

ADOPTED

**MINUTES OF THE SATURNA ISLAND
LOCAL TRUST COMMITTEE BUSINESS MEETING
HELD ON THURSDAY, SEPTEMBER 6, 2012 AT 12:30 PM
AT THE SATURNA ISLAND RECREATION AND CULTURAL CENTRE
104 HARRIS ROAD, SATURNA ISLAND, B.C.**

PRESENT:	Ken Hancock	Chair
	Pamela Janszen	Local Trustee
	Paul Brent	Local Trustee
	Gary Richardson	Island Planner
	Robert Kojima	Regional Planning Manager
	Jenna Foster	Minute Taker

There were fourteen (14) members of the public in attendance at the start of the meeting.

1. CALL TO ORDER

Chair Hancock called the meeting to order at 12:30 pm. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish people. Chair Hancock introduced the Local Trust Committee (LTC) members and welcomed everyone.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

Chair Hancock asked if there were any changes to the agenda; the following changes were made by:

- moving item 12.2: Covenant Amendment (Sewell) and adding it to item 9.2: SA-ALR-2012.1 (Sewell) as item 9.2.2
- adding to item 10.2: Riparian Areas Regulation the referral response from the Ministry of Forests, Lands and Natural Resource Operations
- replacing the plan of the proposed subdivision in item 9.2: SA-ALR-2012.1 with a more legible one

The agenda as amended was approved by consensus.

2.2 Questions from public on agenda items

Bill Douglass asked if the end of the meeting was the appropriate time to introduce new items.

Chair Hancock concurred.

3. COMMUNITY INFORMATION MEETING

3.1 Proposed Bylaws No. 107 and 108 (Community Parkland Zoning)

Chair Hancock closed the Business Meeting at approximately 12:35 pm to hold the scheduled Community Information Meeting.

- See Notes of Community Information Meeting (CIM) of same date.

Chair Hancock reopened the Business Meeting at 12:40 pm.

4. PUBLIC HEARING

4.1 Proposed Bylaws No. 107 and 108 (Community Parkland Zoning)

Chair Hancock closed the Business Meeting at 12:40 pm to hold the scheduled Public Hearing.

- See separate Record of Public Hearing (PH) of same date.

The LTC meeting reconvened at 12:50 pm.

5. PREVIOUS MEETINGS

5.1 Adopted Local Trust Committee Minutes

5.1.1 Adopted Minutes of June 21, 2012 Local Trust Committee Business Meeting

Presented for information

5.2 Public Hearing Records and Community Information Meeting Notes

5.2.1 Received Notes of June 21, 2012 Community Information Meeting

Presented for information

5.3 Section 26 Resolutions-without-meeting

Chair Hancock gave a brief explanation.

5.4 Advisory Planning Commission

5.4.1 Received Draft Advisory Planning Commission Minutes of August 20, 2012

Presented for information

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Richardson noted that all actions have been completed except for No. 3: Firehall Covenant which is currently being worked on.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 August 1, 2012 letter from Saturna Fire Protection Society

Trustee Brent recused himself at 12:55 pm citing a potential conflict of interest.

Chair Hancock reported that he spoke to Wayne Quinn who is a member of the Saturna Island Fire Protection Society (SIFPS) Board. They agreed on a proposed compromise to complete the side lot line screening. He asked if Bernie Ziegler, President of SIFPS, wanted to address the LTC. At the end of their conversation, Mr. Quinn stated that he would report the proposed compromise to the SIFPS Board.

Bernie Ziegler said the letter speaks for itself; adding that a lot of taxpayers' money has already been spent and the lack of water has not helped.

Trustee Janszen stated that she preferred moving forward now and amending the covenant.

Chair Hancock said it was reasonable to request the side lot line screening be completed; he has looked at the SIFPS budget and they have the money. He added that the conversation is now between the LTC and SIFPS since the neighbors have clearly stated they are done. Chair Hancock referred to the minutes from the public hearing where a community consensus was not reflected.

Teresa Higgins, 620 Tumbo Channel Road, queried the \$15,000 landscaping budget and how much was left.

