



Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) Regular Meeting Agenda

Date: November 30, 2021
Time: 9:30 am
Location: Coast Victoria Hotel
Gonzales Room, Lower Level
146 Kingston Street
Victoria, BC V8V 7V4

	Pages
1. CALL TO ORDER	9:30 AM - 10:00 AM
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."	
2. APPROVAL OF AGENDA	
3. TOWN HALL	
4. MINUTES	
4.1. Local Trust Committee Minutes dated April 21, 2021 - for adoption	4 - 7
4.2. Section 26 Resolutions-Without-Meeting Report November 10, 2021	8 - 8
5. BUSINESS ARISING FROM MINUTES	
5.1. Follow-up Action List dated November 10, 2021	9 - 10
6. APPLICATIONS AND REFERRALS	
6.1. Islands Trust Areas Bylaw No. TC183 - Referral Request for Response	11 - 14
7. LOCAL TRUST COMMITTEE PROJECTS - none	
8. DELEGATIONS - none	
9. CORRESPONDENCE - none	
<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	

10.	NEW BUSINESS	
10.1.	2022 Annual Meeting Schedule - for discussion and decision	15 - 16
10.2.	Model Fees Bylaw	
10.2.1.	<u>Fees Bylaw Update - Request for Decision</u>	17 - 33
10.2.2.	<u>Draft Fees Bylaw - Staff Report</u>	34 - 44
11.	REPORTS	
11.1.	Trustee Reports	
11.2.	Chairs Report	
11.3.	Trust Conservancy Report	
11.3.1.	<u>May 25, 2021</u>	45 - 46
11.3.2.	<u>July 13, 2021</u>	47 - 49
11.4.	Regional District of Nanaimo Electoral Area E Director Update	
11.5.	Snaw-naw-as (Nanoose) First Nation Representative Report (verbal report)	
11.6.	Applications Report - none	
11.7.	Trustee and Local Expense Report - none	
11.8.	Adopted Policies and Standing Resolutions	50 - 50
11.9.	Local Trust Committee Webpage	
12.	WORK PROGRAM	
12.1.	Top Priorities Report dated November 10, 2021	51 - 51
12.2.	Projects List Report dated November 10, 2021	52 - 52
13.	INFORMATION ITEMS	
13.1.	2019-2020 Reconciliation Report <u>2019-2021 Reconciliation Report (3368KB)</u>	
13.2.	The Heron - Autumn 2021 <u>https://islandstrust.bc.ca/document/the-heron-newsletter-autumn-2021/</u>	
13.3.	News Release - Extensive Policy Statement Engagement Planned <u>https://islandstrust.bc.ca/document/2021-11-01-extensive-policy-statement-engagement-planned/</u>	

**13.4. News Release - November-December Trust Council Meeting Program Announced -
Public Invited to first in-person meeting since March 2020**

53 - 54

14. CLOSED MEETING - none

15. UPCOMING MEETINGS

15.1. Next Regular Meeting Scheduled for - to be determined

16. ADJOURNMENT

9:30 AM - 10:00 AM

Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) Minutes of Regular Meeting

Date: April 21, 2021
Location: Electronic Meeting

Members Present: Peter Luckham, Chair
Laura Patrick, Trustee
Sue Ellen Fast, Trustee

Staff Present: Heather Kauer, Regional Planning Manager
Wil Cottingham, Administrative Assistant
Katherine Vogt, Recorder

Others Present: Bob Rogers, Regional District of Nanaimo Electoral Area E Director

Regrets: Dan Rogers, Trustee

1. CALL TO ORDER AND APPROVAL OF AGENDA

Chair Luckham called the meeting to order at 11:01 pm. He introduced and welcomed trustees, staff, and Regional District of Nanaimo Director Bob Rogers. He acknowledged that the group was fortunate to be able to gather in locations across the traditional territories of the Coast Salish people. He expressed heartfelt regret that the pandemic was hitting many communities hard and that many First Nations communities were having to lock down. He noted that the meeting was simultaneously livestreamed and in a webinar format and that the group would consider any members of the public to participate on the webinar format.

By general consent the agenda was adopted as presented.

2. TOWN HALL

Vice-Chair Patrick offered that if members of the public wished to correspond with the Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) (BWEXLTC) they could email through the Northern Office.

Staff member Cottingham clarified that the proper email was northinfo@islandstrust.bc.ca.

