



Saturna Island Local Trust Committee Special Meeting Agenda

Date: August 6, 2014
Time: 12:30 pm
Location: Saturna Island Community Hall
105 East Point Road
Saturna Island, BC
V0N 2Y0

	Pages
1. Call to Order	12:30 PM - 2:00 PM
2. Approval of Agenda	
3. Community Information Meeting	
3.1 Saturna Bylaws No. 112, 113, 114, and 115	
4. Public Hearing	2:00 PM - 3:30 PM
4.1 Saturna Bylaws No. 112, 113, 114, and 115	
5. Previous Meetings	
5.1 Local Trust Committee Minutes	
5.1.1 Saturna Island Local Trust Committee Draft Meeting Minutes of July 10, 2014 (attached)	2 - 10
For consideration to adopt	
6. Further Bylaw Readings	3:30 PM - 4:15 PM
6.1 Bylaws No. 112, 113, 114, and 115 - Staff Memo (attached)	11 - 28
6.2 Bylaw No. 116 - Staff Memo (attached)	29 - 30
7. Adjournment	4:15 PM - 4:15 PM



DRAFT

**Local Trust Committee
Minutes Subject to Approval By
the Local Trust Committee**

**Saturna Island
Local Trust Committee
Minutes of a Regular Meeting**

Date of Meeting: Thursday, July 10, 2014
Location: Saturna Recreation and Cultural Centre
104 Harris Road
Saturna Island, BC

Members Present: Ken Hancock, Chair
Paul Brent, Local Trustee
Pam Janszen, Local Trustee

Staff Present: Gary Richardson, Island Planner
Beverly Lowsley, Recorder

Media and Others Present: 12 members of the public

1. CALL TO ORDER

The meeting was called to order at 12:35 p.m. Chair Hancock acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Trustees and staff were introduced.

2. APPROVAL OF AGENDA

2.1 Additions/Deletions

The following additions to the agenda were presented for consideration:

- 8.1 Correspondence relating to Short Term Vacation Rentals
- 9.2 North Pender Island Land Use Bylaw No. 196 referral
- 10.4 Proposed bylaw 115 documents missed from the package

By general consent the agenda was approved, as amended.

3. COMMUNITY INFORMATION MEETING

None

4. PUBLIC HEARING

None

5. PREVIOUS MEETINGS

5.1 Local Trust Committee Minutes

5.1.1 Saturna Island Local Trust Committee Meeting Minutes of June 5, 2014

SA-2014-033

It was MOVED and SECONDED that,

The Saturna Island Local Trust Committee Meeting Minutes of June 5, 2014, be adopted.

CARRIED

5.2 Public Hearing Records and Community Information Meeting Notes

None

5.3 Section 26 Resolutions-without-meeting

None

5.4 Advisory Planning Commission Minutes

None

6. BUSINESS ARISING FROM THE MINUTES

6.1 Follow-up Action Report

Planner Richardson reported that all items on the list have been done.

7. DELEGATIONS

None

8. CORRESPONDENCE

8.1 Correspondence from J. Combs received.

9. APPLICATIONS, PERMITS, BYLAWS AND REFERRALS

9.1 SA-CL-2014.1 Crown Land Referral Response Letter - RE: Tidal Energy Exploration in Boundary Pass

Planner Richardson conveyed that this does not comply with the current Land Use Bylaw.

Trustee Brent commented that there are already hydrophones in place to study whales to learn about and protect these mammals. He proposed that staff redraft the bylaws to allow instrumentation for research purposes anywhere on our island.

Trustee Janszen concurred on both points.

It was agreed to carry this item forward to be addressed under the Work Program for possible Land Use Bylaw amendments and a potential standing policy regarding enforcement.

9.2 Bylaw Referral

SA-2014-034

It was MOVED and SECONDED that,

Saturna Island Local Trust Committee interests are not affected by North Pender Island Proposed Bylaw 196.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 Community Amenity Density Reserve - Staff Report- Draft Bylaw No. 112/Project Charter

Planner Richardson reported that the requested amendments have been made to draft bylaw No. 112 and presented his recommendations.

SA-2014-035

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee give draft bylaw 112 cited as, "Saturna Island Official Community Plan Bylaw No.70, 2000, Amendment No.1, 2013", First Reading.

