



Saturna Island Local Trust Committee

Regular Meeting Agenda

Date: February 18, 2016
Time: 12:30 pm
Location: Saturna Recreation and Cultural Centre
104 Harris Road, Saturna Island, BC

			Pages
1.	CALL TO ORDER	12:30 PM - 1:00 PM	
2.	APPROVAL OF AGENDA		
3.	TOWN HALL AND QUESTIONS		
3.1	Guidance of Public Input at Regular LTC Meetings - Memo		4 - 5
4.	COMMUNITY INFORMATION MEETING		
	none		
5.	PUBLIC HEARING		
	none		
6.	MINUTES	1:00 PM - 1:15 PM	
6.1	Local Trust Committee Minutes Dated January 21 (for Adoption/Receipt)		6 - 14
6.2	Section 26 Resolutions-without-meeting Report		
	none		
6.3	Advisory Planning Commission Minutes (for Receipt)		
	none		
7.	BUSINESS ARISING FROM THE MINUTES		
7.1	Follow-up Action List Dated February 2016		15 - 15
8.	DELEGATIONS		
	none		

9. CORRESPONDENCE

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

none

10. APPLICATIONS AND REFERRALS

1:15 PM - 2:30 PM

10.1 SA-TUP-2015.2 (Fitzgerald) - Staff Report

16 - 32

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Water Resource - update

11.2 Survey - Update

11.3 Density Review - Staff Report & Discussion Paper

2:30 PM - 3:00 PM

33 - 50

12. REPORTS

12.1 Work Program Reports (attached)

12.1.1 Top Priorities Report dated February 2016

51 - 51

12.1.2 Projects List Report Dated February 2016

52 - 52

12.2 Applications Report Dated February 2016 (attached)

53 - 54

12.3 Trustee and Local Expense Report

none

12.4 Adopted Policies and Standing Resolutions (attached)

55 - 56

12.5 Local Trust Committee Webpage

12.6 Chair's Report

3:00 PM - 3:30 PM

12.7 Trustee Report

12.8 Trust Fund Board Report

none

13. NEW BUSINESS

none

14. UPCOMING MEETINGS

14.1 Next Regular Meeting (Community Roundtable) Scheduled for March 12, 2016 at 11:00 am, at the Saturna Community Hall

15. TOWN HALL

16. CLOSED MEETING (Distributed Under Separate Cover)

none

17. ADJOURNMENT

3:30 PM - 3:30 PM



George Grams
Salt Spring Island Local Trustee
Islands Trust Vice Chair
Saturna Island LTC Chair
Email: ggrams@islandstrust.bc.ca

GUIDANCE ON PUBLIC INPUT AT REGULAR SILTC MEETINGS

In order to help the Saturna Local Trust Committee meetings run more smoothly, I would like to bring to the community's attention the purpose of the meetings, and to outline the process for raising relevant issues during the meeting.

The purpose of the Local Trust Committee meetings is so that the local trust committee can receive reports from staff and consider the contents of those reports in order to make relevant decisions about land use issues on Saturna.

The meeting agendas and agenda packages are posted in advance and copies are available at the meetings so that members of the public are alerted to the topics of discussion. There is provision made by the inclusion of two Town Hall sections, one near the beginning of the meeting and one at the end, where members of the community can provide guidance and opinion to, or ask question of, the Local Trust committee or staff on issues that are relevant to land use issues. Members of the public can speak to issues whether they are on the agenda or not. This process is the formal, structured format designed to engage the community on local decisions so community members have an opportunity to add value and provide input.

Once the business meeting begins, the formal opportunity for members of the audience to contribute ends. The business section of the meeting is to allow trustees to hear information from staff, applicants and their consultants.

As chair, my duties during the business section of the meeting is to afford the Local Trust Committee the opportunity to hear reports from staff, applicants and their consultants and for trustees to have the opportunity to debate relevant issues. Members of the community can witness those proceedings but the business section is not designed to cater for their participation.

The Saturna Local Trust Committee promotes community inclusion and wishes to hear the views of community members. Accordingly it might continue the practice of affording members of the community the opportunity to make comment or to pose questions during debate on business items. However, it should be noted that this must be by invitation of the chair. It is not appropriate for members of the audience to pose questions or join the debate without such invitation.

The procedure I follow as chair during Business Item discussions is for staff to deliver their report, for applicants or their consultants to be allowed to make a presentation, for trustees to pose questions of staff, applicants or their consultants and for trustees to then debate relevant issues within the committee. If I during the debate see members of the audience raise their hands to signal that they wish to be heard, I will ask trustees, before a resolution has been tabled or seconded, whether they wish to hear contributions from members of the community. If they affirm that they do, I will turn to those who signalled and invite their questions or comments.

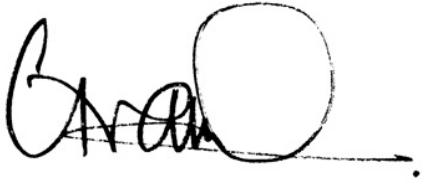
Please/

Preserving **island** communities, culture and environment

Bowen Denman Hornby Gabriola Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

Please note that this invitation is intended to provide community members an opportunity to offer further information to the local trust committee which they may consider in making their decisions. it is not an invitation to community members to join the debate. As well as the two Town Hall sessions at each LTC meeting, the special roundtable meetings give the community every opportunity to provide meaningful input.

In the interests of promoting efficient and productive meetings, I would ask the community to please respect this protocol.

A handwritten signature in black ink, appearing to read 'George Grams', with a large circular flourish at the end.

George Grams
Chair - Saturna Island Local Trust Committee
14 December 2015



DRAFT

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

Saturna Island Local Trust Committee Minutes of Regular Meeting

Date: January 21, 2016
Location: Saturna Island Community Hall
105 East Point Road, Saturna Island, BC

Members Present: George Grams, Chair
Paul Brent, Local Trustee
Lee Middleton, Local Trustee

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

Public and Media Present: There were 30 members present and no media.

1. CALL TO ORDER

Chair Grams called the meeting to order at 12:32 pm, welcoming those in attendance to the first meeting of 2016. He then acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations

2. APPROVAL OF AGENDA

It was noted that an update on the community profile is not included on the agenda. Chair Grams indicated this will be addressed on the follow-up action list, item 7.1.

By general consent the agenda was adopted as amended.

3. TOWN HALL AND QUESTIONS

3.1 Guidance on Public Input at Regular LTC Meetings

Chair Grams read the document, "Guidance on Public Input at Regular SI LTC Meetings", which was also included in the agenda package for this meeting.

John Hutchinson expressed appreciation for this clarification of the protocol. He asked for further clarification regarding opportunities for local input during the Community Information Meeting (CIM) section of the meeting and the business session.

Chair Grams explained that the Community Information Meeting (CIM) purpose is to enable public input. The Island Planner presents the proposal followed by an

opportunity for the applicant to speak then, for community members to ask questions or offer input. The business section of a meeting is for formal discussion and related debate of business items by the Island Trustees. Questions and comments from the public during the business session will be by invitation of the Chair.

Trustee Brent also noted that the local trustees are only allowed to discuss Trust business in the context of the Local Trust Committee meetings.

Planner Richardson explained the temporary use permit (TUP) process.

4. COMMUNITY INFORMATION MEETING

4.1 Temporary Use Permit: SA-TUP-2015.2 (Saturna Point Holdings)

Planner Richardson reviewed highlights of the report dated January 7, 2016 regarding permit SA-TUP-2015.2. Potential issues were identified followed by a description of the proposal by the applicant.

Bob Fitzgerald, the applicant and General Manager of Saturna Point Holdings, spoke to the application while representing partners Priscilla Ewbank, Greg and Diane Robertson, and Krystine Hogan. He noted that the main issues addressed at prior community meetings (parking, security, and water use) have been incorporated into the proposal. The proposed tenting, shower, and laundry facility is a low impact development which will provide benefits to other community businesses as well as "value added" benefits to the applicants' business including providing employment on Saturna.

Priscilla Zimmerman, architect and planner, in her role as Economic Development Director for Saturna, also spoke to this proposal as synergistic with another separate proposal for extension of the government dock and a kayak docking/storage facility. She described rationale for her support of this proposal (low impact, sustainable, affordable and inviting of environmentally conscious visitors to the island).

There was extensive discussion of water resource access and utilization of the Lyall Harbour/ Boot Cove water system. It had previously been suggested that the system may not be able to support the additional water needs.

Dan Thachuk, Chair of the Lyall Harbour/Boot Cove Water Local Service Committee, noted that the system had been designed to accommodate the needs of all parcels within the existing service area, which would include the parcel under consideration. He also pointed out that not all existing lots have been connected to the system although they are eligible to do so. The Capital Regional District (CRD) is the planning authority for water use in this area, and after consultation with them, he indicated that they require submission of a

specific water use application beyond what already exists for the current business.

Trustee Brent read a CRD document related to "spare capacity" put forward last year when secondary suites were being discussed. The document appears to support the ability to meet the water needs of this project. In the absence of any further information from CRD he would be inclined to vote in favour of the application.

Trustee Middleton noted on the blueprint there is a water hook-up and meter identified at the property line. The applicant confirmed this and also pointed out that water utilization would be supplemented by installation of a cistern for extra water storage and use of grey water for toilets.

Both Trustees agreed that the water issue is not the purview of the Local Trust Committee.