Chair Hancock said that SIFPS does have a surplus and it would not be a hardship to complete the side lot line screening.

Trustee Brent returned to the business meeting at 1:05 pm.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 SA-RZ-2012.1 (Nepenthe) Staff Report

Planner Richardson reviewed the staff report which detailed several planning options for the LTC to consider.

There was a lengthy discussion about amenity zoning, the transfer of density, the density bank as well as the impact of thirty per cent of Saturna Island as parkland on density.

The applicant, Allan Peretz, said they understood with the proposed four (4) lot subdivision that the community would be giving something and they would be willing to give something back. He explained that a potential parking lot on a portion of the lot on the corner of Boot Cove Road could be a strategic amenity for the community.

Resolution SA-LTC-48-12

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to discuss the transfer of density option with the applicant as well as look at the possibility of amenity zoning with respect to this applicant.

CARRIED

Chair Hancock noted that the LTC could treat this as a one time only decision or look at changing the Official Community Plan.

9.2 SA-ALR-2012.1 (Sewell)

9.2.1 Staff Report

Planner Richardson reviewed the staff report on this referral of an application to the Agricultural Land Commission (ALC) for a subdivision within the Agricultural Land Reserve (ALR). He concluded that he did not see any policy conflicts or any reason not to advance it onto the land commission.

Chair Hancock wondered why agricultural policies did not apply.

Regional Planning Manager (RPM) Kojima stated that on Saturna there are a set of policies specific to land designation.

Planner Richardson clarified that the final approval would still be subject to the removal of the no-subdivision covenant.

Resolution SA-LTC-49-12

It was Moved and Seconded that the Saturna Island Local Trust Committee resolve that pursuant to Section 25(3) of the Agricultural Land Reserve Act, subdivision application SA-ALR-2012.1 (Sewell) proceed.

CARRIED

9.2.2 Covenant Amendment (Sewell)

Planner Richardson summarized the staff report addressing the request for removal of the covenant on the property at 101 Church Bay Road. He concluded that staff is recommending the third option which is to initiate the process to remove the covenant.

Trustee Brent invited Mr. Sewell, the applicant, to speak further regarding the request.

Mr. Sewell explained the history of the covenant and how it related to tax planning at the time. He added that he is confident that the Agricultural Land Commission will approve the current application for subdivision of the property.

Resolution SA-LTC-50-12

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to have the documents prepared to remove covenant EX17033 from the lot located at 101 Church Bay Road (PID 000-355-445) and that the chair of the Saturna Island Trust Committee be authorized to sign the covenant removal documents.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Proposed Bylaws 107 and 108 (Community Parkland Zoning)

- Note that Bylaw No. 107 is amending the Saturna Island Official Community Plan Bylaw No. 70, 2000.

Resolution SA-LTC-51-12

It was Moved and Seconded that the Saturna Island Local Trust Committee Bylaw No. 107 cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2012", be given Second Reading.

CARRIED

Resolution SA-LTC-52-12

It was Moved and Seconded that the Saturna Island Local Trust Committee Bylaw No. 107 cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2012”, be given Third Reading.

CARRIED

Resolution SA-LTC-53-12

It was Moved and Seconded that the Saturna Island Local Trust Committee Bylaw No. 107 cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2012”, be referred to the Islands Trust Executive Committee.

CARRIED

Resolution SA-LTC-54-12

It was Moved and Seconded that the Saturna Island Local Trust Committee Bylaw No. 107 cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2012”, be referred to the Minister of Community, Sport and Cultural Development.

CARRIED

- Note that Bylaw No. 108 is amending Saturna Island Land Use Bylaw No. 78, 2002.

Resolution SA-LTC-55-12

It was Moved and Seconded that the Saturna Island Local Trust Committee Bylaw No. 108 cited as “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No. 1, 2012”, be given Second Reading.

CARRIED

Resolution SA-LTC-56-12

It was Moved and Seconded that the Saturna Island Local Trust Committee Bylaw No. 108 cited as “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No. 1, 2012”, be given Third Reading.

