

File No.: Minor Housing Amendments
Review Project

DATE OF MEETING: April 24, 2025
TO: Saturna Island Local Trust Committee
FROM: Robert Kojima, Regional Planning Manager
Southern Team
COPY: Brad Smith, Island Planner
SUBJECT: Minor Housing Amendments Review Project – Additional Information and BL No. 143

RECOMMENDATIONS

1. That the Saturna Island Local Trust Committee receives draft bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024”, and directs staff to initiate referrals.
2. That the Saturna Island Local Trust Committee directs staff to prepare a staff report that provides potential options for bylaw amendments to increase zoning flexibility for housing on Saturna Island based on the framework of the Islands Trust Housing Toolkit and similar approaches being taken in other Local Trust Areas.
3. That the Saturna Island Local Trust Committee directs staff to add a review of Saturna Island land use bylaw subdivision regulations to the future projects list.

REPORT SUMMARY

The purpose of this staff report is to provide the Saturna Island Local Trust Committee (LTC) with information regarding a potential minor project to conduct a review of Saturna Island Land Use Bylaw No. 119 (LUB) subdivision regulations; and to seek direction on how to proceed with the LTC’s current Minor Housing Amendments Review Project including draft Bylaw No. 143.

The recommendations above are supported as:

- Significant effort and investment has already been made on the Minor Housing project and changing course at this point in the LTC term may not allow a subdivision regulation review project to be completed prior to the next election;
- Proceeding with draft bylaw No. 143 will facilitate First Nations and agency referrals and further public input to identify any issues or concerns prior to consideration of first reading;
- A report on potential options for bylaw amendments to increase zoning flexibility for housing will provide the LTC with some structure for moving forward with consideration of potential bylaw changes; and,
- A review of subdivision regulations including the development of potable water standards would be a worthwhile project to take on as a future LTC priority.

BACKGROUND

The LTC has been working on the Minor Housing Amendments Review Project since May 2023. To date the project scope has included:

- 1) Reviewing Schedule C of the LUB and assessing establishment of cistern requirements across the LTA;
- 2) Reviewing Schedule E for secondary suites and update with new provincial saltwater intrusion mapping;
- 3) Reviewing Multiple Family Residential (MFR) zoning restrictions and associated OCP policies.

At the January 16, 2025 meeting, staff presented draft Bylaw No. 143 to the LTC for consideration of next steps. Draft Bylaw 143 includes provisions in respect of priorities 1 and 2 regarding cistern and secondary suite mapping.

Subsequently at that meeting, rather than consider next steps on the housing project, the LTC discussed potentially changing course on their minor project to instead review subdivision regulations for water supply and passed the following resolution:

SA-2025-006

It was MOVED AND SECONDED

That Saturna Island Local Trust Committee request staff provide a report to the Local Trust Committee with options and consideration for initiating a project to develop subdivision regulation standards for water supply.

CARRIED

Staff are now bringing that information to the LTC, and are also seeking direction on the Minor Housing Amendments project should the LTC decide to continue to move forward.

ANALYSIS

Changing Project to Review Subdivision Regulations for Water Supply

While the Provincial Approving Officer (PAO) has the ultimate discretion for determining standards and conditions for subdivision, including for potable water supply, the province typically defers to local government regulations where they exist.

For example, the [North Pender Land Use Bylaw](#) includes detailed water supply standards (p. 87 of link). Whenever subdivision is applied for on North Pender, these standards are then referred to when determining requirements for potable water supply.

The Saturna Island LUB currently does not include subdivision standards for water supply. As such, the requirements for demonstrating proof of water at time of subdivision are left solely to the PAO. The LTC would benefit from having LUB water supply standards, as it would provide more direct control to the LTC for managing water supply, and would also provide more clarity for applicants and the province when determining subdivision requirements. Subdivision regulations can also be varied and on a case by case basis an LTC could consider relaxing subdivision regulations such as proof of potable water if LUB standards were in place.

