

File No.: Minor Housing Amendments
Review Project

DATE OF MEETING: July 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 – BL No. 143

RECOMMENDATIONS

1. That the Saturna Island Local Trust Committee amends draft Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024’ by including the definition of freshwater as provided by staff in the July 25, 2025 staff report.
2. That the Saturna Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024’ is not contrary to or at variance with the Islands Trust Policy Statement.
3. That the Saturna Island Local Trust Committee directs staff to initiate notice of first reading for draft Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024”.

REPORT SUMMARY

The purpose of this staff report is to seek direction from the Saturna Island Local Trust Committee (LTC) on how to proceed with draft Bylaw No. 143.

The recommendations above are supported as:

- Draft Bylaw No. 143 is not contrary to or at variance with the Islands Trust Policy Statement;
- The amendments are relatively minor and public engagement and referral responses to date have indicated no significant concerns or issues;
- Adding a definition of freshwater helps to clarify that it includes both surface and groundwater resources;
- Section 464 (2) of the *Local Government Act* states that a public hearing is not required where there are no OCP changes and the LUB amendments are consistent with the OCP;
- In cases where a public hearing is not held, local governments are required to issue statutory public notice of first reading prior to consideration of first reading.

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 Local Trust Area (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 April 24, 2025 meeting, staff presented draft Bylaw No. 143 to the LTC for consideration of next steps. At that meeting, the LTC decided to not amend the current bylaw to require cisterns across the entire LTA (and thus cisterns will still only be required for new development in the East Point Water Management Area), and to only focus on proposed amendments to the secondary suite mapping.

To be more aligned with industry standards for tank sizes, the LTC also changed the minimum cistern capacity from the current 21,820 litres to 18,000 litres. The following resolution was passed:

SA-2025-012

It was MOVED and SECONDED,

that Saturna Island Local Trust Committee amend Bylaw No. 143 by deleting references to removing schedule C and update minimum cistern volume requirements to read 18,000 litres.

With First Nation and agency bylaw referrals now complete, staff are bringing Bylaw 143 back to the LTC for consideration of next steps.

ANALYSIS

Bylaw No 143

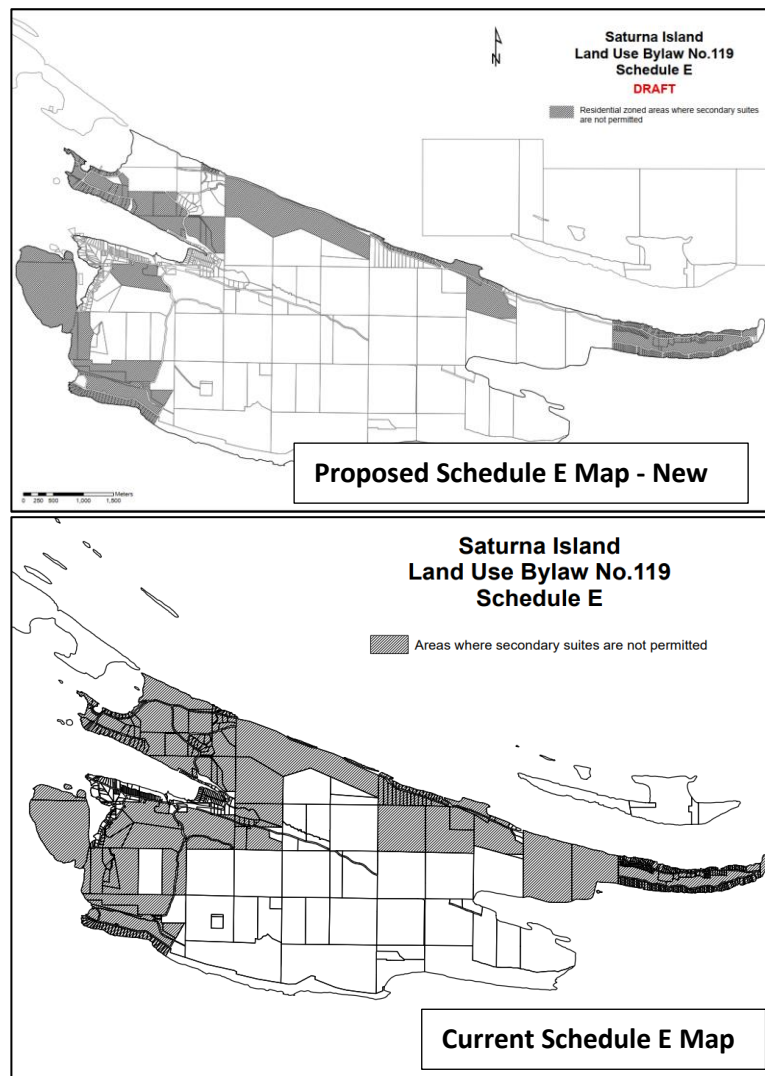
Draft Bylaw No. 143 would result in the following changes to the Saturna Island Land Use Bylaw No. 119 (LUB):

- 1) References to 'rainwater' would be amended to 'freshwater' to be consistent with terminology recommended by the Senior Freshwater Specialist and being adopted in other Trust Areas in recognition that cisterns are used to store groundwater over the summer not just used for rainwater storage;
- 2) Areas where secondary suites are permitted would be expanded to include 61 additional 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.