CARRIED

Resolution SA-LTC-57-12

It was Moved and Seconded that the Saturna Island Local Trust Committee Bylaw No. 108 cited as “Saturna Island Land Use Bylaw No. 78, 2002, Amendment No. 1, 2012”, be referred to the Islands Trust Executive Committee.

CARRIED

10.2 Riparian Areas Regulation – Staff Report and Draft Bylaw

RPM Kojima reviewed the staff report and revisions made to the draft bylaw based on recommendations from the Ministry of Forests, Lands and Natural Resource Operations. He summarized the next steps and referred to staff recommendations.

Trustee Janszen asked if the map includes the estuary.

RPM Kojima said it did.

The LTC requested that staff remove the word “disproportionately” from the second paragraph of Schedule 1, G.1.3.

Resolution SA-LTC-58-12

It was Moved and Seconded that Saturna Island Local Trust Committee draft bylaw No. 109, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2012.” be given First Reading.

CARRIED

Resolution SA-LTC-59-12

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to schedule a community information meeting for proposed Bylaw No. 109.

CARRIED

Resolution SA-LTC-60-12

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to schedule a public hearing for proposed Bylaw No. 109.

CARRIED

10.3 Ocean Loop GEO-exchange – Staff Report

RPM Kojima reviewed the report on the ocean loop geo-exchange systems as requested by the LTC. He went over positive and negative impacts as well as relevant policies and regulations.

Resolution SA-LTC-61-12

It was Moved and Seconded that the Saturna Island Local Trust Committee direct staff to prepare a bylaw that would amend the Land Use Bylaw to include a definition of ocean loop geo-exchange systems and to add ocean loop geo-exchange systems as a permitted use in the marine zones, and to bring the bylaw back to a subsequent LTC meeting for consideration.

CARRIED

Chair Hancock asked if the bylaw could specifically state that the systems use water and not propylene glycol since he has read some research identifying potential harm in using propylene glycol.

RPM Kojima said it could.

Trustee Brent requested that the science involved in usage of the substance be investigated.

10.4 Discussion of Land Use Bylaw Amendments related to Enforcement Notification Bylaw

There was discussion about adding a review of the Land Use Bylaw to Saturna LTC work program.

11. REPORTS

11.1 Work Program Reports

11.1.1 Saturna Island Local Trust Committee Work Program Report dated August, 2012

Resolution SA-LTC-62-12

It was Moved and Seconded that the Saturna Island Local Trust Committee add Land Use Bylaw (LUB) review to the Projects List.

CARRIED

Trustee Brent asked about looking into the density cap/bank by placing it on the projects list.

RPM Kojima commented that the projects list is a good place for issues that the LTC wants to flag.

Chair Hancock questioned if the current application (Boot Cove Subdivision) would be delayed if the LTC added the density cap/bank to the list.

Resolution SA-LTC-63-12

It was Moved and Seconded that the Saturna Island Local Trust Committee add to the Projects List a review of the Official Community Plan Section C.1.3. on page 5 and Schedule "E" Appendix A – Community Amenity Density Reserve on page 44.

CARRIED

11.2 Applications Report

11.2.1 Saturna Island Applications Report dated August, 2012

Planner Richardson reviewed the report.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

Presented for information and it was noted that the budget is dated June 30, 2012

11.3.2 Budget Submissions 2013 – 14

There was discussion regarding a proposed budget for projects and priorities.

Chair Hancock explained that the LTC can ask for money for three (3) projects but may get less if the finance committee is not convinced that you can get it all done.

Resolution SA-LTC-64-12

It was Moved and Seconded that the Saturna Island Local Trust Committee revise the draft 2013-14 LTC Project Budget submission and forward to Financial Planning Committee as revised.

CARRIED

1.4 Bylaw Enforcement Report

None

11.5 Policies and Standing Resolutions Report

Presented for information.

11.6 Saturna Island LTC Web Page

Trustee Janszen said the webpage needs to be updated.

RPM Kojima asked for specific requests from the trustees.

Trustee Janszen requested that the latest news items be updated to more recent items.

Chair Hancock added that local projects need to reflect current projects including the changes made today on the LTC work program.

Trustee Janszen asked for the new “Water Conservation on Saturna Island” brochure to be added under water conservation.

