

**1.3.i. Policy**

**POLICY STATEMENT IMPLEMENTATION**

Trust Council: June 11, 1994

Amended: March 11, 1995; December 8, 2000; and June 16, 2005

**A: PURPOSE:**

1. To establish policy and procedures for statutory bylaw referrals and other implementation strategies in connection with the Islands Trust Policy Statement Bylaw No. 17.
2. To establish policy to implement and further develop the Islands Trust Policy Statement.

**B: REFERENCES:**

1. *The Islands Trust Act:*
  - 1.1 Part 2 Trust Council, Trust Policy Statement Section 15 (4) and Approval of Bylaws Section 16,
  - 1.2 Part 3 Executive Committee Section 22 Approval of Bylaws, and
  - 1.3 Part 4 Approval requirement for local trust committees Section 27
2. The Islands Trust Council Bylaw No. 17, A Bylaw to Adopt a Policy Statement for the Trust Area cited as “The Islands Trust Policy Statement Bylaw, 1993.
3. The Islands Trust Policy Manual:
  - 3.1 Policy Statement, Implementation Policies 1.3. ii. Topic Review Framework (Amended March 2005),
  - 3.2 Trust Council Executive Committee 2.4.iv. Executive Committee Legislative Role (June 1994), and
  - 3.3 Land Use Planning Bylaw Amendments 5.7.i. Bylaw Checklists (draft May 17, 2005)

**C: INTERPRETATION:**

1. The Islands Trust Policy Statement Bylaw includes three types of policies:
  - 1.1 Commitments of Trust Council state the position or philosophy of Trust Council on various matters. For this category of policy, several introductory phrases are used, for example, “Trust Council holds that ...”, “It is the position of Trust Council that ...”, and “It is Trust Council’s policy that ...”
  - 1.2 Directive Policies direct local trust committees and island municipalities to address certain matters in their official community plans and regulatory bylaws under Part 26 of the *Local Government Act*. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy. Directive policies commence with the phrase “Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address ....”
  - 1.3 Recommendations of Trust Council serve as recommendations from Trust Council to government agencies, non-government organizations, property owners, residents, and visitors regarding decisions or actions that they might undertake in support of the Policy Statement and the Islands Trust object, and specify principles of guidance for protocol agreements between the Trust and other agencies. These policies begin with the phrase “Trust Council encourages ....”
2. The implementation of the Policy Statement Directive Policies is addressed under Section D.1. of this Policy.
3. The Commitments and Recommendations of Trust Council relate to other types of implementation strategies that are non-directive in that they merely provide suggestions and recommendations that may be related to land use bylaws or to other decisions and activities of the Islands Trust or other agencies. The implementation of these non-directive policies is addressed under Section D.2.
4. As interpreted by the courts, "contrary to or at variance with" means that there is an absolute and direct collision between the bylaw and the Policy Statement.

## **D: POLICY AND PROCEDURES:**

### **1. STATUTORY BYLAW REFERRALS**

#### **Background**

- 1.1 Local trust committees and island municipalities are required to submit bylaws to the Executive Committee for approval as follows:
  - a) Under Section 27 (1) of the *Islands Trust Act*, a local trust committee must submit its bylaws to the Executive Committee for approval before adoption.
  - b) Under Section 38 (1) of the *Islands Trust Act*, all island municipality bylaws adopting official community plans that apply to land in the trust area and all bylaws under Part 26 of the *Local Government Act* that apply to land in the trust area to which no official community plan applies must be submitted to the Executive Committee for approval before adoption.
- 1.2 Local trust committees and island municipality bylaws have no effect until they are approved as follows:
  - a) Under Section 27(2) of the *Islands Trust Act*, a bylaw of a local trust committee has no effect until it is approved by the Executive Committee or Trust Council.
  - b) Under Section 38(2) of the *Islands Trust Act*, an island municipality bylaw referred to under Section 38(1), has no effect until it is approved by the Executive Committee, Trust Council, or the Minister.
- 1.3 Under Section 15(4) of the *Islands Trust Act* a bylaw submitted to the Executive Committee by a local trust committee under Section 27(1), or an island municipality under Section 38(1), must not be approved by the Executive Committee, or Trust Council, if it is contrary to or at variance with the Islands Trust Policy Statement.
- 1.4 The Islands Trust Policy Statement require local trust committees in the official community plan and regulatory bylaws, and island municipalities under Section 38 (1) of the *Islands Trust Act* to address certain matters from the Policy Statement, or explicit reasons and justifications for not doing so. A bylaw will not be contrary to or at variance with the Policy Statement if it fails to include a

particular policy or regulation, so long as the bylaw contains sufficient reason or justification for not doing so.