Chair Grams, when asked, stated that he believes the Islands Trust does have responsibility for land use which would relate to water use and conservation although the Lyall Harbour/Boot Cove system is the responsibility of CRD water department.

Ian Rowe, pointed out that with the recent upgrades to the system, there is an abundance of water available to meet the needs of this proposal.

Other issues related to the application, raised by various members of the public in attendance related to:

- number of parking spaces and how they relate to current available parking in the general area (previously raised as inadequate); access for emergency vehicles if needed;
- clarification specific to designation as "tenting" spaces not camping which might imply motorized vehicles used for that purpose;
- potential fires - no campfires to be allowed; potential hazard of fuel tanks below the development area. Trustee Brent had discussed this with the local fire chief;
- potential security and noise issues raised at earlier meetings have been addressed in the proposal.

5. PUBLIC HEARING

None

6. MINUTES

6.1 Local Trust Committee Minutes Dated December 3, 2015 (for adoption)

By general consent the Local Trust Committee meeting minutes of December 3, 2015 were adopted.

6.2 Section 26 Resolutions-without-meeting Report Dated January 2016

For information

6.3 Advisory Planning Commission Minutes

None

7. BUSINESS ARISING FROM THE MINUTES

7.1 Follow-up Action List Dated January 2016

Planner Richardson reported that five of the six items have been completed. Item 4 - Community Profile Survey - in final form was submitted to the Scribbler today and will be mailed out next week. End date for return of the questionnaires is set for February 29, 2016.

With regard to item 6 - direction to research parking requirements for the pub - Staff have researched all available sources and found nothing documented in relation to this issue.

Planner Richardson will notify Pat Carney who made the request regarding this issue.

8. DELEGATIONS

None

9. CORRESPONDENCE

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

None

10. APPLICATIONS AND REFERRALS

10.1 SA-TUP-2015.2 (Saturna Pt. Holdings Ltd.) - Staff Report

Planner Richardson identified options for the Local Trust Committee's consideration.

Trustee Brent supported proceeding with amendments to water usage, a reduction of number of parking spaces, and term of the temporary use permit

(TUP). It was noted that the Official Community Plan is out of date regarding TUP terms. Current terms are 3 years with possible renewal for a second term.

Trustee Middleton expressed support of the 6 points highlighted in the planner's report and noted that the input of neighbours close to the proposed development needs to be respected.

Chair Grams indicated that based on evidence provided regarding water use, it would be reasonable to move ahead, also agreeing with a reduction in allocated parking spaces on site.

Suggested amendments were a reduction to nine (9) parking spaces, toilets to be fed by alternate water source, such as cistern, and that the TUP reflect the actual term of 3 years.

SA-2016-001

It was MOVED and SECONDED

THAT the Saturna Local Trust Committee direct staff to make amendments, as discussed, relating to number of parking spaces, alternate water source for toilets and that the Temporary Use Permit for application SA-TUP-2015.2 term be for 3 years.

CARRIED

SA-2016-002

It was MOVED and SECONDED

THAT the Saturna Local Trust Committee direct staff to advance SA-TUP-2015.2 to the February 18, 2016 LTC meeting in order to allow the LTC to consider issuance of the permit.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Density Review - Verbal Update

Planner Richardson has developed a discussion paper outlining the included past history, what has been done on other islands, and what has worked. He suggested that it be submitted to the Trust Committee, then once approved, will be posted on the Islands Trust website to enable public consideration. It will then be put on the agenda of the February 18, 2016 meeting for discussion.

It was agreed that the density transfer mechanism has been cumbersome and needs to be addressed.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated January 2016

All items on the list are on-going. Item number 3, Water Resource Protection has been looked at in the past. Researcher Diana Allen has done a new report which has been submitted to the Ministry and should be out soon.

Trustee Brent suggested waiting until the report is available.

Planner Richardson alluded to a Groundwater Protection Toolkit which might be useful.

Trustee Middleton spoke to the Water Sustainability Act; regulations have not yet been developed. Consideration to look at what Salt Spring Island has developed and see what might apply locally.

Chair Grams noted that analysis of sustainable supply and projected build out is the basis for a process.

There was general discussion of surface water and groundwater - how to best regulate whether catchment is needed. Education is important.

Trustee Brent also noted that there is a great deal of information on this topic available on the Islands Trust website.

Janet Land - the density review should include water protection as well as enforcement.

John Gaines - current subdivision regulations require proof of potable water, which implies a well. This is not necessarily appropriate as it puts increased demand on groundwater potentially leading to salt water intrusion. It also diminishes the likelihood of the property owner actually implementing water catchment.

Chair Grams indicated he will request Salt Spring Island water Committee chair to connect with the Planner regarding their background study.

12.1.2 Projects List Report Dated January 2016

All Projects are ongoing

12.2 **Application Report Dated January 2016**

For information only

12.3 **Trustee and Local Expense Report Dated December 2015**

For information only

12.4 Adopted Policies and Standing Resolutions (attached)

For information only

12.5 Local Trust Committee Webpage

The Saturna Island Local Trust Committee website can be found at:
www.islandstrust.bc.ca/saturna

It was noted that the drought document by Donald O. Hodgins, Ph.D. is available on the webpage.

12.6 Trustee Reports

Trustee Middleton reported that he has continued work on particularly sensitive sea areas and National Conservation Marine Areas. He is also working on process for addressing land use and planning issues in a more holistic, less reactive, manner. In relation to the community profile, he reported there have been 16 new internet connections in the last three and a half months. He views this as a barometer of population increase which may be the beginning of resurgence on Saturna.

Trustee Brent has been involved with the Financial Planning Committee and is working to communicate more on what is happening with budget especially actual budget compared with forecast. He is also on the committee responsible for reviewing the location of the Victoria Trust Office. This may raise union issues moving the southern planning team office to Sidney, more time in the field for planners and trustees, potential at home work where possible (decrease lease costs). Staff and trustees are working closely on this.

12.7 Chair's Report

Chair Grams reported that the final Trust Council meeting of 2015 was held in December and was the last meeting for retiring Chief Administrative Officer (CAO), Linda Adams. The new CAO is Russ Hotsenpillar. CAO Hotsenpillar plans to visit the islands in due course and will be attending an LTC meeting on Saturna to meet members of the community. Chair Grams continued noting that Trust Council has adopted a strategic plan with amendments and approved a proposal for Executive to come forward with recommendations on initial adaptation strategy for the Trust, if the Salt Spring Island incorporation goes through. Islands Trust Executive were asked to redesign the committee structure and perhaps form another committee specifically targeting marine issues. The incorporation study for Salt Spring has been delayed to allow time to gather relevant information on roads. Finally, Chair Grams met with Adam Olsen,

Interim Leader of the BC Green Party, to discuss issues of concern including First Nations and role of elected officials focussing on a multi-agency collaborative approach with other organizations which share the preserve and protect value of Islands Trust.

12.8 Trust Fund Board Report

None

13. NEW BUSINESS

13.1 Determine Remaining Annually Scheduled LTC Meeting Dates - Memo & Proposed Schedule

SA-2016-003

It was MOVED and SECONDED

THAT the Saturna Island Local Trust Committee proposed 2016 regular business meeting schedule be adopted as presented.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for February 18, 2016 at the Recreation & Cultural Centre, 12:30 pm

15. TOWN HALL

Janet Land advised that the new Saturna Island Community website notice board is now available for posting community information updates and notices. This can be used for posting Local Trust Committee notices and meeting information as well as the usual local posting of notices.

Liam Husk reported on slippery conditions on the local dock which pose a danger to users, indicating that he had reported it to the dock manager and even offered to clean it if equipment was provided. Although not a Local Trust issue, both Trustees offered, as concerned residents, to contact appropriate responsible authority and/or assist in resolving this.

16. CLOSED MEETING (Distributed Under Separate Cover)

None

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:30 pm.

George Grams, Chair

Certified Correct:

Beverly Lowsley, Recorder

Follow Up Action Report

Saturna Island

21-Jan-2016

No.	Activity	Responsibility	Target Date	Status
1	SA-TUP-2015.2 (Saturna Point Holdings) - staff to prepare draft permit for LTC consideration at February 18, 2016 LTC Mtg.	Gary Richardson		Done
2	LTC Minutes of December 3, 2016 adopted as drafted.	Sharon Lloyd-deRosario Lori Foster		On Going
3	Research Water Resource protection tools being considered by Salt Spring Island and report back to the LTC at the February 18, 2016 LTC Mtg..	Gary Richardson		Done
4	2016 Saturna Meeting Schedule adopted as drafted.	Lori Foster		On Going

STAFF REPORT

File No.: SA-TUP-2015.2
(Saturna Point
Holdings Ltd.)

To: Saturna Island Local Trust Committee
For the Meeting of February 18, 2016

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Temporary Use Permit Application – Tenting Sites and
Shower/Laundry/Washroom Facility – Lot A, Section 18, Saturna
Island, Cowichan District, Plan VIP75287 - 100 East Point Road

Owner: Saturna Point Holdings Ltd.

Applicant: Saturna Point Holdings Ltd.

Description: Lot A, Section 18, Saturna Island, Cowichan District, Plan VIP75287

Civic Address: 100 East Point Road

FINAL REPORT

THE PROPOSAL:

The applicant is requesting that the Saturna Island Local Trust Committee issue a Temporary Use Permit to allow for a campground consisting of 10 tenting spaces, up to 8 parking spaces, and a shower/laundry/washroom building on a portion of the above referenced lot. The ten tent sites are to be located away from the road and are to be screened by landscaping.