CARRIED

SA-2014-036

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee instruct staff to schedule a public hearing for Proposed Bylaw No. 112 on August 6, 2014.

CARRIED

SA-2014-037

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Proposed Bylaw No. 112 is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

Discussion focussed on

- issues of timing of proposed changes to the OCP - pros and cons were presented
- need for further community input prior to making major density changes
- if proposed amendments are approved potential for arbitrary application

Trustee Brent commented that this is "fine tuning" based on public feedback. Community feedback is used in consideration of what amenities are of value to the community. He also noted there has not been any review or revision of the Official Community Plan since 2000 and other islands are also doing refinements to their OCP's.

10.2 Secondary Suites - Staff Report - Draft Bylaws No. 113 & 114/Project Charter

Planner Richardson reviewed requested amendments which have been made to draft bylaws 113 and 114.

Discussion focussed on

- lack of opportunity for input from the Lyall Harbour Boot Cove Water Committee still in testing phase of the new system
- potential financial strain on individuals wanting to have secondary suite
- specific concerns of increased pressure on East Point ground water.

Chair Hancock noted that if the proposed bylaw is given first reading, there will still be an opportunity for the Water Board to submit their input.

John Hutchinson pointed out that the Water Board AGM is August 19.

Trustee Janszen recognized the concerns considering water usage which is dependent of number of users in the secondary suite.

SA-2014-038

It was MOVED and SECONDED that,

The Saturna Local Trust Committee direct staff to bring back draft land use bylaw 113 requiring that secondary suites in East Point would be required to not be supplied with groundwater.

CARRIED

SA-2014-039

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee give draft bylaw 113 cited as, "Saturna Island Official Community Plan Bylaw No.70, 2000, Amendment No. 2, 2013", First Reading.

CARRIED

SA-2014-040

It was MOVED and SECONDED that,

the Saturna Local Trust Committee give draft bylaw 114 cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2013", First Reading.

CARRIED

SA-2014-041

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee instruct staff to schedule a public hearing for Proposed Bylaw 113 and 114 on August 6, 2014.

CARRIED

SA-2014-042

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaws No. 113 and 114 are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

SA-2014-043

It was MOVED and SECONDED that,

amendment after first reading of Bylaw 113 to request staff to clarify the wording of the OCP Rural Residential for rural family homes and private recreation uses to add "including secondary suites".

CARRIED

SA-2014-044

It was MOVED and SECONDED that,

Saturna Local Trust Committee Request that staff forward the wording of draft bylaws of the secondary suite and Short Term Vacation Rentals for review by Pat Lapcevic of Forest Lands & Natural Resources Operations.

CARRIED

Chair Hancock suggested that once the proposed amendments and reports are completed, they be posted on the website for public information. Also, that the minutes of today's meeting be considered for Resolution-without-meeting.

Note - There was a 10 minute break prior to continuing the meeting.

10.3 Short Term Vacation Rentals (STVR) Policy Statement Checklist Memo

SA-2014-045

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee review the Islands Trust Policy Statement Directives Only Checklist and determine that Bylaw No. 115 is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

11. REPORTS

11.1 Work Program Reports

SA-2014-046

It was MOVED and SECONDED that,

the Saturna Local Trust Committee adopt the standing policy that the use of instrumentation for research purposes not be subject to enforcement and that the policy be referred to Islands Trust Bylaw Enforcement Manager Miles Drew for comment.

CARRIED

SA-2014-047

It was MOVED and SECONDED that,

the Saturna Island Local Trust Committee move bylaw amendments to allow instrumentation for research purposes on Saturna Island to number 1 of the Projects list.

CARRIED

11.2 Applications Report

Planner Richardson commented on all active applications.

11.3 Expense/Budget Reports

11.3.1 Trustee and Local Expenses

Trustee Janszen reported on the Local Trustee project expenses, which are still within budget.

Chair Hancock apologized that a current report was not included in the information package.

11.4 Bylaw Enforcement

None

11.5 Policies and Standing Resolutions Report

For information

11.6 Saturna Island LTC Web Page

Saturna Island Local Trust Committee Web page can be found at:
www.islandstrust.bc.ca/islands/local-trust-areas/saturna

Chair Hancock requested that in view of the short time lines for the Special Meeting, as soon as the proposed bylaw amendments are done they be posted on the Islands Trust web page.