- 1.5 Where a proposed bylaw does not include a particular policy or regulation required by the Policy Statement and the bylaw sets out reasons for that, the Executive Committee and Trust Council will assess the sufficiency of those reasons using such criteria as:
- a) whether the reasons are explicitly set out such that it is clear that the local trust committee directed its attention to the matter in question and made a considered decision not to include the policy or regulation.
  - b) whether the reasons have to do with particular local circumstances that may not have been contemplated in the drafting of the Policy Statement.
  - c) whether the reasons arise from the necessity of balancing two or more components of the Policy Statement that cannot be achieved simultaneously.
  - d) whether existing planning studies or reports relied on by the local trust committee indicate that the Policy Statement is inapplicable in the circumstances.

### **Policy Statement Directive Policies Checklist**

- 1.6 The primary responsibility for demonstrating that an official community plan or regulatory bylaw is not contrary to or at variance with the Islands Trust Policy Statement rests with each local trust committee, or island municipality.
- 1.7 The Policy Statement Directives Policies Checklist identifies the directives policies for each component of the Policy Statement that local trust committees and island municipalities are required to address in their bylaws. (Attachment I)
- 1.8 Staff will reference relevant sections of the Policy Statement in staff reports to the local trust committees and island municipalities. Staff may use the Directives Only Checklist to assess whether bylaw amendment applications in process and bylaws prior to first reading comply with the Policy Statement.
- 1.9 Planning staff will provide the local trust committees and island municipalities with a staff report that includes the proposed bylaw and the Directives Only

Checklist to assess that a bylaw complies with the Policy Statement before submitting a bylaw to the Executive Committee.

- 1.10 Planning staff assigned to work with local trust committees, or island municipalities, will refer to the Policy Statement and Directives Only Checklist while developing official community plans and regulatory bylaws to ensure that the bylaws address the required matters. Staff will also make recommendations as to address the Policy Statement during the consideration of alternative policy and regulatory responses to particular issues in a local trust area.

### **Approval and Appeals**

- 1.11 The Executive Committee will notify the local trust committee or island municipality staff of its decision as to whether to approve a bylaw within one month of receiving a submission including a completed Directives Only Checklist. Staff will then update the bylaw to show Executive Committee approval and submit it to the local trust committee or island municipality for adoption consideration. Where the decision is not to approve, the Executive Committee will advise the local trust committee, or island municipality of its reasons and of the nature of the changes that would be required to enable the Executive Committee to approve the bylaw.
- 1.12 On referral of a bylaw to Trust Council under Section .27(3) or 38(3) of the *Islands Trust Act*, the local trust committee, or island municipality, will provide to Trust Council the Directives Only Checklist, the advice of the Executive Committee that accompanied its refusal to approve the bylaw, and the local trust committee or island municipality reasons why the bylaw cannot be changed in the manner the Executive Committee indicated.
- 1.13 Trust Council will notify the local trust committee or island municipality staff of its decision as to whether or not Trust Council has approved a bylaw and will deliver a decision as soon as practicable after giving such notice. Where the decision is not to approve, Trust Council will advise the local trust committee, or island municipality, of its reasons and of the nature of the changes that would be required to enable Trust Council to approve the bylaw.

## **2. OTHER COMMITMENTS AND RECOMMENDATIONS OF COUNCIL**

### **Background**

- 2.1 The Policy Statement also contains policies which are non-directive in that they merely provide suggestions and recommendations that may be related to land use bylaws or to other decisions and activities of the Islands Trust or other agencies.