Car camping is not being accommodated. A 24 hour security camera will be in place on the site and as well on island staff will be available by phone 24 hours a day if there are any problems.

BACKGROUND:

The application was received November 20, 2015. The application information was placed on the December 3, 2015 LTC meeting agenda requesting direction from the LTC on how it wanted to proceed.

The LTC passed the following resolution at the December 3 LTC meeting:

SA-2015-037

It was MOVED and SECONDED that the Saturna Island Local Trust Committee directs staff to organize a Community Information Meeting on January 21, 2016 regarding Application SA-TUP-2015.2.

A Community Information Meeting was held on January 21, 2016.

At the January 21 meeting the LTC passed the following resolutions:

SA-2016-001

It was MOVED and SECONDED

THAT the Saturna Local Trust Committee direct staff to make amendments, as discussed, relating to number of parking spaces, alternate water source for toilets and that the Temporary Use Permit for application SA-TUP-2015.2 term be for 3 years.

SA-2016-002

It was MOVED and SECONDED

THAT the Saturna Local Trust Committee direct staff to advance SA-TUP-2015.2 to the February 18, 2016 LTC meeting in order to allow the LTC to consider issuance of the permit.

SITE CONTEXT:

The site of the proposed campground is located on a portion of a water front lot on Lyall Harbour. The western portion of the lot presently contains the Lighthouse Pub, Lovage and Lace Clothing, Saturna Point Gallery, and Dockside Reality. The other portion of the lot where the campsite is being proposed presently contains Darrel's Digs Nursery, Commercial Storage Sheds, Fuel Tanks and Commercial Parking. As can be seen on Figure 5 the property subject to this proposal slopes quite steeply towards the sea; however, the area where the campsite is to be located is quite level. The area is one of the most congested areas on the island due to the concentration of services. There is good driveway access to East Point Road.

Figure 3 – Orthophoto of Property



Figure 4 – Orthophoto of Subject Area



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

Excerpts relevant to this application:

5.2 Growth and Development

Directive Policies

- 5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
- 5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.

5.7 Economic Opportunities

- 5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

Official Community Plan

The subject property is in the **Rural** OCP designation.

Excerpts relevant to this application:

D.1 RURAL

The Rural designation identifies areas where a wide variety of human use and development activities may be permitted. All the following categories will be implemented through zoning and not designated within this Plan.

The Objective of this designation is to support a diverse community structure with a range of lot areas and forms of residential accommodation and to provide a range of zoning options for residential, commercial and industrial uses.

- D.1.1** To protect the character of neighborhoods, separate zones in regulatory bylaws should provide for the following uses:
- a) Rural Residential for single-family homes and private recreation uses;
 - b) Rural General where home based industry will be mixed with family homes and cottages, includes all home based occupations customary to a rural area;
 - c) Rural Comprehensive for large parcels when more than 5 principal residences are desired on a lot to accommodate co-operatives or joint land ownership;
 - d) Multiple Family Residential;
 - e) Industrial, with distinctions made between differing scales of industrial use;
 - f) Commercial;
 - g) Commercial Recreation and Accommodation;
 - h) Public Utility and other public uses, which may include environmental conservation; and
 - i) The Local Trust Committee may consider allowing for mixed uses in locations in

close proximity to services.

- D.1.2** The Saturna Island Local Trust Committee, when zoning Rural designated land, shall ensure that on lots with more than one base designation, the residential density will not exceed one primary residence and one cottage per 2.02 hectares (5 acres) of the Rural designated area in the parcel, plus any density received from any Watershed, Farmland, Wilderness Reserve, Forest or Heritage Forest designated portions of the lot and any density granted from the Community Amenity Density Reserve.
- D.1.3** Development criteria relating to minimum lot area, such as setbacks, depth to width ratio, and site coverage, should be specified in regulatory bylaws for each type of residential use and each form of commercial, commercial recreation and accommodation, and industrial use.
- D.1.4** Rural Subdivision Capacity:
The maximum number of lots that can be created shall equal the acreage of the lot designated rural divided by five (5) except where:
- a) a restrictive covenant limits further subdivision then it shall be the amount specified in the covenant;
 - b) the lot has split designations then section D.7 applies; or
 - c) density from the Community Amenity Density Reserve is granted in exchange for an amenity.

C.3 DEVELOPMENT POLICIES

- C.3.1** Developments should be designed to provide opportunities for residents and visitors to enjoy the aesthetic, historic, scenic, and natural resource values of the Area's forests, wetlands, farmlands, waterways, beaches and coastline.
- C.3.2** The type, scale, and concentration of development, including the ultimate resident and visitor populations, are to be managed to preserve the quiet rural atmosphere.
- C.3.3** The rate of growth of residential, commercial accommodation and commercial uses is to be managed to facilitate the community's ability to absorb proposed change and optimize any related benefits.
- C.3.4** In considering development proposals, the Saturna Island Local Trust Committee shall require the mitigation of adverse impacts on the aesthetic resources of the Area. Setbacks, screening, or other means are to be used to abate visual impacts.
- C.3.5** When relating to matters of development, affordability, special needs, or rental opportunity, the Saturna Island Local Trust Committee is to consider the community's desire to maintain social and economic diversity.
- C.3.6** Regulatory bylaws may waive minimum lot area for subdivision requirements for lots created for and restricted to a public use that is nonresidential and not count them as lots respecting the use of subdivision capacity.
- C.3.7** As a condition of subdivision, where lots of less than 2.02 hectares (5 acres) are created, restrictive covenants are to be required on all lots of 4.05 hectares (10 acres) or more controlling both residential density and subdivision capacity.

- C.3.8** Where any lot is subject to a restrictive covenant as required by section C.3.7 that prohibits further subdivision, the Saturna Island Local Trust Committee shall rezone the lot to indicate that it is a remainder with no further subdivision potential. The zoning shall limit its residential density to the amount specified by the covenant and the transfer of density onto these remainders shall not be allowed.
- C.3.9** Public access to the foreshore should be provided in a manner that ensures the maximum benefit to the public, with the least harm to the natural condition of the area. To provide useful public accesses:
- a) consolidation of public accesses is encouraged where appropriate to the nature of the shoreline; and
 - b) where feasible, dedication of a coastal strip fronting the foreshore in conjunction with subdivision will be sought.
- C.3.10** To move towards a land use pattern that results in a more compact, complete and connected community, with new residential development occurring in locations accessible to services.

PART H - TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS

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

Objectives for Issuing Temporary Commercial or Industrial Use Permits

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

Permit Guidelines

- H.1.2** Permits can be issued for any period up to two years and could be considered for renewal once for any further period up to two 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 removal and processing, and asphalt plants shall be subject to a permit if they exceed 50 truckloads 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 neighborhood and may 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.

Land Use Bylaw

The current zoning of the subject property is Industrial Storage and Repair (ISR).

6.1 INDUSTRIAL STORAGE AND REPAIRS ZONE (ISR)

Uses Permitted

- 6.1.1 In the **Industrial Storage and Repairs (ISR) Zone** the following uses are permitted, subject to the regulations set out in this section and the general regulations set out in Part 2, and all other uses are prohibited.
- 6.1.1(1) warehouses;
 - 6.1.1(2) storage yards;
 - 6.1.1(3) contractor's yards and workshops;
 - 6.1.1(4) building materials and supplies sales;
 - 6.1.1(5) freight service;
 - 6.1.1(6) motor vehicle sales and repairs;
 - 6.1.1(7) machinery and parts sales, rentals and repairs;
 - 6.1.1(8) wood, metal and plastic fabricating;
 - 6.1.1(9) welding and machine shops;
 - 6.1.1(10) boat *building* and repairs;
 - 6.1.1(11) *off street parking* lots;
 - 6.1.1(12) marinas for the accommodation, maintenance and servicing of boats including refueling;
 - 6.1.1(14) one *residential unit* in conjunction with an industrial use for the accommodation of the owner, operator or an employee of the principal use is permitted.
- 6.1.2 In addition to the uses permitted in subsection 6.1.1, on the ISR portion of the lot legally described as Lot 17, Plan 18592, Section 8, Cowichan District, Saturna Island the

following use is permitted: retail sale of fuels.

- 6.1.3 Despite subsection 6.1.1, on the ISR portion of the lot legally described as Lot 1, Section 18, Plan 14515, Cowichan District, Saturna Island the only uses permitted in addition to those set out in Section 2.1 are: boat *building* and repairs; marinas for the accommodation, maintenance and servicing of boats including refueling; service stations; bulk fuel storage tanks; off street parking lots; and, one *residential unit* in conjunction with an industrial use for the accommodation of the owner, operator or an employee of the principal use is permitted.