11.7 Chair's Report

Chair Hancock reported that the Islands Trust Council meetings were a great success and offered thanks to the local hosts. He briefly summarized the highlights of the various presentations. The meetings were well attended by delegations.

11.8 Trustee Report

Trustee Brent stated there have been no committee meetings. He concurred that responses from attendees of the Islands Trust Council were enthusiastic.

Trustee Janszen noted that she did submit a report to the local Scribbler. Also of note is that hosting the Trust Committee meeting brought \$ 11,000 to the island for accommodation, catering and discretionary spending by Trust Council members.

Community members who attended shared very positive comments.

12. OTHER BUSINESS

12.1 Next Business Meeting

A Special Meeting of the Saturna Island Local Trust Committee will be held August 6, 2014, at 12:30p.m., at the Saturna Island Community Hall. This will include a Public Information Meeting.

The next regular meeting of the Saturna Island Local Trust Committee will be held September 18, 2014, at 12:30 p.m., at the Saturna Island Community Hall.

13. TOWN HALL MEETING

John Hutchinson offered kudos to the Saturna Committee for the quality of the Trust Council event. Also for information, he reported that the Department of Fisheries and Oceans were in Boot Cove recently doing a study on eel grass.

Morgan Yates questioned whether his correspondence to a previous meeting had been received and addressed. He had requested clarification of perceived benefits of STVRs.

Trustee Brent responded that the communication had been received and will be forwarded for inclusion in the information file.

Janet Land pointed out that there are a number of groups on the island who have their own internal bylaws restricting STVRs, secondary suites and B&B's. The proposed bylaws will not affect those areas, most of which do not have the water issues of East Point area.

Al Sewell confirmed that he was involved in drafting bylaws for one of those strata groups and they specifically included those restrictions as well as identifying water management as a community resource.

Patricia Ewbank expressed concern regarding the amendments to bylaw 112 Schedule 1, item 2 d), specifically related to potential cash in lieu for increased density. She wondered how this will evolve if not actually linked to real land. She also suggested a review of the total Official Community Plan rather than making piecemeal changes, stressing transparency is imperative.

Chair Hancock explained the usual process is not "selling" of amenities. There was further discussion of interpretation of the proposed "amenities" amendments.

Al Sewell and **John Hutchinson** both recommended cautioned regarding opening up the whole community plan.

Beverley Neff reiterated previous comments that the time line for the next meeting is too short for people to be fully informed and on a better date so more residents will be able to attend.

Trustee Janszen pointed out that most of the Local Trust meetings are only attended by 10 - 15 people and this, along with feedback based on returned questionnaires, indicates the majority support the proposed changes.

Trustee Brent commented that over 100 people gave feedback. At earlier meetings on these issues there has been higher attendance. Also, the end of their term as Trustees is coming in Nov/Dec. and he doesn't see a big flood of people applying for secondary suites or STVRs. Also the CADR has had little application in the past 15 years and will probably not have a significant uptake either.

Morgan Yates wondered if more time would lead to a more solid consensus.

Chair Hancock thanked those present for their thoughtful input.

14. ADJOURNMENT

There being no further business, the Chair Hancock adjourned the meeting at 3:30 pm.

Ken Hancock, Chair

CERTIFIED CORRECT:

Beverly Lowsley, Recorder



Memorandum

Date July 28, 2014

File Number: 65-20 (CADR Review)
(Secondary Suite Review)(STVR Review)

To Saturna Island Local Trust Committee
For the meeting of August 6, 2014

From Gary Richardson
Island Planner

Re **Proposed Bylaw No.s 112, 113, 114 and 115 – Post Public Hearing Procedures**

A public hearing is scheduled for August 6, 2014. A public hearing is a quasi-judicial process within and following which specific procedures must be followed

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Second Reading (this may include amendments to alter a bylaw).
2. Consideration of Third Reading.
3. Forwarding of the bylaw to Executive Committee for approval.
4. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaws only).

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Executive Committee and Minister approve the bylaw, the next step for the LTC would be to adopt the bylaw.