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.

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.

Figure 2. Proposed New Schedule E Map and Current Map for Comparison



Islands Trust Policy Statement

Staff determine 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. The ITPS policy checklist is attached for LTC's review and endorsement.

Official Community Plan

The proposed amendments are generally consistent with or not in conflict with the policies of the OCP, including natural environment, residential and water supply policies.

Consultation

First Nations Referrals

Bylaw referrals have been sent to the standardized list of First Nations for the Saturna Island LTA. Ts'uubaa-asatx, Halalt and Pauquachin First Nations deferred to other Nations with more direct traditional links to the Saturna LTA. Malahat First Nation responded with no objections to the proposed bylaw amendments.

No other responses were received from First Nations.

Agency Referrals

Draft Bylaw No. 143 was referred to the following agencies:

- CRD, Planning and Protective Services
- CRD, Building Inspection
- CRD Water Quality Division (in respect of Lyall Harbour-Boot Cove Water System)
- Island Health
- Parks Canada
- 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

North Pender and Mayne Island LTC's determined their interests are unaffected.

Island Health provided the following comments:

- With respect to secondary suites, note that any water supply system serving more than one single family residence* is required to obtain necessary approvals/permits and meet the requirement for a drinking water system under the [Drinking Water Protection Act](#).
- Recommend providing a definition in the bylaw for 'freshwater'. Additionally, note that any water supply system serving more than one single family residence* is required to obtain necessary approvals/permits and meet the requirements for a drinking water system under the [Drinking Water Protection Act](#) which includes requirement to provide potable water.

*Refer to the latest version of the [Drinking Water Officers' Guide - Province of British Columbia](#) pg. 10 for definition of **single family residence**)

- Construction on any sewerage systems must be in accordance with the [Sewerage System Regulation](#), which requires a property owner to obtain the services of an Authorized Person to file with the health authority the required documentation for certification of the system.

With respect to adding reference to the requirements of the *Drinking Water Protection Act* and Sewerage System Regulation, any development of a secondary suite would require a building permit including Island Health approvals for water and septic.

With respect to adding a definition of freshwater, staff recommend that the LTC include the following definition of freshwater in BL 143:

Freshwater: Water with a total dissolved salt content of $\leq 1,000$ ppm (1 g/L, 1 ‰) and includes surface and groundwater resources.

Of further note, wells containing groundwater with chloride concentrations greater than 150 mg/L, specific conductivity greater than 1000 uS/cm, and total dissolved solids greater than 700 ppm are considered by the Province to be under the influence of saltwater intrusion, be it seawater or saline groundwater.

Parks Canada provided a very specific comment in respect of three properties adjacent to Lyall Creek.

There is one area ~300m uphill from Lyall Creek that could be a potential concern if they have secondary suites and septic is not managed appropriately. The area is at the top of a very steep hill and might have sufficient distance, but I am not an expert in that. Technically the jurisdiction of the creek is DFO, but the lands around most of it are managed by GINPR. Lyall Creek is a salmon spawning stream. The area circled in purple is from figure 2 in the attached document. The area circled in red from GoogleEarth is more of a close up.

Staff are of the view that any secondary suite development on these lots would require both building permit and Island Health approval for septic design and future use so the potential impacts to the creek will be mitigated.

No other referral responses were received.

Statutory Requirements

In this case, as there are no OCP changes and the LUB amendments are consistent with the OCP, staff recommend that the LTC not hold a public hearing on BL 143, in accordance with *Local Government Act* s. 464 (2). However, in accordance with s. 467 (1), notice would need to be given prior to first reading.

If the LTC decides to not hold a public hearing, staff will give notice of first reading for the October 23, 2025 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.

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. A resolution to give first reading is provided as an alternative below should the LTC prefer to hold a public hearing.

Rationale for Recommendation

The recommendations on page 1 are supported as:

- Draft Bylaw No. 143 is not contrary to or at variance with the Islands Trust Policy Statement;
- The amendments are relatively minor and public engagement and referral responses to date have indicated no significant concerns or issues;
- Adding a definition of freshwater helps to clarify that it includes both surface and groundwater resources;
- Section 462 (2) of the *Local Government Act* permits the waiving of a public hearing where there are no OCP changes and the LUB amendments are consistent with the OCP;
- In cases where a public hearing is not held, local governments are required to issue statutory public notice of first reading prior to consideration of first reading.

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. Give First Reading to BL 143 and schedule a Public Hearing

The LTC may decide to hold a public hearing for Bylaw No. 143 after giving First Reading. Recommended wording for the resolutions are as follows:

That the Saturna Island Local Trust Committee Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024” be read a first time.

That the Saturna Island Local Trust Committee directs staff to schedule a public hearing for draft Bylaw No. 143, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2024”.