While there is significant merit in pursuing a project to update LUB subdivision regulations, and specifically for water supply, staff are of the view that the LTC should at this time continue with the Minor Housing Amendments Project. There has already been significant effort invested in the housing project, and draft Bylaw No. 143 is ready to be sent for referrals, pending any further input from the LTC.

The development of water supply subdivision regulations is also a complex task that would require time and significant community input. As such, with the effort required to get the project finalized and endorsed, it is

unlikely that this review could be completed by the end of the current term, leaving a new LTC to decide to carry on or shift priorities, which often occurs.

If the LTC did decide to change projects, the LTC would need to direct staff to bring a draft project charter to the next LTC meeting. At that time, the LTC could endorse the charter, however funding for a new minor project would need to be allocated from the Minor Projects budget by the Director, and funding for a new project may not be available or forthcoming in the current fiscal year. If work could commence in the fall of 2025, it would carry-on to the end of the term. If the project is not completed by the end of the current LTC term (which is unlikely), the new LTC would decide how to proceed.

If the LTC does decide to change projects, staff recommend that the LTC review and modernize all of their subdivision regulations not just water supply. For example, there are currently no septic or drainage requirements in the existing subdivision regulations resulting in some of the same uncertainty and lack of local control as the absence of water supply standards.

Bylaw No 143

As written, draft Bylaw No. 143 would result in the following changes to the Saturna Island Land Use Bylaw No. 119 (LUB):

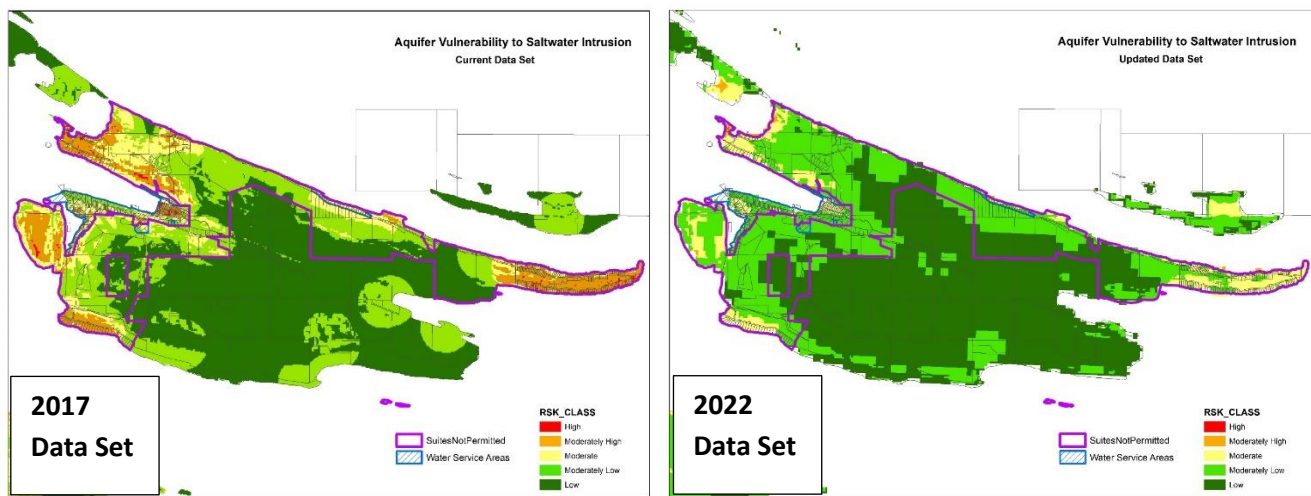
- 1) A minimum cistern capacity of 21820 litres (4800 gallons) would be required on Saturna Island for any new construction of a residence or visitor accommodation unit, or any addition to a residence or visitor accommodation unit that exceeds 11.6 square metres (125 square feet) of floor area. Currently, this requirement only applies in the East Point Water Management Area as depicted in [Schedule C](#).
- 2) References to 'rainwater' would be expanded to 'freshwater' to be consistent with terminology used by the Senior Freshwater Specialist and being adopted in other Trust Areas.
- 3) Areas where secondary suites are permitted would be expanded to include some of those properties where updated saltwater intrusion data moves them from the moderate or higher risk category to moderately low or lower risk. This would be reflected in a new Schedule E map that shows these parcels no longer cross-hatched and thus permitted to have a secondary suite.