RECOMMENDATIONS:

1. THAT Saturna Island Local Trust Committee proposed Bylaw No. 112, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2013" be read a Second time.
2. THAT Saturna Island Local Trust Committee proposed Bylaw No. 112, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2013" be read a Third time.
3. THAT the Saturna Island Local Trust Committee proposed Bylaw No. 112 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.
4. THAT the Saturna Island Local Trust Committee proposed Bylaw 112 be forwarded to the Minister of Community, Sport and Cultural Development for approval.
5. THAT Saturna Island Local Trust Committee proposed Bylaw No. 113, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2013" be read a Second time.
6. THAT Saturna Island Local Trust Committee proposed Bylaw No. 113, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 2, 2013" be read a Third time.
7. THAT the Saturna Island Local Trust Committee proposed Bylaw No. 113 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.
8. THAT the Saturna Island Local Trust Committee proposed Bylaw 113 be forwarded to the Minister of Community, Sport and Cultural Development for approval.
9. THAT Saturna Island Local Trust Committee proposed Bylaw No. 114, cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No.1, 2013" be read a Second time.
10. THAT Saturna Island Local Trust Committee proposed Bylaw No. 114, cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No.1, 2013" be read a Third time.
11. THAT the Saturna Island Local Trust Committee proposed Bylaw No. 114 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.
12. THAT Saturna Island Local Trust Committee proposed Bylaw No. 115, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 3, 2013" be read a Second time.

13. THAT Saturna Island Local Trust Committee proposed Bylaw No. 115, cited as "Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 3, 2013" be read a Third time.
14. THAT the Saturna Island Local Trust Committee proposed Bylaw No. 115 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.
15. THAT the Saturna Island Local Trust Committee proposed Bylaw 115 be forwarded to the Minister of Community, Sport and Cultural Development for approval.

pc Robert Kojima, Regional Planning Manager

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 112

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN

WHEREAS the Saturna Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Saturna Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Saturna Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Saturna Island Local Trust Committee wishes to amend the Saturna Island Official Community Plan Bylaw No. 70, 2000;

AND WHEREAS the Saturna Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE 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, 2013."

2. SCHEDULES

Schedules A (Policy Document) and E of Saturna Island Official Community Plan No. 70, 2000 are amended as indicated on Schedule 1, attached to and forming part of this amending 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 10th day of July , 2014.

PUBLIC HEARING HELD this day of , 2014.

READ A SECOND TIME this day of , 2014.

READ A THIRD TIME this day of , 2014.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 2014.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this
day of , 2014.

ADOPTED this day of , 2014.

DEPUTY SECRETARY

CHAIR

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 112**

SCHEDULE 1

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" is amended by:
 - a) Amending section C.1.3 by inserting the words: "Despite the above limit on subdivision capacity and residential density, the Local Trust Committee may allow overall density limits contained in this Plan to be exceeded for the purpose of adding density to the Community Amenity Density Reserve for the purpose of securing community amenities." immediately after the words "density of any island within the Area.";
 - b) Amending section C.1.4 by removing the following sentence: "Each transfer should accomplish some environmental or heritage policy objective of the Plan." and
 - c) Amending Part J – Glossary by removing the definition of "amenity" in its entirety and replacing it with: "'amenity' means a value that furthers the values of the Islands Trust Act and that the community considers desirable.";
2. Schedule "E" Appendix A and B of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" are amended by:
 - a) Re-titling "Schedule "E" Appendix A" to "Schedule "F" Appendix A" and re-titling "Schedule "E" Appendix B" to "Schedule "F" Appendix B";
 - b) Amending Appendix A by inserting the words: "or lot amalgamation. Subdivision and residential capacity can also be added to the CADR by means of Local Trust Committee resolution." immediately after the words: "removed from lots through rezoning";
 - c) Amending Appendix A by inserting the words: "or added by the Local Trust Committee," immediately after the words: "When subdivision or residential density is removed,"
 - d) Amending Appendix A, e) by inserting the words: "but not be limited to," immediately after the words: "Community amenities should include";
 - e) Amending Appendix A, g) by deleting "4.05 hectares (10 acres)" and replacing it with "1 hectare (2.5 acres)"; and
 - f) Amending Appendix A by adding a new section l) immediately following section k) as follows:

"l) The total amount of density to be added to the CADR by the Local Trust Committee shall not exceed 20 densities, if in the future more than 20 densities are deemed appropriate an amendment to the OCP will be required. The densities can either be in the form of residential density or subdivision density. These densities are independent of densities added to the CADR by means of rezonings or lot amalgamations."