### **Policy Statement Commitments and Recommendations Checklists**

- 2.2 To ensure consistency between the Policy Statement and the activities of the Islands Trust, Trust Council, the Executive Committee, Trust Fund Board, local trust committees and island municipalities, Trust staff will highlight activities that are consistent with the Policy Statement by referencing the Policy Statement and any relevant policy sections in meetings, staff reports, work programs, inter-agency agreements (including protocols, letters of understanding and memoranda of understanding) .and other agency referral responses.
- 2.3 The Policy Statement Council Commitments and Recommendations Checklist may be used by staff to refer to relevant sections of the Policy Statement. (Attachment II)
- 2.4 Islands Trust staff preparing recommendations or information for the Islands Trust entity concerned with the decision or activity in question will be responsible for referencing the Policy Statement and any relevant sections.
- 2.5 As inter-agency agreements are updated or created, Islands Trust staff will conduct a review of the Policy Statement and any relevant sections, including review of the Trust Council Commitments and Recommendations Checklist and, if appropriate, recommend amendments of those agreements, which contradict policies contained in the Policy Statement.

### **Communication and Advocacy Strategy**

- 2.6 Island Trust will provide copies of the Policy Statement and amendments to departments and agencies of the Government of Canada, the Government of B.C., Regional Districts, non-governmental organizations having jurisdiction over or interests in any part of the Trust Area, and to other local governments having jurisdiction in the Howe Sound-Georgia Basin region.

- 2.7 The Executive Committee may convene a meeting with any department, agency, or organization for the purpose of introducing the Policy Statement and reviewing its applicability to and impact on a particular issue of interest to or area of jurisdiction of the department, agency, or organization.
- 2.8 Upon becoming aware of any decision or action affecting the Trust Area by any of the departments, agencies or organizations, whether contemplated or executed, the Executive Committee or Trust Council may, by whatever means it considers appropriate, communicate with the department, agency or organization with respect to the Policy Statement and the extent to which the decision or action either furthers or contradicts the Policy Statement.
- 2.9 Islands Trust will provide copies of the Policy Statement and amendments to all First Nations having Reserves or other interests within the Trust Area and to any Treaty Group or other organization with which such a First Nation is affiliated.
- 2.10 Copies of the Policy Statement and amendments to it will be made available to the island municipalities, property owners, residents, and visitors at the offices of the Islands Trust.

### **3. MAINTENANCE AND FURTHER DEVELOPMENT**

- 3.1 Local trustees and staff may request Trust Area Services staff to clarify areas of understanding particular components of the Policy Statement. Requests for clarification will be reviewed by staff and may be in the annual Trust Programs Committee Topic Review Inventory for Council consideration.

#### **Amendments**

- 3.2 Amendment of the Policy Statement is subject to the same procedural requirements, including approval of the Minister, as the original adoption of the Policy Statement. Trust Council will establish a work program to amend the Policy Statement on a periodic basis.
- 3.3 Each local trust committee and the Trust Fund Board may propose in writing specific amendments to the Policy Statement, for consideration by the Trust Council.

- 3.4 All suggestions for amendment from all sources will be compiled for review by the Trust Programs Committee to recommend areas for amendments to Council via the Executive Committee.

#### **Five Year Review**

- 3.5 It is the objective of Trust Council to subject the Policy Statement to a periodic review every five years.
- 3.6 For the purposes of the review, Trust Council will consult with particular government agencies having jurisdiction over or interests in the Trust Area, and with members of the public throughout the Trust Area.

#### **Monitoring Activities**

- 3.7 The Trust Programs Committee will monitor the implementation of the Policy Statement in a report to Trust Council on a quarterly basis.
- 3.8 The Trust Programs Committee will monitor and report on the implementation of this policy to Council on an annual basis for inclusion in the Islands Trust Annual Report.

### **E: ATTACHMENTS:**

ATTACHMENT I. - Directives Only Checklist - May 17, 2005

ATTACHMENT II. - Council Commitments and Recommendations Checklist - May 17, 2005





**Islands Trust**

## POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No:**

### **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  |
|------------|--------------|---|
|            | <b>3.1</b>   | <b>Ecosystems</b>   |
|            | <b>3.1.3</b> | 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.                                   |
|            | <b>3.1.4</b> | 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. |
|            | <b>3.1.5</b> | 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.  |
|            | <b>3.2</b>   | <b>Forest Ecosystems</b>  |
|            | <b>3.2.2</b> | 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.                                |
|            | <b>3.3</b>   | <b>Freshwater and Wetland Ecosystems and Riparian Zones</b>   |
|            | <b>3.3.2</b> | 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.  |
|            | <b>3.4</b>   | <b>Coastal and Marine Ecosystems</b>  |
|            | <b>3.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.   |
|            | <b>3.4.5</b> | 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  |
|------------|--------------|---|
|            | <b>4.1</b>   | <b>Agricultural Land</b>  |
|            | <b>4.1.4</b> | 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.   |
|            | <b>4.1.5</b> | 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. |
|            | <b>4.1.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the  |

