**CARRIED**

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Laura Patrick, Chair

Certified Correct:

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Ruth Daber, Recorder