Islands Trust Fund

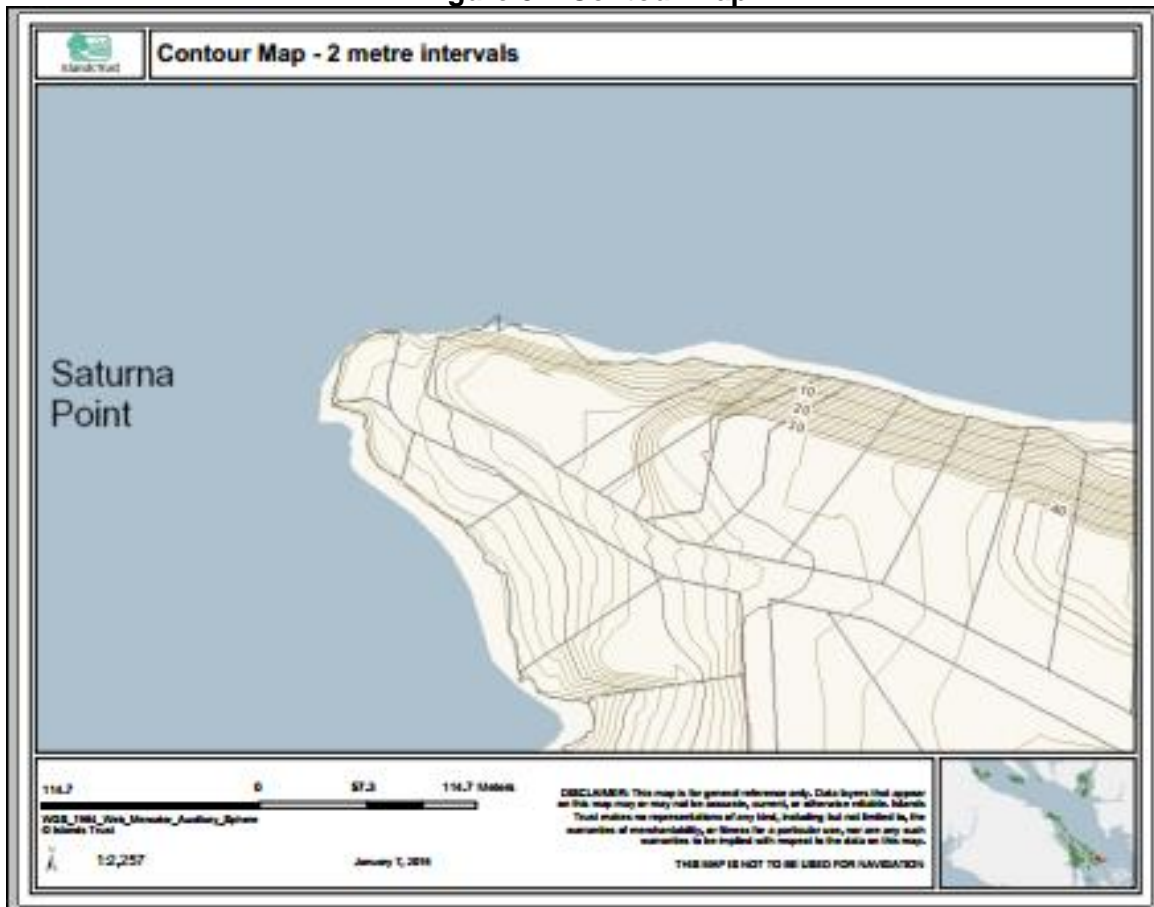
There are no Trust Fund properties or covenants in the vicinity of the subject lot.

Sensitive Ecosystems and Hazard Areas

The Local Planning Services Sensitive Ecosystem Mapping (SEM) does not show any sensitive ecosystems on the subject lot.

As can be seen on the contour map below there is a steep area along the shoreline, including areas of high hazard. The proposal would be sited away from the steep slopes and separated from it by a fence.

Figure 5 – Contour Map



Archaeological Sites

There are no archeological sites on the subject area or in close proximity; however portions of the lot are identified as having archeological potential.

Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the *Heritage Conservation Act*. This would most likely be indicated by the presence of areas of dark-stained soils containing conspicuous amounts of fire-stained or fire-broken rock, artifacts such as arrowheads or other stone tools, or even buried human remains. If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a *Heritage Conservation Act* permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.

Covenants

There are no covenants on the property.

Bylaw Enforcement:

There are no bylaw enforcement files on record for this property.

Climate Change Mitigation and Adaptation

The close proximity of the campground to commercial services and the ferry should have an overall effect of reducing greenhouse gas emissions by reducing both the number of cars, and the number and distance of car trips.

Shoreline

The shoreline on the portion of the lot where the campsite is to be sited is predominantly sea cliff.

Sea cliffs are hard, mostly bedrock shores with slopes steeper than 20%. This type of shoreline is common on the Gulf Islands. Backshore soils tend to be shallow and rocky, making them prone to drought. Sea cliffs are resistant to erosion and tend to be stable over a human time scale. Sediment transport rates along shoreline nearby sea cliffs are low, because of the limited sediment they supply to the nearshore. Sea cliffs may also have associated rock fall hazards.

COMMUNITY INFORMATION MEETING(S):

A Community Information Meeting (CIM) was held on January 21, 2016 for this proposal. The minutes from that meeting are on the February 18, 2016 LTC agenda.

RESULTS OF CIRCULATION:

Statutory requirements for notification has been carried out. Notification included delivery of notices to surrounding property owners, a newspaper notice, and posting of the notice on Island Trust notice boards and web site. The notice was circulated and posted on or before February 5, 2016 and the notification period ends February 17, 2016. Comments when received are circulated to the LTC for reference and posted to the Saturna LTC website.

The proposed permit was also referred to the: Saturna Island Fire Chief; CRD Building Inspection; and CRD Integrated Water Services. As of the date of this report no agency comments had been received; however, CRD Integrated Water Services advised staff that comments will be provided prior to the February 18 LTC meeting.

STAFF COMMENTS:

Staff has amended the proposed Temporary Use Permit as directed at the January 21, 2016 LTC meeting.

Staff will update the LTC at the February 18, 2016 LTC meeting if agency comments are received. Agency comments may have an impact of the staff recommendation and/or the conditions of the TUP.

Staff is of the opinion that the type and scale of this proposal complies with the policies the OCP regarding maintaining rural and community character. The proposal is also consistent with OCP policies regarding allowing economic opportunities that are compatible with the conservation of resources and protection of community character. The location of the proposal is consistent with OCP policies regarding a land use pattern that results in a more compact, complete and connected community.

Amended TUP is attached for the LTCs consideration.

Options:

- 1) Proceed no further with application SA-TUP-2015.2.
- 2) Issue an amended TUP.
- 3) Issue TUP as drafted.

It is recommended that the LTC issue the TUP as drafted for a period of 3 years.

RECOMMENDATIONS:

1. **THAT** the Saturna Local Trust Committee issue Temporary Use Permit SA-TUP-2015.2 as drafted for a period of 3 years.

Prepared and Submitted by:

Gary Richardson

February 11, 2016

Date

Concurred in by:



Robert Kojima
Regional Planning Manager

February 11, 2016

Date

Attachments: Proposed TUP



PROPOSED

**SATURNA ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
SA-TUP-2015.2 (Saturna Point Holdings Inc.)**

100 East Point Road

To: Saturna Point Holdings Inc.

1. This Permit applies to the land described below:

Lot A, Section 18, Saturna Island, Cowichan District, Plan VIP75287, shown on Schedule "A", which is attached to and forms part of this Permit.

2. This Permit is issued for the purpose of permitting the operation of a campground consisting of 10 tent sites and laundry/washroom/shower facility on the above referenced lot and is subject to the following conditions:

- a) A contact person on Saturna Island associated with the property must be available by telephone 24 hours per day, seven days per week;
- b) Security cameras must be installed and monitored;
- c) The laundry/shower/washroom building shall not have a floor area that exceeds 160 square metres (525 sq.ft.);
- d) Toilets must be serviced with water obtained from rainwater catchment;
- e) No person shall camp in the campsite for more than 14 days per calendar year;
- f) The property owner must provide neighbors within a 100 metre radius of the campsite with the contact person's phone number, and a copy of the temporary use permit;
- g) The property owner must post for guests information on noise bylaws, water conservation, fire safety, storage and disposal of garbage, and control of pets;
- h) One sign is permitted and is not to exceed 1 square metre in size;
- i) Only tent camping is permitted;
- j) There must be no direct vehicle access to the tent sites, the sites are to be accessed by footpath only;
- k) All outdoor fires are prohibited;
- l) The property owner must not remove any existing vegetative screening;