As currently drafted, and despite some parcels in these areas moving into the lower risk category for saltwater intrusion, the updated Schedule E does not include any parcels where secondary suites would be permitted in either the East Point Water Management Area or within the Saturna Beach Strata Corporation. This is consistent with the current [Schedule E map](#), as further described below.

Schedule E Mapping Considerations

Figure 1. shows the existing and new 2022 provincial saltwater intrusion data layers for Saturna Island. The new data set does have more areas in the low and moderately low categories. However, the data is also not as fine a scale as the original data set as can be seen by the larger block polygons in the 2022 mapping image. Given this much more granular mapping scale, the new data may not be as accurate or precise in some instances at the site-specific individual parcel level than the 2017 data.

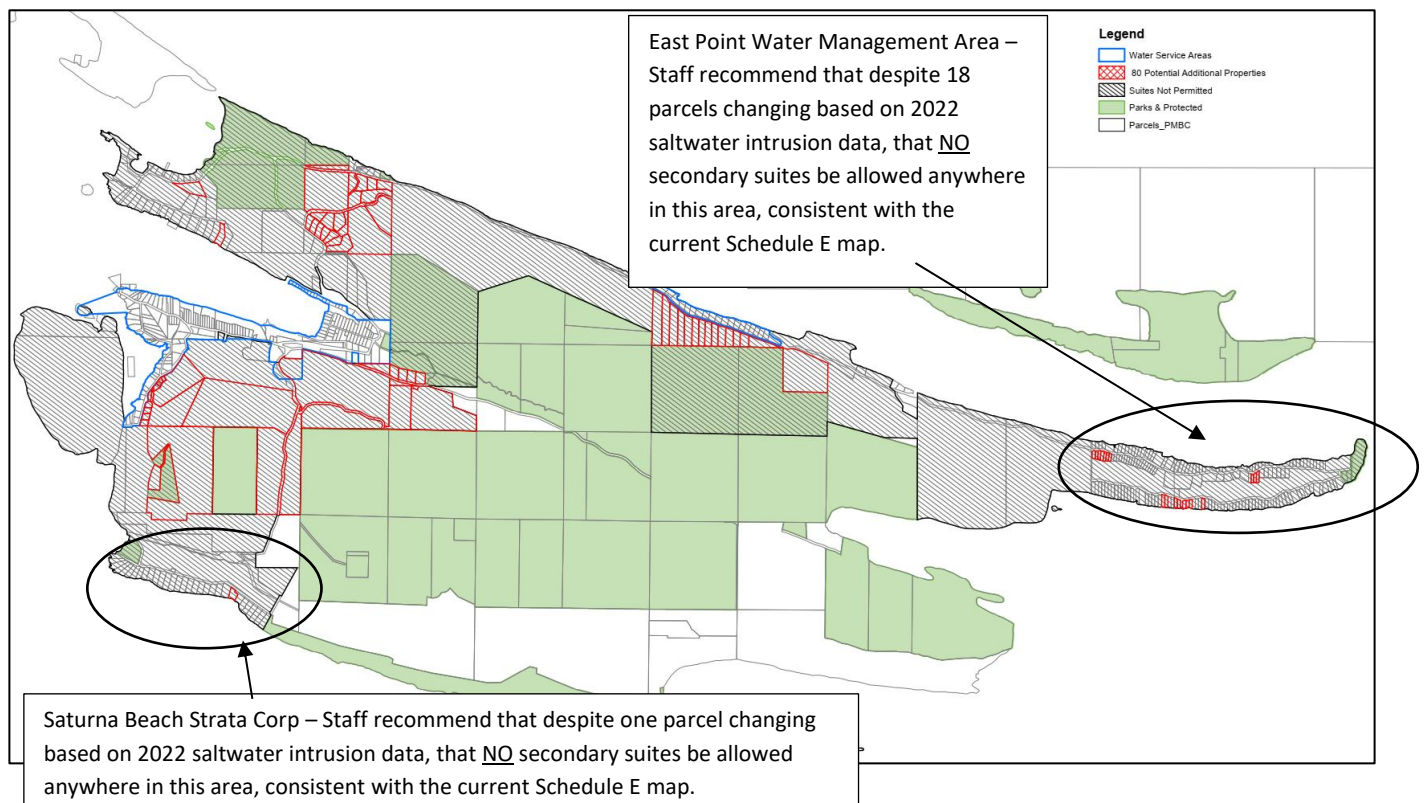
Figure 1. 2017 and 2022 Saltwater Intrusion Mapping, Saturna Island