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 113

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN

WHEREAS the Saturna Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Saturna Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Saturna Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Saturna Island Local Trust Committee wishes to amend the Saturna Island Official Community Plan Bylaw No. 70, 2000;

AND WHEREAS the Saturna Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE 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. 2, 2013."

2. SCHEDULES

Schedule A (Policy Document) of Saturna Island Official Community Plan No. 70, 2000 is amended as indicated on Schedule 1, attached to and forming part of this amending 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 15th day of July , 2014.

PUBLIC HEARING HELD this day of , 2014.

READ A SECOND TIME this day of , 2014.

READ A THIRD TIME this day of , 2014.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 2014.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this
day of , 2014.

ADOPTED this day of , 2014.

DEPUTY SECRETARY

CHAIR

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 113**

SCHEDULE 1

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" is amended by:
 - a) Amending section C.1.3 by inserting the following as the last sentence in the section: "Secondary Suites are not considered as residential density for the purposes of calculating overall residential density within the Saturna Island Local Trust Area.";
 - b) Amending section D.1 Rural by adding a new section j immediately following section i) as follows:

"j) In addition to the above policies secondary suites may be permitted in designations that permit residential use.";
 - c) Amending section D.1.R Rural Residential by adding a new section D.1.R.7 immediately following section D.1.R.6 as follows:

"D.1.R.7 One secondary suite, limited in size, contained within a primary residence may be permitted per per primary residence."
 - d) Amending section D.1.G Rural General by adding a new section D.1.G.6 immediately following section D.1.G.5 as follows:

"D.1.G.6 One secondary suite, limited in size, contained within a primary residence may be permitted per per primary residence.";
 - e) Amending section D.1.C Rural Comprehensive by adding a new section D.1.C.5 immediately following section D.1.C.4 as follows:

"D.1.C.5 One secondary suite, limited in size, contained within a primary residence may be permitted per primary residence.";
 - f) Amending section D.2 Farmland by adding a new section D.2.10 immediately following section D.2.9 as follows and renumbering the remaining sections accordingly:

"D.2.10 One secondary suite, limited in size, contained within a primary residence may be permitted per per primary residence.";
 - g) Amending section D.4 Forest by adding a new section D.4.14 immediately following section D.4.13 as follows and renumbering the remaining sections accordingly:

"D.4.14 One secondary suite, limited in size, contained within a primary residence may be permitted per per primary residence.";
 - h) Amending section D.4 Forest by adding a new section D.4.20 immediately following section D.4.19 as follows and renumbering the remaining sections accordingly:

"D.4.20 One secondary suite, limited in size, contained within a primary residence may be permitted per per primary residence on Forest Residential zoned land.";
 - i) Amending section D.5 Heritage Forest by adding a new section D.5.6 immediately following section D.5.5 as follows:

"D.5.6 One secondary suite, limited in size, contained within a primary residence may be permitted per per primary residence."; and
 - j) Amending section D.6 Wilderness Reserve by adding a new section D.6.5 immediately following section D.6.4 as follows and renumbering the remaining sections accordingly:

(3)

“D.6.5 One secondary suite, limited in size, contained within a primary residence may be permitted per per primary residence.”.

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 114**

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 78, 2002

The Saturna Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Saturna Island Trust Committee Area under the Islands Trust Act, enacts as follows:

A. The Saturna Island Land Use Bylaw, No. 78, cites as “Saturna Island Land Use Bylaw 78, 2002” is amended as follows:

1. Part 2 General Regulations is amended by inserting the following as a new section 2.19:

“2.19 Secondary Suites

- (1) The *secondary suite* must be contained within the walls of the building that contains the principal *residence*.
- (2) The entrance to a *secondary suite* from the exterior of the building must be separate from the entrance to the principal *residence*.
- (3) A building permit shall not be issued for a *secondary suite* until the building is serviced by an adequate supply of potable water.
- (4) The floor area of the *secondary suite* shall not exceed 90m² (968 ft²) nor shall it exceed 40 per cent of the floor area of the principal *residence*. A *secondary suite* must not be subdivided from the principal *residence* under the *Land Title Act* or the *Strata Property Act*.
- (5) All buildings that contain a *secondary suite* within the water management area depicted on Schedule C, are required to be equipped with a water catchment system and cistern(s) for the storage of rainwater consistent with the requirements stipulated in section 2.18.
- (6) *Secondary suites* are not permitted in the area served by the Lyall Harbour/Boot Cove water supply unless an alternate source of water is used to supply the suite.
- (7) *Secondary Suites* within the water management area depicted on Schedule C must not be supplied with groundwater and are only permitted if an alternate source of water is used to supply the suite.