3. MINUTES

3.1 Local Trust Committee Minutes - none

Chair Luckham noted that the previous minutes would have been adopted by Resolution Without Meeting and were posted on the Islands Trust website.

3.2 Section 26 Resolutions-Without-Meeting Report April 7, 2021

Received.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated April 12, 2021

Chair Luckham suggested that the status of Boat Tours be put on hold pending direction from the BWEXLTC. It was discussed that future Boat Tours could be of key importance to future relationship building.

5. APPLICATIONS AND REFERRALS - none

6. LOCAL TRUST COMMITTEE PROJECTS - none

7. DELEGATIONS - none

8. CORRESPONDENCE - none

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

9. NEW BUSINESS

9.1 Forest Conservation Outreach Briefing - for information

Chair Luckham noted that the Ballenas-Winchelsea Islands did not meet criteria for forest conservation. Trustee Fast and Director Rogers spoke on the significance of the marine ecology of kelp forests in the Ballenas-Winchelsea region.

9.2 Change November 10, 2021 Meeting Date - for discussion

The meeting date was changed to October 13, 2021 at 10:30 am.

10. REPORTS

10.1 Trustee Reports

Trustee Patrick spoke regarding the significance of shoreline protection work in relation to the Ballenas Winchelsea Islands region and expressed that the recent BC Parks purchase of West Ballenas Island was a thrilling new development.

Trustee Fast reported the following:

- The Islands Trust Conservancy was joining with the BC Kelp Resiliency Project to map and plan for kelp forests in times of climate change.
- The Mount Arrowsmith Biosphere Region Research Institute April 21 newsletter refers to a Marine Park Application for the entire 4900 Hectares of Ballenas-Winchelsea.
 - Chair Luckham responded that the application did not seem to be advancing. Part of the initiative of the application was to provide some protection from human and dog encroachment. Presently the Ballenas-Winchelsea Islands and Islets have Crown Land status which is quite open to public use. Park status would offer more protection.

10.2 Chairs Report

Chair Luckham expressed that the recent West Ballenas Island park acquisition was very exciting.

He queried if Island Planner Zupanec was still a member of the Mount Arrowsmith Biosphere Region Research Institute group. Regional Planning Manager Kauer could not confirm this. Chair Luckham expressed that it would be valuable to have some Islands Trust representation on this group.

10.3 Trust Conservancy Report - January 26, 2021

- Trustee Fast noted that as a member of the Islands Trust Conservancy Board, the recent BC Parks Foundation purchase of West Ballenas Island would seem to offer new possibilities for relationship building between the two bodies, towards which future boat tours could be helpful.

10.4 Regional District of Nanaimo Electoral Area E Director Update

Director Rogers noted the following:

- He was aware that another Regional District of Nanaimo (RDN) director attended meetings of The Mount Arrowsmith Biosphere Region Research Institute group, but that there was no formal connection between the RDN and that group.
- He had received strong positive community feedback over the recent BC Parks purchase of West Ballenas Island, especially in Nanoose. He spoke on the local financial and other contributions in the area that helped make the purchase happen. There were no financial contributions specifically from the Nanaimo Regional District towards this purchase.
- Future boat tours would be valuable.
- Kelp ecology is a significant concern.
- Some boaters on the Ballenas-Winchelsea Islands had been approached and questioned by the military.
- RDN staff are doing a search for a new General Manager for its Community Development and Strategic Planning because the previous position holder has moved on to become the Chief Administrative Officer of the City of Courtenay.
- RDN is also in a search for a new Chief Administrative Officer for the Regional District of Nanaimo.
- RDN is also in a search for a General Manager of Community Utilities including Solid Waste.
- RDN is doing a secondary upgrade to the Nanoose wastewater treatment plant to be completed by 2024.
- RDN has just completed an upgrade to its Nanaimo Wastewater treatment system to the benefit of the marine ecosystem.
- Nanaimo General Hospital is one of the two designated hospitals on Vancouver Island for Covid treatment.

10.5 Snaw-naw-as (Nanoose) First Nation Representative Report (verbal report)

10.6 Applications Report - none

10.7 Trustee and Local Expense Report - none

10.8 Adopted Policies and Standing Resolutions

10.9 Local Trust Committee Webpage

11. WORK PROGRAM

11.1 Top Priorities Report dated April 12, 2021

Regional Planning Manager Kauer had nothing new to report.