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|                   |            | use of adjacent properties to minimize any adverse affects on agricultural land.  |
| <b>CONSISTENT</b> | <b>NO.</b> | <b>DIRECTIVE POLICY</b>   |
|                   | 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   |
|                   | 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.  |
|                   | 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        | <b>Forests</b>  |
|                   | 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.   |
|                   | 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.  |
|                   | 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        | <b>Wildlife and Vegetation</b>  |
|                   | 4.4        | <b>Freshwater Resources</b>   |
|                   | 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. |
|                   | 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        | <b>Coastal Areas and Marine Shorelands</b>  |
|                   | 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.  |
|                   | 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.   |
|                   | 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.  |

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|--|--------|---|
|  | 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    | <b>Soils and Other Resources</b>  |
|  | 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**

| <b>CONSISTENT</b> | <b>NO.</b>   | <b>DIRECTIVE POLICY</b>  |
|-------------------|--------------|--|
|                   | <b>5.1</b>   | <b>Aesthetic Qualities</b>   |
|                   | <b>5.1.3</b> | 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.   |
|                   | <b>5.2</b>   | <b>Growth and Development</b>  |
|                   | <b>5.2.3</b> | 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.   |
|                   | <b>5.2.4</b> | 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. |
|                   | <b>5.2.5</b> | 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.  |
|                   | <b>5.2.6</b> | 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.                             |
|                   | <b>5.3</b>   | <b>Transportation and Utilities</b>  |
|                   | <b>5.3.4</b> | 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.  |
|                   | <b>5.3.5</b> | 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.   |
|                   | <b>5.3.6</b> | 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.  |
|                   | <b>5.3.7</b> | 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.                   |
|                   | <b>5.4</b>   | <b>Disposal of Waste</b>   |

|  |              |  |
|--|--------------|--|
|  | <b>5.4.4</b> | 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  |
|------------|--------------|---|
|            | <b>5.5</b>   | <b>Recreation</b>   |
|            | <b>5.5.3</b> | 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.   |
|            | <b>5.5.4</b> | 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. |
|            | <b>5.5.5</b> | 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.    |
|            | <b>5.5.6</b> | 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.  |
|            | <b>5.5.7</b> | 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.   |
|            | <b>5.6</b>   | <b>Cultural and Natural Heritage</b>  |
|            | <b>5.6.2</b> | 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.  |
|            | <b>5.6.3</b> | 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.   |
|            | <b>5.7</b>   | <b>Economic Opportunities</b>   |
|            | <b>5.7.2</b> | 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.   |
|            | <b>5.8</b>   | <b>Health and Well-being</b>  |
|            | <b>5.8.6</b> | 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 |   |
|-----------------------------|---|
|                             | <b>COMPLIANCE WITH TRUST POLICY</b>                                   |
|                             | <b>NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:</b> |



**Islands Trust**

**POLICY STATEMENT**  
**COUNCIL COMMITMENTS AND RECOMMENDATIONS CHECK LIST**

**File No:**

**PURPOSE**

Staff may use the Council Commitments and Recommendations Checklist to reference the Policy Statement and to ensure that Islands Trust actions and decisions are consistent with the Policy Statement.

**POLICY STATEMENT**

The Policy Statement (Consolidated April 2003) is comprised of several parts. Parts I and II, outline the purpose as well as the Islands Trust object and guiding principles. Parts II, 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:

- Directive Policies - policies that direct Local Trust Committees and island municipalities to address certain matters, and
- Commitments of Trust Council - statements about Trust Council's position or philosophy on various matters,
- Recommendations – recommendations to other government agencies, non-government organizations, property owners, residents and visitors.

**POLICY STATEMENT CHECK LISTS**

The Policy Statement Checklists, the Directives Only Checklist and the Council Commitments and Recommendations Checklist, are based on the statements and policies from the Policy Statement. Staff may use the Directives Only Checklist when preparing bylaws to ensure that certain matters are addressed. Staff may use the Council Commitments and Recommendations Checklist to review Islands Trust actions and decisions for their consistency with the Island Trust Policy Statement. Staff may mark whether or not the action or decision is consistent with the Policy Statement as follows:

- ✓ identifies that the referral is CONSISTENT with the policy from the Policy Statement.
- N/A means the policy is not applicable to the referral
- ✗ identifies that the referral is INCONSISTENT (contrary or at variance) with the policy from the Policy Statement.