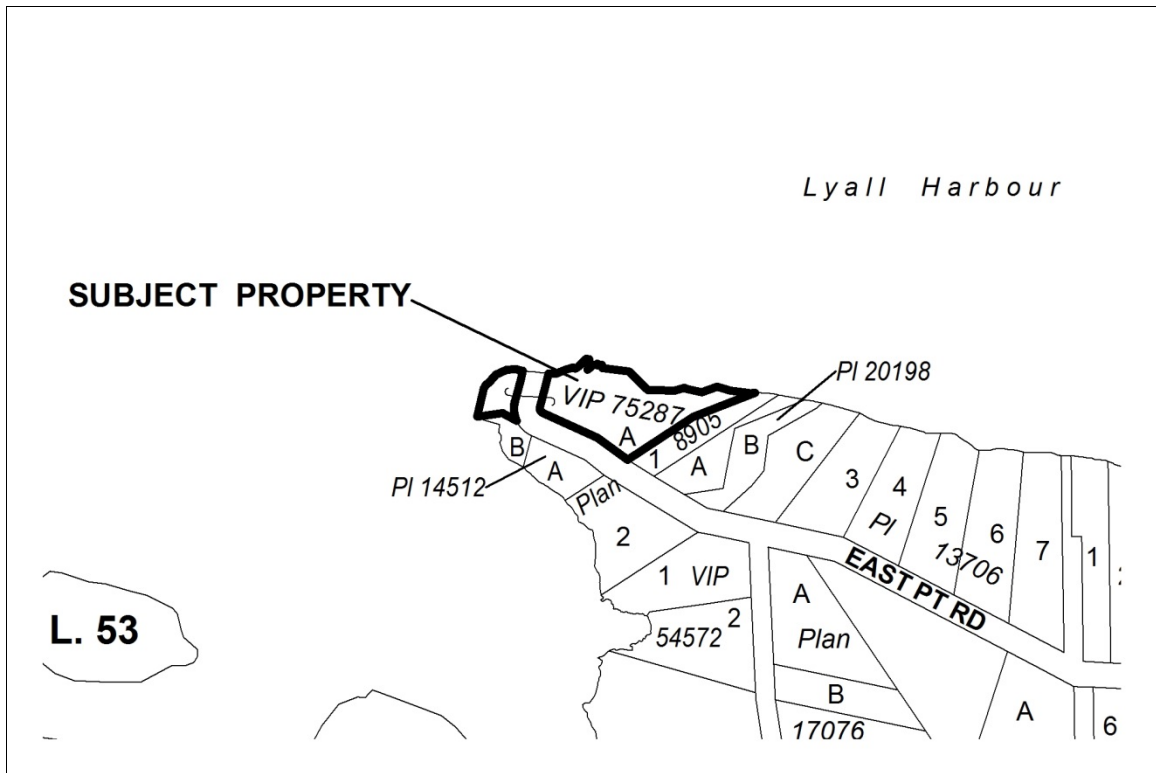
- m) A row of drought tolerant evergreen plants that will attain a sufficient height and density to provide a complete and permanent visual screen between the campground and East Point Road shall be planted and maintained continuously with the only break in screening being for driveway access;
 - n) The owner must provide parking for a minimum of nine (9) vehicles on the property and the spaces must be clearly marked for campsite use only;
 - o) Outdoor lighting must not be directed onto surrounding properties;
 - p) Quiet hours must be posted and adhered to between the hours of 10 pm and 8 am;
 - q) The property must be restored to its pre-campground condition if the use is discontinued for 6 months or if the permit expires.
- 3. All buildings, structures, parking areas, tenting sites, fencing and landscaping are to be substantially in compliance with Schedules "A" and "B" attached to and forming part of this permit.
 - 4. This Permit expires on XXXX, 20XX (up to 3 years)
 - 5. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE SATURNA ISLAND LOCAL TRUST COMMITTEE THIS DAY OF .

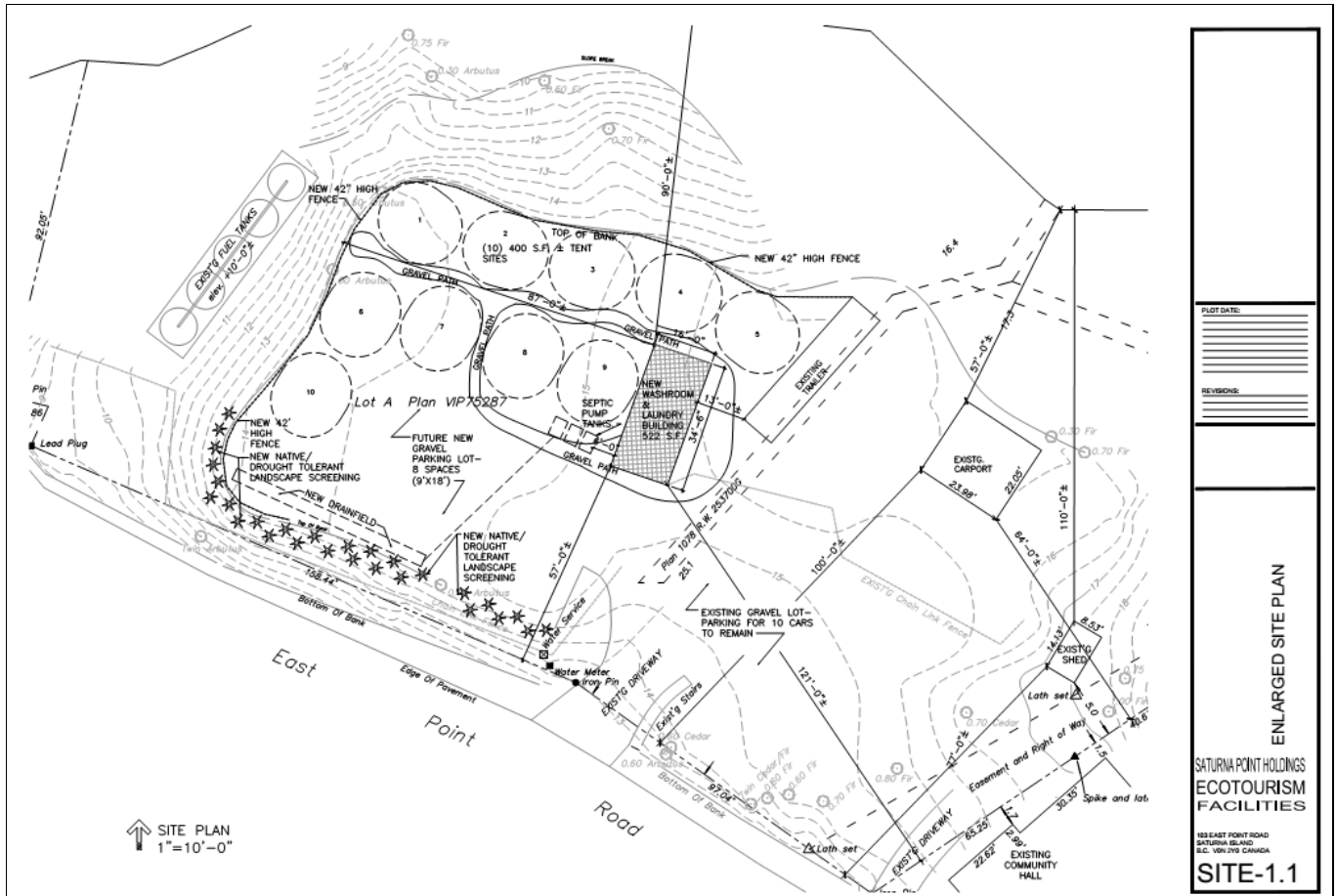
Deputy Secretary, Islands Trust

Date Issued

SATURNA ISLAND LOCAL TRUST COMMITTEE
SA-TUP-2015.2
SCHEDULE A



SATURNA ISLAND LOCAL TRUST COMMITTEE
SA-TUP-2015.1
SCHEDULE B





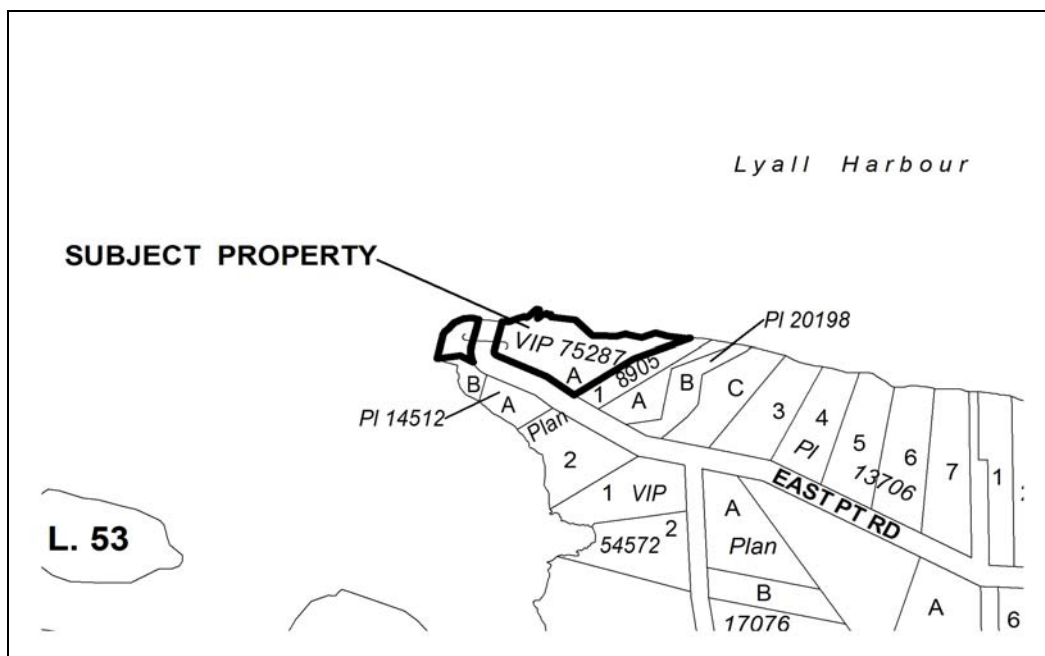
Islands Trust

**NOTICE
SATURNA ISLAND LOCAL TRUST COMMITTEE
SA-TUP-2015.2**

NOTICE is hereby given that the Saturna Island Local Trust Committee will be considering a resolution allowing for the issuance of a Temporary Use Permit pursuant to Section 493 of the *Local Government Act*. The proposed permit would apply to Lot A, Section 18, Saturna Island, Cowichan District, Plan VIP75287.