RPM Kojima said that all the old items will be removed i.e. east point water, affordable housing and suggested that the “Scribbler” article submitted by the trustees be added under latest news as well.

Beverly Neff suggested updating the applications.

RPM Kojima agreed that the current rezoning/subdivision applications could be added as well as the latest staff reports.

11.7 Chair’s Report

Chair Hancock said he was preparing for the upcoming trust council meeting on Bowen Island. The council will take a final look at a strategic plan they have been working on for a year and he expected good debate as they identified priorities. He reported that September thru to December will be busy.

11.8 Trustee Report

Trustee Janszen attended a local planning meeting in August where there was debate on the topic of cost recovery. The debate would continue at trust council. Trustee Brent and Trustee Janszen were at a Parks Canada meeting regarding the proposed marine conservation areas. She said that Parks Canada was not saying no to activities in those areas but emphasizing that they had to be environmentally neutral. Lastly she added that at a Parks Advisory meeting and tour she learned about the Parks Canada budgets being slashed.

Trustee Brent said he attended a financial planning meeting and a trust programs meeting where the focus was on advocacy and developing an advocacy policy. Strategic policies were discussed at both and no one wanted a budget increase this year.

12. OTHER BUSINESS

12.1 Next Business Meeting scheduled for 12:30 pm, November 8, 2012, Saturna Island Community Hall

12.2 Covenant Amendment (Sewell)

This item was covered under 9.2.

13. TOWN HALL MEETING

Chair Hancock opened the town hall meeting for comments and questions.

John Hutchinson stated two points; one was whether the LTC website could have a link to the Boot Cove/ Lyall Harbour website and secondly, he expressed confusion regarding the LTC's approach to covenants. He suggested that the council take extra care when reviewing applications for covenants in the future.

Allan Sewell explained that legally, the covenant is an agreement and added that he paid the full cost for the covenant attached to his property.

Jim Campbell said he was confused about the request for the Boot Cove/ Lyall Harbour link.

Chair Hancock clarified that it was a request for a link on the LTC website.

Jim Campbell inquired about the role of the Islands Trust with the water supply.

Chair Hancock replied that LTC's role is in planning i.e. proving that there is sufficient water supply on your property.

Jim Campbell asserted that it was not a function of the Islands Trust to deal with water supply.

Louise Peramaki, 103 Winter Cove Road, questioned the LTC's consideration to make changes to the Official Community Plan regarding the proposed Boot Cove area subdivision when the landowners have two other blocks of land they could use for expansion.

Bill Douglass stated that he supports a change to the LUB that would legitimize short term vacation rentals and take away a bylaw enforcement fine for this type of economy boosting activity.

Trustee Brent responded that on Saturna, the Islands Trust has a policy to not enforce (some) short term vacation rentals is still an area needing more discussion and is subject to change.

Bill Douglass replied that when the policy is to not enforce then it leaves it open to discretion of the local government.

Jim Campbell agreed that the reasons to not enforce a bylaw need to be very clear or else the power can be misused.

Chair Hancock explained that a complaint would be referred to the Bylaw Enforcement Officer who would carry out a proper investigation.

RPM Kojima added that the trustees are elected representatives and Islands Trust staff are mandated to implement the directions/ policies of the LTC.

Joe Harris said he supports bylaw enforcement of short term vacation rentals so that standards are maintained i.e. liability insurance. Otherwise, he continued, legitimate businesses are at risk. He concluded that the tourism economy is not great on the island and it is important to support those businesses that follow the rules.

John Hutchinson agreed with the current position of the LTC to not enforce but understands the importance of supporting legitimate short term vacation rental businesses on the island.

Chair Hancock added that reviewing short term vacation rental policies is a top priority for many communities.

Bill Douglass noted that a review of short term vacation rentals would be included with an overall policy review.

Chair Hancock concluded that the Land Use Bylaw defines what is permitted; not what is illegal. He said that short term vacation rentals are widely understood as a permitted use but are not.

14. **ADJOURNMENT**

Chair Hancock adjourned the meeting at 3:24 pm.

RECORDER

CHAIR