## Part II ISLANDS TRUST OBJECT AND GUIDING PRINCIPLES

| CONSISTENT | POLICY                    | POLICY   |
|------------|---------------------------|--|
|            | <b>Object</b>             | <p>The <i>Islands Trust Act</i> provides the following definition of the purpose of the Islands Trust, which is referred to in the legislation as its “object”:</p> <p>“The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”</p>   |
|            |                           | <p>The Islands Trust has responsibility for conservation through land use planning and regulation and for leadership in stewardship — that is, voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area. It is in this context that the word “stewardship” is used within this document. The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.</p>   |
|            |                           | <p>The <i>Islands Trust Act</i> provides special legislation for preservation and protection of the Georgia Strait-Howe Sound geographic area and creates a conservation-oriented agency to work towards this objective. The object establishes the value of the Trust Area by identifying the need for preservation and protection of the Area. The following sections provide a fuller explanation of the key phrases in the legislated object of the Trust.</p>   |
|            |                           | <p>“... to preserve and protect the Trust Area and its unique amenities and environment...”</p> <p>The area of jurisdiction of the Islands Trust is established by Schedule A of the <i>Islands Trust Act</i>. The Trust Area is valued and is unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.</p>  |
|            |                           | <p>“... for the benefit of the residents of the Trust Area and of British Columbia generally ...”</p> <p>The Islands Trust is responsible to the present and future residents of both the Trust Area and the Province of British Columbia. Their needs can only be met and sustained within the limitations of the natural environment and the island communities of the Trust Area. A balance must be established between the needs of all stakeholders.</p>  |
|            |                           | <p>“... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of the Province ...”</p> <p>To achieve its object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations and individuals to ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems and island communities.</p> |
|            | <b>Guiding Principles</b> | <p>The following principles, derived from the Islands Trust object and from input received from the public during public forums, will guide Trust Council in its day-to-day planning and decision-making.</p>  |
|            |                           | <p>* The primary responsibility of the Islands Trust Council is to provide leadership for the preservation, protection and stewardship of the amenities, environment and resources of the Trust Area.</p>  |

| CONSISTENT POLICY |                                 | POLICY  |
|-------------------|---------------------------------|---|
|                   | <b>Guiding Principles cont.</b> | * When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment and amenities in the Trust Area.   |
|                   |                                 | * Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard.   |
|                   |                                 | * Trust Council believes that to achieve the Islands Trust object, the rate and scale of growth and development in the Trust Area must be carefully managed and may require limitation.   |
|                   |                                 | * Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area.   |
|                   |                                 | * Trust Council will implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council will report to Council on progress in achieving the goals of the Policy Statement. |

**Part III ECOSYSTEM PRESERVATION AND PROTECTION**

| CONSISTENT WITH POLICY | POLICY        | POLICY   |
|------------------------|---------------|--|
|                        | <b>3.1</b>    | <b>Ecosystems</b>  |
|                        | <b>3.1.1</b>  | Trust Council holds that: proactive land use planning is essential for the protection of Trust Area ecosystems, protection must be given to the natural processes, habitats and species of the Trust Area, including those of the old forests, Coastal Douglas-fir forests, Coastal Western Hemlock, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, and kelp and eel grass beds, and planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area species and habitats. |
|                        | <b>3.1.2</b>  | It is Trust Council's policy to work towards the establishment of a network of protected areas that preserves representative ecosystems in their natural state and in sufficient size and distribution to sustain their ecological integrity.  |
|                        | <b>3.1.6</b>  | Trust Council encourages all government agencies and non-government organizations to consider both monetary and non-monetary costs when making resource management and land use decisions.   |
|                        | <b>3.1.7</b>  | Trust Council encourages the Provincial government and the government of Washington State to proceed with their proposal for a joint environmental monitoring system for the Georgia Basin Region.   |
|                        | <b>3.1.8</b>  | Trust Council encourages the Provincial government to establish property tax incentives for conservation or habitat protection   |
|                        | <b>3.1.9</b>  | Trust Council encourages actions and programs of other government agencies which: place priority on the side of protection for Trust Area ecosystems when judgment must be exercised, protect the diversity of native species and habitats in the Trust Area, and prevent pollution of the air, land and fresh and marine waters of the Trust Area.  |
|                        | <b>3.1.10</b> | Trust Council encourages the Provincial government to enforce standards for control of emissions polluting the air of the Trust Area.  |