The purpose of this temporary use permit is to allow for a campground consisting of ten (10) tenting sites, a shower/laundry/washroom building and a parking area at 100 East Point Road on Saturna Island. The proposed permit contains conditions which include: screening, maximum number of tent sites, parking, security, maximum floor area limit for the shower/laundry/washroom building, no outdoor fires, and length of stay. The permit can be issued for up to three years and the owner may apply to the Saturna Island Local Trust Committee to have it renewed once for up to an additional three years.

The general location of the subject property is shown in the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 200 - 1627 Fort Street, Victoria, B.C. V8R 1H8 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, commencing, **February 5, 2016** and continuing up to and including **February 17, 2016**.

For the convenience of the public only, and not to satisfy Section 494 (1) (a) of the *Local Government Act*, additional copies of the Proposed Permit may be inspected at various Notice Boards on Saturna Island, B.C., commencing **February 5, 2016**.

If you have any questions or comments please contact the Planner, Gary Richardson at (250) 405-5157; for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 660-2421 and elsewhere in BC 1-800-663-7867 **before 4:30 p.m., February 17, 2016**. Written comments may be mailed to Islands Trust, 200 – 1627 Fort Street, Victoria, BC V8R 1H8; faxed to (250) 405-5155; or emailed to information@islandstrust.bc.ca **before 4:30 p.m., February 17, 2016**.

The Saturna Island Local Trust Committee will be considering the issuance of the permit at the Saturna Local Trust Committee Meeting being held at **12:30 p.m., February 18, 2016, at the Saturna Island Recreational & Cultural Center, 104 Harris Road, Saturna Island BC.**

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Sharon Lloyd-deRosario, Deputy Secretary

Date: February 11, 2016

File No.: 6500-20- Density
Transfer Review

To: Saturna Island Local Trust Committee
For the meeting of February 18, 2016

From: Gary Richardson, Island Planner

CC: Robert Kojima, RPM

Re: Density Transfer Review

Background

The Saturna Island LTC initiated a project in July 2015 to review existing density transfer policies in the OCP. A Discussion Paper has been prepared for the LTCs review (February 2016).

The Discussion paper contains information regarding: definition of density, explanation of existing Community Amenity Density Reserve, approaches in other Local Trust Areas and options.

Staff is recommending that a revised project charter be prepared that outlines a community process that allows density transfer options to be discussed. The goal of the review/consultation process will be to determine which option may be appropriate.

Next Steps

1. Confirm that the LTC wants to keep this project on its priority list.
2. Direct staff to prepare an amended project charter which allows for sufficient community consultation for discussion of density transfer options.
3. Staff will prepare a project charter for the next LTC meeting that outlines a recommended process.

RECOMMENDATIONS:

That the Saturna Island Local Trust Committee directs staff to prepare a project charter to allow for the review and community consultation of density transfer options outlined in the Density Transfer Review Discussion Paper dated February 2016.

Prepared and Submitted by:

Gary Richardson

February 11, 2016

Gary Richardson, Island Planner

Date

Attachments: Density Transfer Review, Discussion Paper

SATURNA ISLAND LOCAL TRUST COMMITTEE DENSITY TRANSFER REVIEW

DISCUSSION PAPER

FEBRUARY 2016

Gary Richardson, Island Planner



Contents

1. Background	2
2. Density Transfer Defined	3
3. The Community Amenity Density Reserve	8
4. Approaches in Other Local Trust Areas.....	10
5. Options.....	12

1. Background

In July 2015 the Local Trust Committee (LTC) initiated a project to review the existing OCP policies regarding density transfer. The intent is to examine options on how the Official Community Plan can be amended to provide clarity and guidance for future land use decisions involving density transfer. This project will review existing OCP policies related to density transfer, and review options. The LTC has endorsed a project charter which establishes a process and timeline for the project.

The Saturna OCP currently contains limited policies specifically addressing density transfer. The OCP does include the Community Amenity Density reserve (CADR) which provides a policy mechanism to re-allocate density which has been reduced through changes in zoning. The CADR policies were included in the current OCP adopted in 2001. Since its adoption there have been no successful transfers of density using the CADR.

Density transfer is a relatively complex issue, and as a first step the LTC has requested that planning staff prepare a discussion paper on the topic as a way of providing background and context. The content of this paper is intended to inform discussion, consultation, and deliberation. Prior to making any decision, the LTC is expected to undertake further consultation and receive professional advice in the form of one or more staff reports.

2. Density Transfer Defined

What is density?

The term 'density' can have several specific interpretations, depending on context.

The *Local Government Act* somewhat unhelpfully defines density as:

"density", in relation to land, a parcel of land or an area, means

- (a) the density of use of the land, parcel or area, or
- (b) the density of use of any buildings and other structures located on the land or parcel, or in the area.

The Saturna OCP defines density as:

"density" when used in relation to:

- a) the subdivision of land means subdivision capacity;
- b) any residential use, means the maximum number of primary residences, cottages and residential units permitted on a lot; and
- c) accommodation for the transient public means the total number of sleeping units permitted.

The courts have recently applied a dictionary definition to the question of what is density in the context of a land use application, namely that it is "the quantity of people or things in a given area or space"¹.

As zoning cannot regulate persons, the current interpretation would be that a density regulation is one that limits the quantity of uses. Specifically density regulation in a residential context is commonly used to refer to: the number of dwellings that can be constructed on a lot; and/or the number of lots that can be created by means of subdivision.

And in the Saturna LUB density relates to:

- a. the subdivision potential or capacity as measured in the number of lots or potential lots that may be created through the subdivision process;
- b. the number of residential units (houses or cottages) that can be placed on a lot; and
- c. for commercial accommodation uses, the number of sleeping units

What is density transfer?

Density transfer is a mechanism intended to encourage the voluntary transfer of growth or development from places where a community would like to see *less* development (often referred to as "sending areas") to places where a community would like to see *more* development (often referred to as "receiving areas"). Sending areas can be environmentally-

¹ Society of Fort Langley Residents for Sustainable Development v. Langley (Township), 2014 BCCA 271

sensitive properties, open space, hazardous lands, agricultural land, important habitat, historic landmarks, lands remote from existing infrastructure and services, or any other areas that are important to a community. Receiving areas should be places that the community generally has agreed are appropriate for extra development: they are not environmentally sensitive or hazardous, are close to services, employment, transportation infrastructure, and other services.

Conceptually, it is based on the notion that there is existing development potential, whether potential dwellings or lots, expressed in the zoning regulations, and that this development potential may more suitably be realized in another location. Any transfer of density is voluntary on the part of the landowner(s) and often involves a market transaction of one kind or another.

Density transfer also implies a preference on the part of the local government to see this development potential voluntarily relocated and an unwillingness to exercise its authority to simply rezone certain areas for less development (“down-zoning”) and others for more development (“up-zoning”).

The tool is fairly simple in theory, with two main approaches:

1. The local government, through its official community plan, designates certain locations as *sending areas* and others as *receiving areas* on a map.

Typically the sending areas are lands with ecological significance, historical or cultural value, agricultural potential, forestry uses or are unsuitable for development due to steep slopes or groundwater vulnerability.

The receiving areas are typically locations in proximity to existing services, such as roads, water services (where available) or the capability for septic and groundwater, proximity to commercial and community services and other amenities, level sites and the absence of ecological or resource values.

Under this option, the plan identifies sending and receiving areas explicitly on a map and establishes in its policies relatively clear guidelines regarding density transfers.

2. The local government can also, through policies, permit density transfer on a case-by-case basis without pre-designating sending and receiving areas. OCP policies under this approach can be fairly general in terms of policies with respect to the characteristics of sending and receiving areas; for example, identifying them by listing the typical characteristics of each and establishing policies describing the aspects of a proposal that the local government should consider when assessing an application.

In practice, the tool can be difficult to implement. First, it can often be politically difficult for a local government to specify density receiving areas – existing neighbours are likely to object. Second, there is often little incentive for a landowner to initiate a density transfer: most schemes are density neutral, while there are significant transaction costs in undertaking the

application, including the cost, time and conflict involved in a rezoning application. Third, there is limited potential for density transfer in small communities: the number of potential sending and receiving lots is limited and landowners in each area may not be interested in pursuing applications simultaneously.

The statutory authority to implement a density transfer initiative lies in a local government's power to zone the density of land. There is no ability for a local government under BC law to permit density transfer out-right; rather a landowner, or landowners, would have to apply to simultaneously rezone two locations, with an increase in density in one location and an equal decrease in density in another location.

Trust Council has adopted guidelines concerning density transfer. These are guidelines that an LTC should have regard to when considering adopting density transfer policies but they are not binding on an LTC. Three relevant policies are excerpted from section 5.3ii of the Islands Trust policy manual:

1. TD [Transfer of Density] may be used to accomplish land conservation objectives that are consistent with the object of the Islands Trust and the Islands Trust Policy Statement. For example, TD may be used in situations where agricultural land, forest ecosystems, water supply areas, wetlands, heritage sites, shore-lands, and areas of scenic or recreational significance would have development potential but can be protected from development by transferring density to more suitable locations.
2. Local Trust Committees should establish a planning context for the use of TD during the preparation or revision of Official Community Plans or, where transfer of density is proposed outside a period of plan preparation or review, by amendment of the OCP on a site-specific basis.
3. The value of development potential proposed on a receiver site may need to be in excess of the value of that potential removed from the donor site to affect a transfer of density

What is a density bank?