As shown outlined in red in figure 2, a total of 80 parcels have been identified where the new 2022 saltwater intrusion data moves that parcel entirely within low or moderately low risk categories, which then could potentially allow them to have a secondary suite, based on this parameter alone.

In the East Point Water Management Area, there are 18 parcels where the new data sites them entirely within low or moderately low risk categories. However, given the significant known water issues in the area, and to ensure fairness within the local community, staff have not included these parcels in the updated schedule E map, and thus secondary suites would still not be permitted anywhere in the East Point Water Management Area. The one parcel located within the Saturna Beach Strata Corporation has also not been included for the same reasons.

Figure 2. Parcels Identified that are entirely within low or moderately low risk categories based on 2022 data



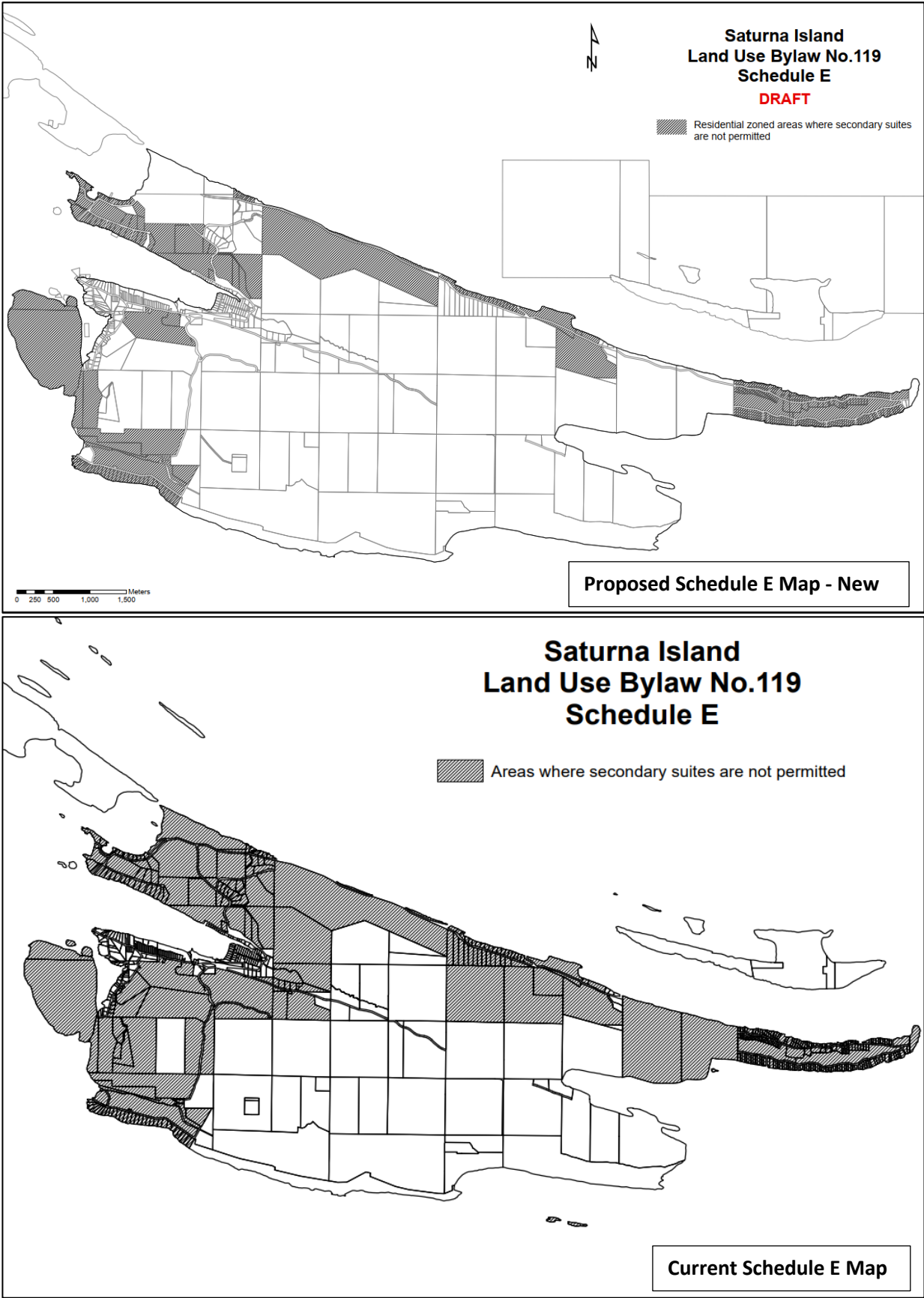
As such, the amended Schedule E map (Figure 3) includes a total of 61 additional parcels where secondary suites would now be permitted (ie. All of the parcels in red in Figure 2 other than those located in the East Point Water Management Area or the Saturna Beach Strata Corporation).

