

ISLANDS TRUST COUNCIL

BYLAW NO. 48

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

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, 1997".

ORGANIZATION

2. Pursuant to S.15 of the *Islands Trust Act*, Parts II, 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 Existing references to the object in Part II be amended to change the words "the Province" to the words "British Columbia" so that the object reads the same as Section 3, *Islands Trust Act*, RSBC 1996, Chapter 239 as follows:

"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".

- 2.2 Existing policy in Section III numbered 3.3.1 shall be amended to include the words "that have not been altered in the past for agriculture," before the words "should not be drained..." so that it reads as follows:

"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."

- 2.3 Existing policy in Section IV numbered 4.1.10 shall be amended by removing the words "to minimize any adverse affects on agricultural land" and replacing them with "to avoid agricultural lands unless the need for the road outweighs agricultural considerations, in which case, appropriate mitigation measures shall be required to derive a net benefit to agriculture" so that it reads as follows:

"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 avoid

agricultural lands unless the need for the road outweighs agricultural considerations, in which case, appropriate mitigation measures shall be required to derive a net benefit to agriculture.”

2.4 Existing policy in Section IV numbered 4.2.5 shall be renumbered to 4.2.7 and the following new sections 4.2.5 and 4.2.6 shall be added:

“4.2.5 Trust Council encourages the BC Forest Land Commission to retain land without further subdivision in the Provincial Forest Land Reserve.

4.2.6 Trust Council encourages the BC Forest Land Commission to approve applications from property owners for inclusion of their land with potential for forestry in the Provincial Forest Land Reserve.”

2.5 Existing policies in Part V, currently numbered 5.2.2 through 5.2.5 shall be renumbered in sequential order to 5.2.3 through 5.2.6, and the following new section 5.2.2. shall be added:

“5.2.2 Trust Council holds that tree cover on the islands is of great importance and should be preserved.”

2.6 Existing policies in Part V, currently numbered 5.5.2 and 5.5.3 shall be renumbered in sequential order to 5.5.4 and 5.5.5, and the following new sections 5.5.2 and 5.5.3 shall be added:

“5.5.2 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.

5.5.3 Local trust committees and, where appropriate, municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.”

READINGS

READ A FIRST TIME THIS 19TH DAY OF SEPTEMBER , 1997

READ A SECOND TIME THIS 6TH DAY OF DECEMBER , 1997

READ A THIRD TIME THIS 6TH DAY OF DECEMBER , 1997

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

PURSUANT TO SECTION 15(2)(c) OF THE *ISLANDS TRUST ACT* THIS 4TH DAY OF FEBRUARY , 1998

ADOPTED THIS 6TH DAY OF MARCH , 1998

SECRETARY

CHAIRPERSON