The Saturna policies include not just density transfer but also the concept of a density bank (the 'density reserve'). A density bank is a mechanism intended to allow unused density to be "deposited" in the density bank to be realized on another property at a later date. Density banks are utilized in British Columbia by several municipalities for heritage protection: the owner of a heritage building "deposits" air space density in the municipality's density bank and at a later date another landowner can acquire the density in order to increase the floor area of a new building beyond what is permitted outright by zoning. In British Columbia, density cannot be banked and then used outright, rather there must be rezoning applications for both the sending and receiving properties.

What is Amenity Zoning?

The Saturna OCP also includes the provision of an amenity as a condition of using density from the CADR. Amenity zoning refers to the concept that where land is rezoned for higher density or more valuable use, the proponent should provide a benefit to the community. In larger municipalities cash contributions are often negotiated in the form of “community amenity contributions” or developers agree to provide a proportion of the units in a development in the form of affordable housing. Within the Trust Area, most amenity policies focus on the protection of land as an appropriate community amenity. Amenity zoning can be established by two means:

- Outright: the Local Government Act does provide for the ability for local governments to designate two densities in a location (s. 482). The lower, base density can be developed without providing an amenity, while a higher, or ‘bonus’, density can be achieved if the owner provides the amenity specified in the bylaw. This would not require a rezoning application where the base density, the bonus density, and the amenity are all established in the zoning ahead of time.
- Case by case: much more commonly local governments negotiate both the desired amenity and the increased density on a case-by-case basis with proponents through the rezoning process. Policies providing guidelines and criteria may be included in the OCP.

What is a Density Cap

A density cap is a limit to how much density can be realized within a certain area, in the case of Saturna Island the density limit applies to the Saturna Island Local Trust Area. When a density cap policy is contained in an OCP all land use bylaw amendments that affect density need to be consistent with the OCP policy.

The Saturna OCP contains a policy (C.1.3) that states in part that: no rezoning should be used to increase that maximum subdivision capacity, or total residential capacity of any island within the area subject to the OCP.

This caps the residential density and subdivision capacity of the area subject to the OCP to what was permitted by the OCP when it was adopted in 2001.

The OCP contains the following comments regarding number of households and population:

B.1 The policies of the 1976 Plan rested on wide agreement that the Island should not accommodate a population in excess of 2000. Using an average of 2.5 persons per household resulted in a future maximum of 800 households. It was seen to be fair that existing lot configurations and uses could continue, but that future development would need to be constrained within fixed development allotments. Existing lots already subdivided were subtracted from 800 and the balance allotted.

3. The Community Amenity Density Reserve

The Community Amenity Density Reserve (CADR) is a mechanism identified in the OCP to account for residential and subdivision potential that has been removed from lots by rezoning. This policy incorporates elements of density transfer, density banking, and amenity zoning. The mechanism allows for density from properties that have had their density removed as a result of changes in zoning (downzoning) since the OCP was adopted in 2001 to potential be used in other locations. The density can be realized on other properties by an owner making a rezoning application to the LTC. An appropriate amenity acceptable to the LTC must be provided. A general list of acceptable amenities is contained in the OCP.

The key elements of the CADR are the following:

- Density cap: the OCP establishes that no additional density may be permitted on any lot on Saturna other than through the mechanism of the CADR.
- The CADR represents and is to account for both subdivision capacity and residential building capacity removed from lots through rezoning.
- Density reserve: the policy provides that any density reduced by rezoning is “reserved” and could be used to increase density in another location.
- Amenity requirement: the policy also introduces an amenity requirement, in order to realize the density the ‘receiving’ area must provide a community amenity.
- Density can be obtained from the voluntary downzoning of privately held lots.
- No density can be transferred off park land or crown land.
- Not all land use designations can accept density from the CADR.
- Only lots larger than 4.05 hectares are eligible to accept density from the CADR.

Issues with the CADR

To date, the CADR has not been utilized as a mechanism to re-allocate density. This is not necessarily because there is no demand from owners of potential receiving areas, but a result of the lack of residential density in the CADR. The policy establishing that only density reductions resulting from a rezoning limits what can be considered in the CADR. Because the CADR incorporates the three distinct approaches: density transfer, density banking, and amenity zoning, it effectively increases the complexity of the policy and potentially provides disincentives to successful implementation.

As long ago as 2003 the LTC of the day considered revisions to the CADR. At that time a review of the CADR policies led to a conclusion by staff that there are some deficiencies in wording and areas where the intent of the policies is not clear.

Issues identified with the current CADR policies include:

- the accounting system or bank is not well-defined in terms of where would it exist (in the OCP or LUB) and in terms of how it would be administered.
- the potential for problems in tracking and administering the bank over time and in terms of how the policies are interpreted.
- Policy C.1.3 in the OCP states in part that “from the date of adoption of the Plan” there should be no increase in density. Zoning amendments made after the adoption of the OCP have not been tracked in the CADR.
- Policy C.1.4 states that the reserve may be used to “increase density in areas deemed appropriate by the community through the rezoning process and to secure amenities” but the policy does not specify those areas or provide criteria.
- the CADR policies do not consider density reduced due to lot consolidation and unrealized lot capacity from natural features such as topography.
- the CADR policies speak about subdivision capacity and residential density, however, most density transfer policies deal only with residential density
- the CADR relies on voluntary rezonings – either by application or LTC-initiated amendment - to provide density for the bank, however such circumstances are rare and there are no incentives for owners to undertake such downzoning. Other density banking programs typically involve the banking of density that cannot be realized because of other regulations, the best example being heritage designations for buildings.
- the CADR blends amenity zoning, density banking, and density transfer policies. The requirement for an amenity in addition to existing density in the bank would be a disincentive for owners to apply.
- The minimum lot area of 4.05 hectares that applies to lots that density can be transferred to eliminates a significant number of lots that may be able to accommodate small increases.
- Does not provide for the ability to address existing non-conforming density.
- Does not account for density lost to parkland land.

4. Approaches in Other Local Trust Areas

Mayne Island Local Trust Area: the Mayne OCP (2.11) establishes a policy framework for that LTC to consider applications to transfer development potential from areas less suitable for development (environmentally sensitive areas, hazardous lands, or resource lands) to be clustered on nearby lands or other Rural lands more suitable for development. Under this approach, policies are in place in the OCP that establish criteria by which the community and the LTC would assess any proposals for transfer on a case by case basis. Density transfer would be implemented through the mechanism of simultaneous rezoning of the respective lands. Despite the policies being in place for several years, to date no applications have been received by the LTC. The Mayne OCP has a specific section that applies to amenity zoning (2.10).

Salt Spring Island Local Trust Area: the Salt Spring OCP includes both policies (H.4) and a map schedule (Map 26) establishing density transfer policies (termed ‘transfer of development potential’ in this OCP) and potential donor and receiving areas. The intent of the policies are similar to those expressed in the Mayne OCP – to allow for transfer from sensitive areas, hazardous lands, or lands with other significant features to more suitable areas. Similarly, the policies prescribe criteria for the review and consideration of applications to rezone two locations simultaneously. The difference with the Salt Spring approach is that it also establishes the potential donor and receiving areas by map. The donors areas are generally large lot, rural, agricultural and upland areas, while the receiving areas are existing developed areas, located close the services and infrastructure and unique to Salt Spring in the Trust Area, within walking distance of transit. To date there have been a small number of applications considered by the LTC.

The North Pender Associated Islands OCP: this OCP also contains policies for consideration of density transfer (601). In this case, the intent is solely for the protection of environmentally sensitive features, principally involving transfer of development potential within one island, or from a small island to a nearby larger island. The policies establish the guidelines and criteria for reviewing such applications.

The North Pender Island Local Trust Area: the North Pender OCP in contrast contains a policies prohibiting density transfer within the Rural, Rural Residential, Commercial and Agricultural designations, effectively precluding consideration of density transfer proposals without revisiting and amending the OCP policies.

Gabriola Local Trust Area: the Gabriola OCP incorporates density transfer policies, including policies establishing a density bank (2.5). The bank is established for the purpose of holding density for affordable housing solely. Like the CADR, density for the

bank results from residential rezoning. The Gabriola density bank does have policies establishing that residential densities be tracked in a table in the appendix to the OCP. In addition, the Gabriola OCP includes separate policies allowing for specific density transfer within the Resource lands designation and from the Forestry to Resource designations. The policies in the respective sections establish criteria for assessing density transfer proposals.

Denman Island Local Trust Area: the Denman Island OCP includes both density transfer (Appendix C) and density banking (Appendix D). Density transfer policies allow for consideration of transfer of development potential from land protected for conservation purposes. The density banking policies allow for residential densities removed from a parcel by rezoning to be banked and subsequently used for affordable housing. Banked densities are tracked in a table in the OCP, to date there is a total of 13 residential densities in the bank.

5. Options

The issues with the existing CADR policies are outlined above. If the community and LTC consider that the goals of density transfer are valuable and the concept should be more functional, then a number of options could be considered.

Amend CADR Policies

Amendments to the existing CADR policies could be considered to address some of the issues while retaining the overall approach of a density bank. Potential amendments include:

- Providing a minimal number of residential densities to the CADR
- Allow density reduced by means other than rezoning to be included in the bank
- Including a table tracking densities in the OCP
- Providing criteria for reviewing applications
- Providing greater clarity about the nature and value of an appropriate amenity
- Clarifying the definition of density for the purpose of the CADR
- Providing greater clarity with respect to potential receiving areas
- Reduce the maximum size of potential receiving properties
- Removing the amenity requirement and develop separate and distinct amenity zoning policies.