For clarity, staff have also adjusted the map legend to only include residential zoned properties where secondary suites are not permitted and subsequently removed the cross-hatching from all designated parks and First Nation reserves.

At this time, the LTC could direct staff to make any changes or amendments to the map or bylaw provisions, both in respect of cistern requirements and secondary suites.

Note: Currently, the Schedule E map depicts areas where suites are not permitted. Staff are of the view that this information may present itself better if the map were to show areas where secondary suites are permitted, rather than not. If the LTC is interested in this alternative approach, staff will bring revised maps forward at the next meeting for consideration. This work would not impact timing of bylaw referrals as there would be no changes to the underlying data, only how it is being presented.

Figure 3. Proposed New Schedule E Map and Current Map for Comparison



Islands Trust Policy Statement

Staff are of the view that draft Bylaw No. 143 is not contrary to or at variance with Islands Trust Policy Statement (ITPS) policies, in particular with respect to policies related to ecosystem protection and preservation, stewardship of freshwater resources, and growth and development.

If the LTC decides to proceed, the ITPS policy checklist will be presented to LTC for review and consideration in a future staff report when the draft bylaws are presented for 1st reading following completion of referrals.

Official Community Plan

The proposed amendments initiated by draft Bylaw No. 143 are generally consistent with or not in conflict with the policies of the OCP, including natural environment, residential and water supply policies.

Options for Flexible Zoning

While the initial scope of the project was to review MFR zoning only, community and LTC discussion has led to a broader consideration of potential zoning amendments to increase housing flexibility. The Islands Trust toolkit is well developed and provides a good starting point for exploring those options. Work underway in other LTAs, based on the Housing Toolkit framework, are also well advanced and could help inform the LTC of potential options that could be applied to Saturna Island.

As such, staff are recommending that the LTC direct staff to prepare a report that provides potential options for bylaw amendments to increase zoning flexibility for housing on Saturna Island, based on the framework of the Islands Trust Housing Toolkit and similar approaches being taken in other Local Trust Areas.