2. By adding a new subsection immediately following subsection 4.1.4 as follows:

“ 4.1.5 One secondary suite is permitted per *residence* subject to section 2.19.”

and renumbering the following sections accordingly;

3. By adding a new subsection immediately following subsection 4.2.6 as follows:

“ 4.2.7 One secondary suite is permitted per *residence* subject to section 2.19.”

and renumbering the following sections accordingly;

4. By adding a new subsection immediately following subsection 4.4.4 as follows:

“ 4.4.5 One secondary suite is permitted per *residence* subject to section 2.19.”

and renumbering the following sections accordingly;

5. By adding a new subsection immediately following subsection 7.1.3 as follows:
 “ 7.1.4 One secondary suite is permitted per *residence* subject to section 2.19.”
 and renumbering the following sections accordingly;
6. By adding a new subsection immediately following subsection 9.2.4 as follows:
 “ 9.2.5 One secondary suite is permitted per *residence* subject to section 2.19.”
 and renumbering the following sections accordingly;
7. By adding a new subsection immediately following subsection 9.3.6 as follows:
 “ 9.3.7 One secondary suite is permitted per *residence* subject to section 2.19.”
 and renumbering the following sections accordingly;
8. By adding a new subsection immediately following subsection 10.1.3 as follows:
 “ 10.1.4 One secondary suite is permitted per *residence* subject to section 2.19.”
 and renumbering the following sections accordingly;
9. By adding a new parking requirement “k” to Part 14, Table 1: Off street parking requirements, following “(j)” as follows:

Table 1: Off street parking requirements		
	Use	Minimum Number of Off street parking Spaces Required
(k)	<i>Secondary Suite</i>	1 per <i>secondary suite</i>

10. By adding a new definition to Part 15. Interpretation immediately after subsection 15.1.40 as follows:
 “15.1.41 “**secondary suite**” means an accessory, self-contained residential unit, located within a building that otherwise contains a residential unit, and having a lesser floor area than the principal residential unit.”;
 and renumbering the following sections accordingly.

B. This Bylaw may be cited as "Saturna Island Land Use Bylaw 78, 2002, Amendment No. 1, 2013".

READ A FIRST TIME this 15th day of July, 2014.

PUBLIC HEARING HELD this day of, 2014

READ A SECOND TIME this day of, 2014

READ A THIRD TIME this day of, 2014

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLAND TRUST this
day of, 2014

ADOPTED this day of, 2014

Chair

Deputy Secretary

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 115

A BYLAW TO AMEND THE OFFICIAL COMMUNITY PLAN

WHEREAS the Saturna Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Saturna Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Saturna Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS the Saturna Island Local Trust Committee wishes to amend the Saturna Island Official Community Plan Bylaw No. 70, 2000;

AND WHEREAS the Saturna Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE 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. 3, 2013."

2. SCHEDULES

Schedules A (Policy Document) of Saturna Island Official Community Plan No. 70, 2000 are amended as indicated on Schedule 1, attached to and forming part of this amending 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 5th day of June , 2014.

READ A SECOND TIME this day of , 201_.

PUBLIC HEARING HELD this day of , 201_.

READ A THIRD TIME this day of , 201_.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 201_.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this day of , 201_.

ADOPTED this day of , 201_.

DEPUTY SECRETARY

CHAIRPERSON

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 115**

SCHEDULE 1

1. Schedule A of the Saturna Island Local Trust Committee Bylaw No. 70, cited as, "Saturna Island Official Community Plan Bylaw No. 70, 2000" 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** Sand and gravel processing, and asphalt plants shall be subject to a permit if they exceed 50 truck loads in any given year.
- H.1.7** 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.1.8** In addition, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with the neighbourhood and may

(3)

include an undertaking for restoration of the site and a security deposit to guarantee performance of the conditions.