Density Transfer by Policy:

Under this approach, the LTC could develop policies supporting density transfer under certain circumstances on a case-by-case basis. The OCP would be amended to outline the suitable characteristics for the donor property and the receiving area, and the criteria for assessment of the application. This approach would be similar to that in the Mayne OCP and would not involve pre-designating sending and receiving areas. It would be up to an owner wishing to implement the policy to find a site that meets the policy criteria as unsuitable for development and either acquire the property or negotiate with the owner to purchase density.

This option removes the requirement for there to be existing density in the CADR bank: the onus would be upon the applicant to find existing density.

Second, this option would involve simultaneous rezoning of the two sites, eliminating a density bank, and allowing for a clearer assessment of whether or not the density transfer would achieve the objective of shifting development potential from less suitable to more suitable locations.

Third, as density transfer applications are likely to continue to be infrequent, simple policy guidelines may be the optimal way to deal with such applications.

Finally, the overall density cap remains unchanged however the density bank and amenity requirements would be removed – although distinct and separate amenity zoning policies could be developed – simplifying the policies and the consideration of proposals.

Pre-Designate Sending and Receiving Areas:

This option would involve an OCP map schedule which identifies areas that are appropriate for density transfer and for receiving density, along with pertinent OCP policies. Any application would have to involve development potential in a designated sending area being reduced and increased in a designated receiving area. Otherwise the option is similar the preceding one: applications are simultaneous, it is up to the proponent to acquire the development potential, and the density cap remains.

One drawback of this approach is that as new or improved mapping becomes available, or information is provided at the site scale, the designated receiving areas in particular may not be as appropriate for increased density as originally mapped. It's often difficult to come to an agreement of where the receiving areas for density are to be.

Separate Density Transfer, Density Bank and Amenity zoning policies: the CADR incorporates three concepts: density banking, density transfer, and amenity zoning. The blending of the three elements may complicate implementation as it requires all three aspects to be addressed:

- there needs to be density in the bank and there is currently none. Nor is there an expectation that landowners will voluntarily downzone;
- density Transfer must be consistent with the policies in the CADR, for example the minimum area of the receiving parcel and
- the proponent must provide an amenity in order achieve the transfer.

Separating these into three distinct policies could make applications clearer and allow for implementation that achieves the intent. Density bank policies could be established for a special purpose or where owners cannot otherwise develop land. If a density bank was established, as on Denman Density transfer policies could allow simultaneous density transfer without the need for banked density. And amenity zoning policies could establish the circumstances under which an increase in density or change of use could be considered in exchange for a community amenity.

No Density Transfer: the LTC could introduce policies into the OCP which effectively prohibit consideration of a density transfer application without an amendment to the plan. This would effectively close the door to density transfer as an option and eliminate the CADR as a mechanism. The policy effectively establishing a density cap could remain in place or alternatively be modified or removed, in which case applications to increase density could be considered on their own merits, subject to other applicable OCP policies.

Status Quo

No change is always an option. The current policies have been in place for almost 15 years; while they have not resulted in implementation of the mechanism, it is conceivable that future rezonings could result in voluntary reductions in density and thus provide opportunity for development potential for the CADR. With this approach, the current policies would remain unchanged.



Top Priorities

Saturna Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Review of density transfer mechanisms	Project Charter approved at July 25, 2015 LTC Mtg. Staff reviewing existing Saturna OCP/LUB policies and regulations regarding density transfer. Discussion paper to be prepared for February.	09-Jun-2015	Gary Richardson		On Going
2	Community Profile	Staff to prepare draft list of questions for the LTC to consider including in a questionnaire at the October 8, 2015 LTC Mtg. Amended list prepared for December 3, 2015 Mtg. Final Survey prepared and mailed out in January 2016. Closing date for survey February 29, 2016.	25-Jul-2015	Gary Richardson		On Going
3	Water Resource Protection		08-Oct-2015	Gary Richardson		On Going

Projects

Saturna Island

No.	Description	Activity	Received/Initiated	Status
1	Land Use Bylaw Review		26-Sep-2012	On Going
2	Geological Hazard Mapping		25-Feb-2009	On Going
3	Secondary Suite Review		23-Apr-2015	On Going
4	Amenity Zoning review		25-Jul-2015	On Going



Islands Trust

Print Date: February 11, 2016

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
SA-ALR-2015.1	Money Family Projects	12-May-2015	029-302-552

Property exclusion from the ALR.

Planner: Phil Testemale

Planning Status

Status Date: 15-Dec-2015

Waiting for applicant to give direction on if/how they want to proceed.

Status Date: 29-May-2015

Applicant required to complete ALC advertising prior to application being considered by LTC

Status Date: 27-May-2015

Staff report prepared for LTC consideration at June 9, 2015 LTC Mtg.

Rezoning

File Number	Applicant Name	Date Received	Purpose
SA-RZ-2012.1	Jonathan Yardley Architect Inc	26-Jan-2012	Rezone to allow subdivision

Planner: Gary Richardson

Planning Status

Status Date: 16-Jul-2015

Staff to work with applicant to advance application.

Status Date: 27-May-2015

CIM being scheduled for June 9, 2015.

Status Date: 16-Apr-2015

Staff report prepared for LTCs consideration at April 23 2015 LTC Meeting. Request has been revised and is now for zoning to allow for a 3 lot subdivision.

Subdivision

**Applications**

File Number	Applicant Name	Date Received	Purpose
SA-SUB-2014.1	Wolfe-Milner Land Surveying	21-Aug-2014	187 EAST POINT ROAD

A subdivision of one parcel & one remaining.

Planner: Phil Testemale

Planning Status

Status Date: 11-Feb-2016

Advised by applicant that covenants require amending.

Status Date: 15-Dec-2015

Waiting for confirmation that amended covenants have been registered.

Status Date: 11-Feb-2015

waiting for PLA from MoTI

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
SA-TUP-2015.2	Saturna Point Holdings Inc.	20-Nov-2015	100 EAST POINT RD

TUP proposal for 10 tenting sites and shower/laundry building.

Planner: Gary Richardson

Planning Status

Status Date: 11-Feb-2016

Permit prepared for LTCs consideration at Feb 18, 2016 LTC Mtg.

Status Date: 26-Nov-2015

Application placed on Dec 3, 2015 LTC agenda for information.

Status Date: 24-Nov-2015

opened file, processed fee, notified LTC, gave to planner

Saturna Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 16/07	SA-LTC-16-07	Travel Trailer or Camper	<p>It was Moved and Seconded that staff be directed to not take enforcement action against property owners when a travel trailer or camper is located on a lot when: The travel trailer or camper is being used for recreational purposes by the owners of the lot and; The travel trailer or camper is being used intermittently and for short periods not exceeding two months.</p> <p>Not withstanding this direction, staff is to take action to prevent the recreational use of travel trailers or campers on inappropriately zoned land if: The travel trailer or camper is being used as a second residence or; The trailer or camper is situated within the setbacks for a structure or; There are serious safety issues, unsightliness, noise, or health problems related to the use or; A complaint based on the above three items is received from a person who owns neighboring property.</p> <p>Nothing in this direction should be interpreted by a property owner as giving permission to violate the Land Use Bylaw and the Saturna Island Trust Committee may change this policy at any time and may give direction to enforce the Bylaw at any time.</p>
2.	August 20/08	SA-LTC-43-08	Bylaw Enforcement: Short Term Vacation Rentals	<p>It was Moved and Seconded THAT given finite resources available for enforcement activities and in order to ensure the most effective results for enforcement activities, STVRs not permitted by Section 2.16.10 of the Saturna Island Land Use Bylaw No. 78 that have one or more of the following characteristics will be subject to enforcement:</p> <ol style="list-style-type: none"> 1. They are advertised on the internet, newspapers or other media; 2. They are not managed by the property owner; More than one STVR per constructed residence on the lot is simultaneously made available for STVR; 4. While the property is rented persons are also staying in tents, trailers, or RV's; 5. There are issues related to health and safety; 6. There is a written complaint by owners or residents about bona fide nuisance issues such as noise or parking congestion related to the STVR;

				<p>7. The owner of the property uses more than one property on Saturna Island as an unpermitted STVR.</p> <p>And THAT nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Saturna Island Local Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.</p>
3.	February 25/09	SA-LTC-09-09	Adopt LTC Minutes by RWM	It was Moved and Seconded that the Saturna Island Local Trust Committee draft minutes be adopted by Resolution without meeting within 30 days of the meeting and posted to the website.
4.	June 22/11	SA-LTC-	Adopting In Camera Minutes	It was Moved and Seconded that the Saturna Island Local Trust Committee adopt a Standing Resolution to direct staff to place the in camera minutes on the agenda when there is a need to close the meeting or at least once a year.
5.	February 9/12	SA-LTC-11-12	Adopt SOL policy	It was Moved and Seconded that where a Liquor Control and Licensing Branch Special Occasion Licence referral relates to a property where Saturna Island Land Use Bylaw No. 78, 2002 permits public assembly uses, such as halls, recreation facilities or restaurants, and where there have been no issues related to parking or past complaints for the preceding three years, planning staff may approve the Special Occasion License without referral to the Local Trust Committee. All other Special Occasion License referrals are to be referred to the Local Trust Committee for consideration