Consultation

First Nations Engagement

Staff have sent an early engagement letter to all identified First Nations with an invitation to engage and participate in the project. To date, no responses have been received.

Should LTC proceed with draft Bylaw No. 143, bylaw referrals will be sent the same group of First Nations.

Agency Referrals

With direction from the LTC, staff will refer draft Bylaw No. 143 to the following:

- CRD, Planning and Protective Services
- CRD, Building Inspection
- CRD Water Quality Division (in respect of Lyall Harbour-Boot Cove Water System)
- Island Health
- Ministry of Water, Land and Resource Stewardship – Water Management Branch
- Mayne Island Local Trust Committee
- South Pender Island Local Trust Committee
- North Pender Island Local Trust Committee

The LTC could direct staff to complete additional referrals not on this list.

Statutory Requirements

In this case, as there are no OCP amendments, and consistent with *Local Government Act* s. 464 (2), the LTC could decide to not hold a public hearing on BL 143. However, notice would need to be given prior to first reading.

If the LTC decides to hold a public hearing, this would occur after draft bylaws have received at least first reading. Public hearing notice would be posted as per statutory and bylaw requirements in advance of a public hearing.

At this time, staff recommend that a final draft bylaw be brought back to the LTC at the July 2025 meeting following completion of bylaw referrals, and the LTC can then decide whether to hold a public hearing or not. If the LTC decides to not hold a public hearing, staff will give notice of first reading for the October meeting. At that October meeting, the LTC could then give first, second and third readings and send to Executive Committee for approval prior to final adoption.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- Significant effort and investment has already been made on the Minor Housing project and changing course at this point in the LTC term may not allow a subdivision regulation review project to be completed prior to the next election;
- Proceeding with draft bylaw No. 143 will facilitate First Nations and agency referrals and further public input to identify any issues or concerns prior to consideration of first reading;
- A report on potential options for bylaw amendments to increase zoning flexibility for housing will provide the LTC with some structure for moving forward with consideration of potential bylaw changes; and,
- A review of subdivision regulations including the development of potable water standards would be a worthwhile project to take on as a future LTC priority.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Saturna Island Local Trust Committee request that...

2. Not proceed with a separate amending bylaw for water storage and secondary suite provisions

The LTC may decide not to proceed with a separate bylaw and instead consider all bylaw amendments in one package including any proposed changes to MFR zoning or flexible housing options.

3. Not Proceed with the Project

The LTC may decide to not proceed any further with the project.

4. Receive for information

The LTC may receive the report for information.

NEXT STEPS

With direction from LTC, staff will initiate bylaw referrals and prepare a staff report with options for more flexible zoning in relation to housing.

Submitted By:	Brad Smith, Island Planner	April 16, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	April 16, 2025

ATTACHMENTS

1. Draft Bylaw No. 143

DRAFT

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 143

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. 1, 2024”.

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

2.1 Section 2.17 – Water Storage, is amended by:

- i) deleting the words “in the water management area depicted on Schedule C”;
- ii) replacing the word “rainwater” with the word “freshwater”.

2.2 Section 2.18 – Secondary Suites, Subsection 2.18.5 is amended by deleting the words “as having moderate to high aquifer vulnerability depicted”.

2.3 Section 15.1, Subsection 15.1.13 “floor area” is amended by replacing the word “rainwater” with the word “freshwater”.

2.3 Schedule “C” – Eastpoint Water Management Area, is deleted in its entirety and replaced with ‘Reserved’.

2.4 Schedule “E” – Secondary Suites Map, is deleted in its entirety and replaced by Schedule “E” - Secondary Suites Map dated **INSERT DATE**, 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 _____ DAY OF _____ 20____

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

*[public hearing date should be consistent with chronology and can be after first or second reading;
If two public hearings, only indicate the date of the last one]*

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____

ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

**SATURNA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 143**

Schedule E - Secondary Suites Map