H.1.9 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.1.10 All individual campsites will have walk-in access only with no vehicle access directly to the site.

H.1.11 In reviewing applications and establishing permit conditions, the Local Trust Committee should consider the climate change impacts of the proposed use.

H.1.12 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 may consider issuance of a temporary use permit for a commercial vacation rental located in the Eastpoint Water Management Area as described in the Saturna Island Land Use Bylaw and properties located in Strata Plan VIS3488 provided the commercial vacation rental is equipped with a water catchment system and cistern(s) for the storage of rainwater with a minimum cistern(s) capacity of 21,820 litres (4,800 gallons);
- c) the Local Trust Committee should consider the cumulative effects on the neighborhood and Island of all the temporary use permits issued for commercial vacation rentals;
- d) 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;
- e) 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;
- f) the landowner should demonstrate an adequate supply of water and septic capacity for the duration of the proposed use;
- g) the landowner should demonstrate that the property is able to accommodate off-street parking for a minimum of two vehicles;
- h) in addition to any other conditions the LTC may consider appropriate, the permit may:
 - 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;
 - 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;
 - require the landowner to post for guests information on noise bylaws,

(4)

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;

- establish a maximum number of people that can stay;
- establish a maximum number of guests per bedroom;
- prohibit camping or occupancy of RVs on the property;
- restrict advertising to one unilluminated sign, with a maximum area;
- prohibit the rental or provision of motorized personal watercraft;
- prohibit outdoor fires;
- establish the dates during which the use may occur; and
- include a provision stating that the bylaw enforcement officer may enter the property between certain hours without prior consultation if a complaint is received; and

- i) a temporary use permit respecting a parcel in the Agricultural Land Reserve may require the approval of the Agriculture Land Commission prior to the permit being issued.”



Memorandum

Date July 28, 2014

File Number: 65-20 (Fee
Bylaw
Amendment)

To Saturna Island Local Trust Committee
For the meeting of August 6, 2014

From Gary Richardson
Island Planner

Re **Proposed Bylaw No. 116**

Proposed Bylaw 116 amends the Saturna LTC fees bylaw by reducing the application fee for a Temporary Use Permit for a commercial vacation rental to \$500.00.

The LTC can consider 2nd, 3rd readings at the August 6, 2014 LTC meeting. The proposed bylaw can also be forwarded to the Executive Committee of the Islands Trust.

RECOMMENDATIONS:

1. THAT Saturna Island Local Trust Committee proposed Bylaw No. 116, cited as "Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014" be read a Second time.
2. THAT Saturna Island Local Trust Committee proposed Bylaw No. 116, cited as "Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014" be read a Third time.
3. THAT the Saturna Island Local Trust Committee proposed Bylaw No. 116 be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

pc Robert Kojima, Regional Planning Manager

PROPOSED

Saturna Island Local Trust Committee

BYLAW NO. 116

**A BYLAW TO AMEND THE SATURNA ISLAND LOCALTRUST COMMITTEE
FEES BYLAW NO. 90, 2007**

The Saturna Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Saturna Island Local Trust Committee Area under *the Islands Trust Act*, enacts as follows:

1. The Saturna Island Local Trust Committee Fees Bylaw, No. 90 cited as “Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007” is amended as follows:
 - a) By amending subsection 3.1, Table 2 - Permits, numbers 10 and 11 , Column 1 by removing the words, “Temporary commercial and industrial use permit” in both occurrences and replacing them with the words, “Temporary use permit” ; and
 - b) by inserting a new number 11 in subsection 3.1 Table 2 – Permits by adding the following words to Column 1 “Temporary use permit for a commercial vacation rental” and by adding the following into Column 2, “\$500” and renumbering the following rows according.
2. This bylaw may be cited as “Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007, Amendment No. 1, 2014”.

READ A FIRST TIME THIS	5 th	DAY OF	June	2014
READ A SECOND TIME THIS		DAY OF		20XX
READ A THIRD TIME THIS		DAY OF		20XX
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		DAY OF		20XX
ADOPTED THIS		DAY OF		20XX

DEPUTY SECRETARY

CHAIRPERSON