

ISLANDS TRUST COUNCIL

BYLAW NO. 62

A bylaw to adopt a Protocol with the Sunshine Coast Regional District

WHEREAS pursuant to Section 9(1) of the *Islands Trust Act* the Trust Council may, for the purpose of carrying out the object of the Trust, on its own behalf enter into agreements with a regional district, respecting the coordination of activities within the Trust Area;

AND WHEREAS Islands Trust Council and the Sunshine Coast Regional District Board are prepared to work together on implementation of a pilot project for the Natural Area Protection Tax Incentive Program for the Gambier Island Local Trust Area;

NOW THEREFORE the Islands Trust Council, in open meeting assembled, enacts as follows:

Citation

- 1. This bylaw may be cited for all purposes as "Islands Trust Council/Sunshine Coast Regional District Protocol Bylaw No. 62, 1999."

Protocol

- 2. The protocol agreement attached as Schedule "A" and entitled "Sunshine Coast Regional District Protocol" is approved pursuant to Section 9(1) of the *Islands Trust Act*.

Severability

- 3. If any section, subsection, sentence, clause or phrase of this bylaw is for any reason held to be invalid by a decision of a court of competent jurisdiction, the decision shall not affect the validity of the remaining portions of the bylaw.

READ A FIRST TIME THIS 16TH DAY OF SEPTEMBER, 1999

READ A SECOND TIME THIS 16TH DAY OF SEPTEMBER, 1999

READ A THIRD TIME THIS 16TH DAY OF SEPTEMBER, 1999

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS 28TH DAY OF JUNE, 2000

ADOPTED THIS 15TH DAY OF SEPTEMBER, 2000

SECRETARY

CHAIR

SCHEDULE A
PROTOCOL AGREEMENT
ON
THE NATURAL AREA PROTECTION TAX INCENTIVE IN THE GAMBIER ISLAND
LOCAL TRUST AREA

This Protocol Agreement ("Agreement") dated for reference September 28, 1999 is

BETWEEN:

SUNSHINE COAST REGIONAL DISTRICT BOARD
("Regional District Board")

AND:

ISLANDS TRUST COUNCIL
("Trust Council")
(referred to as the "Parties")

WHEREAS:

Pursuant to Section 3 of the *Islands Trust Act*, the legislated object of the Islands 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 British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, and the government of British Columbia";

Pursuant to Section 9 of the *Islands Trust Act*, for the purpose of carrying out the object of the Trust, the Islands Trust Council may, subject to the approval by the Minister of Municipal Affairs, enter into agreements with regional districts respecting the coordination of activities within the Trust Area;

The Regional District is responsible for service delivery and growth management activities that are responsive to the remainder of the regional district including the electoral areas of which the Trust Area is a part; and

The Trust Council and Regional District Board share a mutual interest in implementation of the Natural Area Protection Tax Incentive proposal for the islands in the regional district electoral area that are also in the Gambier Island Local Trust Area.

THEREFORE:

- A. The Regional District Board and the Trust Council endorse the following goals. The tax incentive program for natural area protection on private land is to:
1. enhance the protection of significant cultural and ecological values;
 2. encourage voluntary stewardship by private land owners;
 3. promote long term protection of significant values on private land;
 4. enhance public awareness of the importance of protecting significant values on private land; and
 5. demonstrate the merits of a Natural Area Protection Tax Incentive pilot for application in other areas of British Columbia.
- B. The Regional District Board and the Trust Council are committed to the development of a Letter of Understanding that establishes a process for administration of the Natural Area Protection Tax Incentive Program to include, but not restricted to, the following:
1. Approval Process;
 2. Consultation Process;
 3. Promotion;
 4. Enforcement;
 5. Evaluation Program;
 6. Costing Formulas; and
 7. Duration of Program.
- C. The Letter of Understanding will enhance their respective abilities to achieve their mandates within the Trust Area in a manner that is respectful of each agency's jurisdiction.

ADMINISTRATION OF PROTOCOL

The interpretation provisions of the *Islands Trust Act* and the *Municipal Act* shall govern the interpretation of terms used in this Agreement.

This Agreement may be amended by agreement in writing between the Regional District Board and the Trust Council.

Information and notification pertinent to this Agreement shall be delivered to:

Islands Trust Council

200, 1627 Fort Street
Victoria, BC V8R 1H8

Sunshine Coast Regional District

Box 800
Sechelt, BC V0N 3A0

The key contacts for administering this Protocol are the:

Executive Director - Islands Trust

Chief Administrative Officer - Sunshine Coast Regional District

1. ASSENTED TO BY:

Adrian Belshaw, Chair
Sunshine Coast Regional District

Date

David Essig, Chair
Islands Trust Council

Date

2. APPROVED, PURSUANT TO SECTION 9(1)(d) OF THE *ISLANDS TRUST ACT*,

THIS ____ DAY _____, 2000 BY:

The Honourable Cathy McGregor
Minister of Municipal Affairs