| CONSISTENT | POLICY | POLICY   |
|------------|--------|--|
|            | 3.1.11 | Trust Council encourages agents of the government of British Columbia or the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, conservation covenants and careful management   |
|            | 3.2    | <b>Forest Ecosystems</b>   |
|            | 3.2.1  | It is Trust Council's policy that: the Trust Area's forest ecosystems should be protected, and the remaining stands of relatively undisturbed Coastal Douglas-fir, Garry Oak and Arbutus forests should be preserved.  |
|            | 3.2.3  | Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary conservation covenants and careful management.   |
|            | 3.3    | <b>Freshwater and Wetland Ecosystems and Riparian Zones</b>  |
|            | 3.3.1  | Trust Council holds that: the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated, and the natural wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled or degraded. |
|            | 3.3.3  | Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, water courses, wetlands, riparian zones and aquatic wildlife habitats through voluntary conservation covenants and careful management.   |
|            | 3.4    | <b>Coastal and Marine Ecosystems</b>   |
|            | 3.4.1  | It is the position of Trust Council that development should not be allowed within a line drawn 300 metres offshore or mid-channel (whichever is less) of any island or islet in the Trust Area owned entirely by the Crown or affected by Order in Council 467.  |
|            | 3.4.2  | It is Trust Council's policy that marine areas be protected and coastal zone management principles be defined in consultation with agents of the government of British Columbia, the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers.  |
|            | 3.4.3  | Trust Council holds that artificial reefs should not be developed in the Trust Area.   |
|            | 3.4.6  | Trust Council encourages the Provincial and Federal governments to develop existing and new programs, such as "harvest refugia", which protect and enhance the populations of native marine species of the Trust Area.   |
|            | 3.4.7  | Trust Council encourages the Provincial and Federal governments to research the impacts of the introduction of new marine species into the marine water of the Trust Area before such species are introduced   |
|            | 3.4.8  | Trust Council encourages the Federal and Provincial governments to develop and adopt legislation that regulates sewage discharge from shores and boats and addresses its detrimental impact on marine or coastal ecosystems.   |

**PART IV: STEWARDSHIP OF RESOURCES**

| CONSISTENT | POLICY        | POLICY  |
|------------|---------------|---|
|            | <b>4.1</b>    | <b>Agricultural Land</b>  |
|            | <b>4.1.1</b>  | Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.   |
|            | <b>4.1.2</b>  | Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.  |
|            | <b>4.1.3</b>  | It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.   |
|            | <b>4.1.10</b> | Trust Council encourages the Ministry of Transportation to ensure that, where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land.  |
|            | <b>4.1.11</b> | Trust Council encourages the British Columbia Land Reserve Commission to approve applications from property owners for inclusion of their land with potential for agriculture in the Provincial Agricultural Land Reserve.  |
|            | <b>4.1.12</b> | Trust Council encourages the Provincial government and the BC Assessment Authority to: retain a separate farm class to provide significant property tax incentives; ensure that the threshold for farm income necessary for farm class status is appropriate to agriculture within the Trust Area; and acknowledge that the total land area subject to the farm class may include land left uncultivated.   |
|            | <b>4.2</b>    | <b>Forests</b>  |
|            | <b>4.2.1</b>  | Trust Council recognizes that forestry is a traditional land use in the Trust Area, and supports sustainable forestry as an appropriate form of land use.   |
|            | <b>4.2.2</b>  | It is the position of Trust Council that sustainable forestry depends on maintaining and, where necessary, restoring the ecological integrity of forests.   |
|            | <b>4.2.3</b>  | It is the position of Trust Council that to achieve sustainable forestry, forest owners should undertake planning to address the integrity of forest ecosystems, including monitoring and evaluation to modify forestry plans and activities as needed.   |
|            | <b>4.2.4</b>  | It is the position of Trust Council that forest cover is a representative characteristic of the Trust Islands and should be maintained.   |
|            | <b>4.2.5</b>  | It is the position of Trust Council that the aesthetic value of forest land should be protected.  |
|            | <b>4.2.9</b>  | Trust Council encourages the Provincial government to adopt mechanisms that will ensure full and meaningful participation of communities in decisions concerning the use of forest land.  |
|            | <b>4.2.10</b> | Trust Council encourages the Provincial government to implement education and extension programs to promote sustainable forestry and the protection of forest ecosystems.   |
|            | <b>4.2.11</b> | Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that establish forestry practices to protect the ecological integrity on a scale of forest stands and landscapes by maintaining and, where necessary, restoring: the diversity of forest structure and composition; the physical, chemical, and biotic diversity of soils; natural aquatic and wetland ecosystems; the full range of natural habitats in the forest landscape, including old growth; and connectivity of forest habitats sufficient for the dispersal needs of native species. |
|            | <b>4.2.12</b> | Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that will reduce invasive non-native plant species in the forests.   |