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 notice of first reading for the October 23, 2025 meeting.

Submitted By:	Brad Smith, Island Planner	June 26, 2025
Concurrence:	Robert Kojima, Regional Planning Manager	June 26, 2025

ATTACHMENTS

1. Draft Bylaw No. 143
2. ITPS Policy Statement Checklist

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) replacing the word “rainwater” with the word “freshwater”
- ii) replacing the minimum cistern capacity reference of “21820 litres (4800 gallons)” with “18,000 litres (3960 gallons)”

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”.

2.4 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.

2.5 Part 15 Interpretation, Definitions, is amended by adding as subsection 15.1.14 the words “ “Freshwater” means water with a total dissolved salt content of $\leq 1,000$ ppm (1 g/L, 1‰) and includes surface and groundwater resources” and renumbering subsequent subsections accordingly.

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____

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____

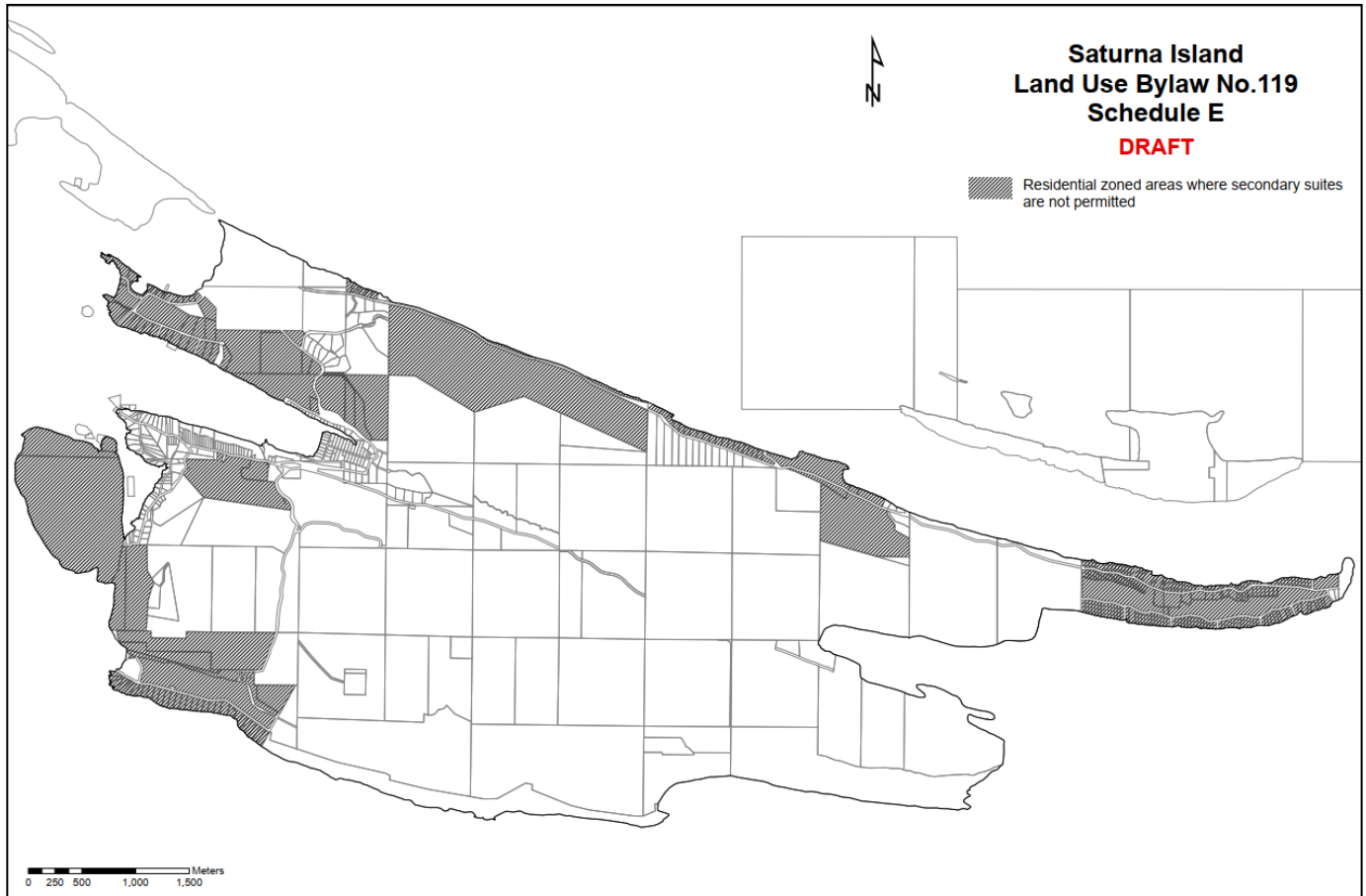
ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

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

Schedule E - Secondary Suites Map





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No: 143
Minor Housing Amendments Review Project
LTC Endorsement:

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	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.
N/A	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.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.

N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	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.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons: