



BYLAW REFERRAL FORM

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Island: Saturna Island Local Trust Area Bylaw No.: 140/141 Date: October 27, 2023

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 30 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

100/101 Payne Rd and 201 Harris Road

PURPOSE OF BYLAW:

Amendments would be made to the Saturna Island Official Community Plan Bylaw No. 70, 2000 (OCP) and the Saturna Island Land Use Bylaw No. 119, 2018 (LUB) to rezone the parcel located at 100/101 Payne Road to allow for an additional dwelling density to be added. Currently, the shared property has a single primary dwelling and an accessory cottage which are lived in by separate families, and these families are now seeking to separate their financial/property obligations to ensure their estate planning is properly taken care of.

The density for the additional dwelling is to be transferred from the parcel located at 201 Harris Road, which has been arranged through a private agreement between the property owners. As the additional proposed density is to be transferred from another parcel on Saturna, there is no net increase in overall density. In addition, three (3) densities would be removed from the Harris Road property and transferred to the Community Amenity Density Reserve (CADR) for potential future use by the LTC in meeting land conservation objectives. The transfer of these three (3) densities to the CADR is voluntary at the request of the property owner.

GENERAL LOCATION:

Saturna Island Local Trust Area

LEGAL DESCRIPTION:

100/101 Payne Road: Lot 1, Section 18, Saturna Island, Cowichan District, Plan 6417
201 Harris Road: Lot 1, Section 5, Saturna Island, Cowichan District, Plan 25360

SIZE OF PROPERTY AFFECTED:

100/101 Payne Road: 1.69 ha
201 Harris Rd: 14.4 ha

ALR STATUS:

A portion of the 100/101 Payne Rd property is located in the ALR

OFFICIAL COMMUNITY PLAN DESIGNATION:

100/101 Payne Road: Rural
201 Harris Road: Rural, Watershed

OTHER INFORMATION:

Additional information, including a preliminary staff report and the current bylaws, is available at: <https://islandstrust.bc.ca/island-planning/saturna/current-applications/>

Please fill out the Response Summary. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

BSmith

(Signature)

Name: Brad Smith

Title: Island Planner

Contact Info Tel: 778-679-5185

Email: bsmith@islandstrust.bc.ca

This referral has been sent to the following agencies:

Government Agencies

Parks Canada
Ministry of Transportation and Infrastructure

Regional Agencies

CRD, Planning and Protective Services, Building Inspection
CRD, Integrated Water Services (Lyll Harbour – Boot
Cove Water System)
Island Health

Adjacent Local Trust Committees and Municipalities

North Pender Island Local Trust Committee
Mayne Island Local Trust Committee
South Pender Island Local Trust Committee

First Nations

Cowichan Tribes
Halalt First Nation
Ts'uubaa-asatx First Nation
Lyackson First Nation
Malahat First Nation
Pauquachin First Nation
Penelakut Tribe
Semiahmoo First Nation
Snuneymuxw First Nation
Stz'uminus First Nation
Tsartlip First Nation
Tsawout First Nation
Tsawwassen First Nation
Tseycum First Nation
WSANEC Leadership Council

BYLAW REFERRAL FORM RESPONSE SUMMARY

Approval Recommended for Reasons Outlined Below

Approval Recommended Subject to Conditions Outlined Below

Interests Unaffected by Bylaw

Approval Not Recommended Due to Reason Outlined Below

Saturna Island Local Trust Area
(Island)

140/141
(Bylaw Number)

(Signature)

(Name and Title)

(Date)

(Agency)

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 140

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

The Saturna Island Local Trust Committee in open meeting assembled enacts 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, 2023”.

2. SCHEDULES

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

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	19 TH	DAY OF	OCTOBER	2023.
PUBLIC HEARING HELD THIS	_____	DAY OF	_____	20____
READ A SECOND TIME THIS	_____	DAY OF	_____	20____
READ A THIRD TIME THIS	_____	DAY OF	_____	20____
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 140**

SCHEDULE 1

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

1. Part C – Policies, Subsection C.1.3 is amended by deleting the sentence “Details are described further in Appendix A.” and replacing it with the sentence “A reference table is included as an information note following Schedule E, Appendix A and not forming part of the bylaw for tracking and controlling changes in unallocated density designated as CADR”.
2. Subsection D.1.G (Rural General) is amended by:
 - a. adding a new Article D.1.G.6 that states “Despite Article D.1.G.5, the minimum lot area for subdivision of *Lot 1, Section 18, Saturna Island, Cowichan District, Plan 6417* shall not be less than 0.70 hectares (1.73 acres)”
 - b. renumbering subsequent Article D.1.G.6 accordingly.