| CONSISTENT | POLICY        | POLICY  |
|------------|---------------|---|
|            | <b>4.2.13</b> | Trust Council encourages the Provincial government to designate forest ecosystem reserves, where no extraction will take place, to promote the preservation of native biological diversity.   |
|            | <b>4.2.14</b> | Trust Council encourages the Provincial government, prior to giving approval to cutting plans, to require the applicant identify those elements of the forest needed to maintain sustainable forest land use.   |
|            | <b>4.2.15</b> | Trust Council encourages the Provincial government to implement property tax incentives for the practice of sustainable forestry.   |
|            | <b>4.2.16</b> | Trust Council encourages the Provincial Ministry of Forests, when developing specific forest tenures, to assign to Trust Council or Trust Fund Board, the holding of areas not to be harvested.   |
|            | <b>4.3</b>    | <b>Wildlife and Vegetation</b>  |
|            | <b>4.3.1</b>  | Trust Council encourages Provincial and Federal government agencies to: regulate and monitor the harvesting of the fish, wildlife and vegetation of the Trust Area so as to protect populations and habitats, and consult with local trust committees, municipalities, the communities of the Trust Area and First Nations prior to decisions regarding regulation of hunting or harvesting of Area wildlife or vegetation. |
|            | <b>4.3.2</b>  | Trust Council encourages Provincial and Federal government agencies to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life and to establish public shellfish reserves in the Trust Area.  |
|            | <b>4.4</b>    | <b>Freshwater Resources</b>   |
|            | <b>4.4.1</b>  | It is Trust Council's policy that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater.  |
|            | <b>4.4.4</b>  | Trust Council encourages island property owners, residents and visitors to adopt conservation practices in their use of freshwater.   |
|            | <b>4.4.5</b>  | Trust Council encourages the Provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands   |
|            | <b>4.4.6</b>  | Trust Council encourages the Provincial government to adopt legislation which protects the sustainability and quality of the groundwater of the Trust Area.   |
|            | <b>4.4.7</b>  | Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies which will permit more efficient use of the Trust Area's freshwater resources, including: cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices.   |
|            | <b>4.5</b>    | <b>Coastal Areas and Marine Shorelands</b>  |
|            | <b>4.5.1</b>  | It is Trust Council's policy that aquaculture is a valuable activity in the Trust Area if compatible with maintenance of the Trust Area's ecosystems and community character.   |
|            | <b>4.5.2</b>  | Trust Council holds that finfish farms should not be located in the marine waters of the Trust Area.  |
|            | <b>4.5.3</b>  | It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes   |
|            | <b>4.5.4</b>  | It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.   |

| CONSISTENT | POLICY | POLICY   |
|------------|--------|--|
|            | 4.5.5  | It is Trust Council's policy that development should be directed to sites away from: areas of environmental sensitivity, and areas of naturally occurring stocks of clams or oysters.  |
|            | 4.5.6  | It is Trust Council's policy that aquaculture should be directed to sites away from: areas of recreational significance, areas where an aquaculture operation would conflict with established or designated upland land uses, and areas where an aquaculture operation would conflict with established or designated anchorage or moorage. |
|            | 4.5.7  | It is the position of Trust Council that aquaculture related development, activity, buildings or structures should not result in site alteration.  |
|            | 4.6    | <b>Soils and Other Resources</b>   |
|            | 4.6.1  | Trust Council holds that there should be no extraction of the peat, metals, minerals, coal or petroleum resources of the Trust Area.   |
|            | 4.6.2  | Trust Council holds that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area.   |

