

**ISLANDS TRUST COUNCIL**

**BYLAW NO. 42**

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A BYLAW TO AMEND BYLAW NO. 17, 1993, A POLICY STATEMENT FOR THE TRUST AREA

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The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia under the *Islands Trust Act*, enacts as follows:

**TITLE**

1. This Bylaw may be cited for all purposes as "Islands Trust Council Policy Statement Amendment Bylaw No. 1, 1996".

**ORGANIZATION**

2. Pursuant to S.13(1) of the *Islands Trust Act*, Parts III, IV, and V of the Islands Trust Policy Statement adopted by "The Islands Trust Policy Statement Bylaw, 1993", are amended as follows:

- 2.1 Section 3.1.8 in Part III is deleted in its entirety and replaced as follows:

"3.1.8 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."

- 2.2 Existing policies in Part III, currently numbered 3.4.2 through 3.4.7 shall be renumbered in sequential order to 3.4.3 through 3.4.8, and the following new section 3.4.2. shall be added:

"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."

- 2.3 Section 4.1 in Part IV is deleted in its entirety and replaced with the following:

**"4.1 Agricultural Land**

4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.

4.1.2 Trust Council encourages the Ministry of Transportation and Highways to ensure that, where a road must sever agricultural land to provide access to lands beyond, these roads are built to the minimum standard necessary to service that land.

4.1.3 Trust Council encourages the British Columbia Agricultural Land Commission to approve applications from property owners for inclusion of their land with potential for agriculture in the Provincial Agricultural Land Reserve.

- 4.1.4 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Agricultural Land Commission to ensure 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.
- 4.1.5 Trust Council encourages the Provincial government and the British Columbia 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.
- 4.1.6 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.
- 4.1.7 Local trust committees and, where applicable, municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
- 4.1.8 Local trust committees and, where applicable, municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, sustainability of farming, and the relationship of farming to other land uses.
- 4.1.9 Local trust committees and, where applicable, municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
- 4.1.10 Local trust committees and, where applicable, municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to minimize any adverse affect on agricultural land.
- 4.1.11 Local trust committees and, where applicable, 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.
- 4.1.12 Local trust committees and, where applicable, municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.”
- 2.4 Existing policies in Part V, currently numbered 5.3.4 and 5.3.5 shall be renumbered in sequential order to 5.3.7 and 5.3.8, and the following new sections 5.3.4 through 5.3.6 shall be added after section 5.3.3:
- “5.3.4 Trust Council encourages the Ministry of Transportation and Highways and local communities to work together through a public consultation process to evaluate road construction and road system proposals to achieve integration of a community's environmental, economic and social values.
- 5.3.5 Local trust committees and, where applicable, 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.

- 5.3.6 Local trust committees and, where applicable, municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems."
- 2.5 Existing policies in Part V currently numbered 5.8.3 through 5.8.5 shall be renumbered in sequential order to 5.8.6 through 5.8.8, and the following new sections 5.8.3. through 5.8.5 shall be added after section 5.8.2:
- "5.8.3 Trust Council encourages Provincial, Federal and local governments to provide information and data bases to local trust committees and communities to assist them in land use planning.
- 5.8.4 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.
- 5.8.5 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."

**READINGS**

READ A FIRST TIME THIS                    7th                    DAY OF                    June                    , 1996

READ A FIRST TIME AS AMENDED THIS                    29th                    DAY OF                    July                    , 1996

READ A FIRST TIME AS AMENDED THIS                    27th                    DAY OF                    September                    , 1996

READ A SECOND TIME THIS                    27th                    DAY OF                    September                    , 1996

READ A THIRD TIME THIS                    27th                    DAY OF                    September                    , 1996

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING  
 PURSUANT TO SECTION 13(2)(c) OF THE *ISLANDS TRUST ACT* THIS    21st    DAY OF                    October    , 1996

ADOPTED THIS                    4th                    DAY OF                    November                    , 1996

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 SECRETARY

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 CHAIRPERSON