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 141

A BYLAW TO AMEND SATURNA ISLAND LAND USE BYLAW NO. 119, 2018

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

1. Citation

This bylaw may be cited for all purposes as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 2, 2023”.

2. Saturna Island Local Trust Committee Bylaw No. 119, cited as “Saturna Island Land Use Bylaw No. 118, 2018,” is amended as follows:

2.1 Inserting a new row in the Site Specific Regulations Table immediately following the row referencing RG(e) with the Site-Specific Zone Reference of “RG(f)”, such that it reads:

RG(f)	Lot 1, Section 18, Saturna Island, Cowichan District, Plan 6417	(7) Despite 4.2.12 no subdivision plan may be approved unless the lots created by the subdivision have a minimum lot area of at least 0.70 hectares (1.73 hectares). (8) Despite 4.2.13 no subdivision plan may be approved unless the lots created by the subdivision have a minimum average lot area of at least 0.84 hectares (2.08 hectares).
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2.2 Inserting a new row in the Site Specific Regulations Table immediately following the row referencing RG(f) with the Site-Specific Zone Reference of “RG(g)”, such that it reads:

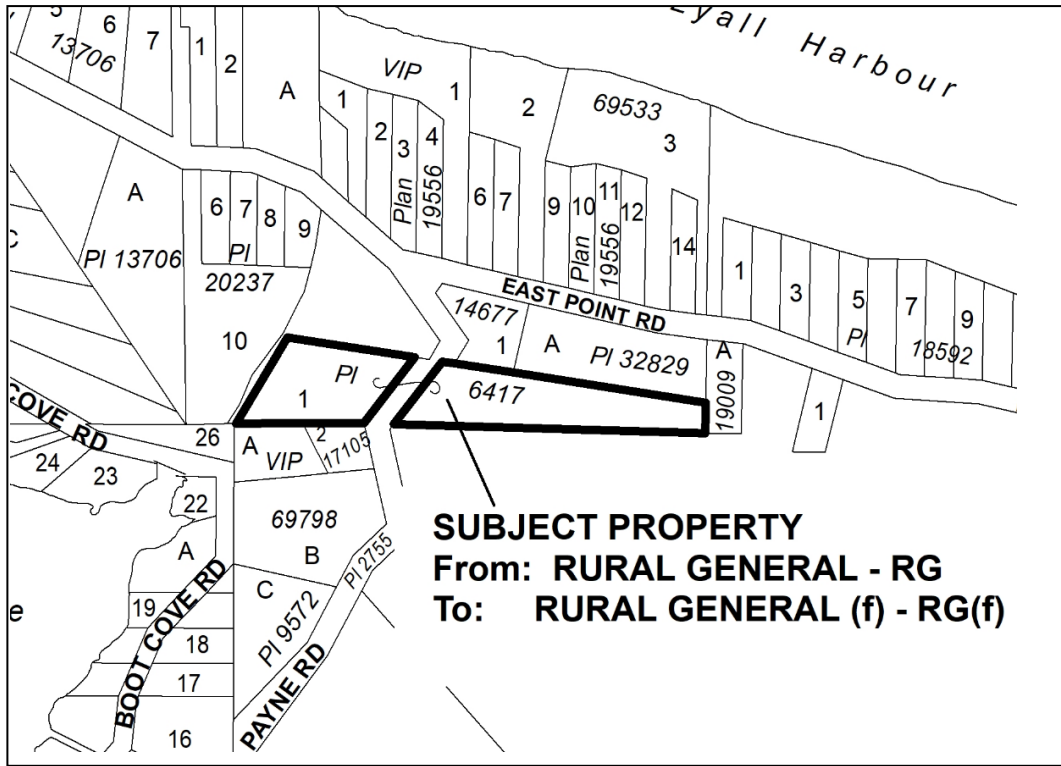
RG(g)	Lot 1, Section 5, Saturna Island, Cowichan District, Plan 25360	(9) Despite 4.2.13 no subdivision plan may be approved unless the lots created by the subdivision have a minimum average lot area of at least 7 hectares (1.78 hectares). (10) Despite Subsections 4.2.4 - 4.2.6, the maximum density is one (1) residence.
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2.3 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of the lands legally described as Lot 1, Section 18, Saturna Island, Cowichan District, Plan 6417 from Rural General (RG) to Rural General (f) [RG(f)], as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 119 as are required to effect this change.

2.4 Schedule “B” – Zoning Map, is amended by changing the zoning classification of a portion of the lands legally described as Lot 1, Section 5, Saturna Island, Cowichan District, Plan 25360 from Rural General (RG) to Rural General (g) [RG(g)], as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 119 as are required to effect this change.

SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 141

Plan No. 1



SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 141

Plan No. 2