**PART V: SUSTAINABLE COMMUNITIES**

| CONSISTENT | POLICY | POLICY  |
|------------|--------|---|
|            | 5.1    | <b>Aesthetic Qualities</b>  |
|            | 5.1.1  | Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.  |
|            | 5.1.2  | It is Trust Council's policy that the intensity of noise and lighting in and through the Trust Area should be compatible with community character.  |
|            | 5.1.4  | Trust Council encourages property owners, residents and visitors to reduce the burning of wood and fossil fuels by adopting alternative or innovative technologies.   |
|            | 5.2    | <b>Growth and Development</b>   |
|            | 5.2.1  | Trust Council holds that growth and development in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.   |
|            | 5.2.2  | Trust Council holds that tree cover on the islands is of great importance and should be preserved.  |
|            | 5.3    | <b>Transportation and Utilities</b>   |
|            | 5.3.1  | Trust Council holds that local trust committees and island municipalities should be consulted and involved in the decision-making process regarding provision of utilities, transportation services or facilities that might affect land use in their local planning areas. |
|            | 5.3.2  | It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel, notwithstanding the existing bridge between North and South Pender Islands.                                    |

| CONSISTENT | POLICY       | POLICY   |
|------------|--------------|--|
|            | <b>5.3.8</b> | Trust Council encourages Provincial and Federal agencies to ensure safe shipment of materials hazardous to the environment.  |
|            | <b>5.3.9</b> | Trust Council encourages the Ministry of Transportation and local communities to work together through a public consultation process to evaluate and modify road construction and road system proposals to encompass the environmental, economic and social values of the community. |
|            | <b>5.4</b>   | <b>Disposal of Waste</b>   |
|            | <b>5.4.1</b> | It is Trust Council's policy that the safe disposal in the Trust Area of waste originating in the Trust Area is acceptable.  |
|            | <b>5.4.2</b> | It is Trust Council's policy that neither hazardous nor industrial waste should be disposed of in the Trust Area, local recycling operations should be established, and local programs for chipping of wood waste and disposal of hazardous wastes should be established.            |
|            | <b>5.4.3</b> | It is Trust Council's policy that there should be a reduction in the burning of solid waste in the Trust Area.   |
|            | <b>5.4.5</b> | Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies and safe alternatives for disposal of sewage effluent.  |
|            | <b>5.5</b>   | <b>Recreation</b>  |
|            | <b>5.5.1</b> | It is Trust Council's policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.  |
|            | <b>5.5.2</b> | Trust Council holds that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to and should not be located in the Trust Area.  |
|            | <b>5.6</b>   | <b>Cultural and Natural Heritage</b>   |
|            | <b>5.6.1</b> | Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and property of natural, historic, cultural, aesthetic, educational or scientific heritage value or character — should be identified, preserved, protected and enhanced.               |
|            | <b>5.7</b>   | <b>Economic Opportunities</b>  |
|            | <b>5.7.1</b> | Trust Council holds that economic opportunities should be compatible with conservation of resources and protection of community character.   |
|            | <b>5.8</b>   | <b>Health and Well-being</b>   |
|            | <b>5.8.1</b> | Trust Council holds that public participation should be part of the decision-making processes of all levels of government.   |
|            | <b>5.8.2</b> | It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.  |
|            | <b>5.8.3</b> | Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust                            |

|  |              |  |
|--|--------------|--|
|  | <b>5.8.4</b> | Trust Council holds that island municipalities shall, in all of their actions have regard for the Trust Policy Statement and the object of the Islands Trust.  |
|  | <b>5.8.5</b> | It is the position of Trust Council that the development and maintenance of healthy communities in the Trust Area through the process described in the Provincial Ministry of Health’s “Healthy Communities Program” should be encouraged. |
|  | <b>5.8.7</b> | Trust Council encourages Provincial, Federal and local governments to provide information and databases to local trust committees and communities to assist them in land use planning.   |
|  | <b>5.8.8</b> | Trust Council encourages government agencies, corporations, property owners, residents and visitors to use renewable sources of energy within the Trust Area.  |

|                                    |   |
|------------------------------------|---|
| <b>POLICY STATEMENT COMPLIANCE</b> |   |
|                                    | <b>COMPLIANCE WITH TRUST POLICY</b>                                       |
|                                    | <b>NOT IN COMPLIANCE WITH TRUST POLICY<br/>for the following reasons:</b> |