11.2 Projects List Report dated April 12, 2021

12. CLOSED MEETING

13. UPCOMING MEETINGS

13.1 Next Regular Meeting Scheduled for

October 13, 2021 at 10:30 am.

14. ADJOURNMENT

By general consent the meeting was adjourned at 11:34 am.

Peter Luckham, Chair

Certified Correct:

Katherine Vogt, Recorder

Resolutions Without Meetings Log

Ballenas-Winchelsea Islands

Resolution Number	Action	Date
2021-003 "That the Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) schedule a regular in-person business meeting on November 30, 2021 at 9:30 am and to be held at the Coast Victoria Hotel."	Carried	01-Nov-2021
2021-002 "That the Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) cancel the regular business meeting scheduled for October 13, 2021."	Carried	22-Sep-2021
2021-001 "That the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) endorse the following text for inclusion in the 2020-2021 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing: The Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) did not conduct a business meeting in fiscal year 2020-2021. Planning of a boat tour of the Ballenas-Winchelsea Local Trust Area is on hold due to public health orders related COVID-19."	Carried	28-May-2021



Follow Up Action Report

Ballenas-Winchelsea Islands

12-Dec-2018

Activity	Responsibility	Dates	Status
1 Send Nanoose FN and RDN Electoral Area director a link to the BW LTC meeting agenda packages one week prior to each meeting and remind them of the opportunity to provide verbal or written or phone in updates to the LTC. <i>ONGOING</i>	Becky McErlean Heather Kauer		In Progress

06-Mar-2019

Activity	Responsibility	Dates	Status
1 Staff to request funding from the Special Project Fun of up to \$1,500 for a Ballenas-Winchelsea boat tour and recommend the logistics and suggested invitees. <i>Boat tour on hold pending future opportunities.</i>	Heather Kauer Wil Cottingham		In Progress

04-Mar-2020

Activity	Responsibility	Dates	Status
1 Staff to pursue the invitation to Snaw-naw-as First Nation for a May or June event for the Ballenas-Winchelsea boat tour. UPDATE: COVID restrictions prevented a boat tour in 2020. Staff will continue to look for opportunities for relationship-building with First Nations.	Heather Kauer Lisa Wilcox		Completed

Follow Up Action Report

Ballenas-Winchelsea Islands

04-Mar-2020

Activity	Responsibility	Dates	Status
2 Staff to add "Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value" to the Projects List	Heather Kauer		Completed
3 Staff communicate to Trust Council its lack of interest in filming and streaming its public meetings.	Heather Kauer		Completed
4 Staff bring the template for the Lasqueti Island Local Trust Committee standing resolution engagement as shown on page 38 of the February 24, 2020 agenda package to the October 7, 2020 business meeting of the Ballenas-Winchelsea Local Trust Committee, for consideration.			Completed



ISLANDS 2050 BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area Bylaw No.: TC 183 Date: July 22, 2021

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 90 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 25 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island Municipality. For a map of the Islands Trust Area, please visit: <https://islandstrust.bc.ca/mapping-resources/mapping/>

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement furthers the mandate of the Islands Trust, in cooperation with the Province and other agencies. Please note that the Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs before Trust Council can adopt this bylaw.

There are many draft amendments to the Policy Statement in different locations throughout the document that may affect your agency. We would encourage you to review the [Project Overview Briefing](#) along with other resources available on the [Islands 2050 webpage](#).

On Wednesday, July 28, 2021, from 1:00 p.m. to 3:00 p.m., Islands Trust will be hosting a Zoom webinar to provide information to referral agencies on the draft Policy Statement Bylaw and an opportunity for questions and answers.

Please register in advance for this Zoom webinar: <https://islandstrust.zoom.us/j/nyXptbv6RWugCwftiQyJmA>

After registering, you will receive a confirmation email containing information about joining the webinar.

If you are unable to attend on this day, the session will be recorded and posted to the [Islands 2050 webpage](#) on the Islands Trust website.

Please return the response form by **Tuesday, October 22, 2021** to islands2050@islandstrust.bc.ca

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the Draft New Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

(Signature)

Name: David Marlor

Title: Director, Local Planning Services

This referral has been sent to the following agencies:

Federal Agencies

Environment and Climate Change
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies

Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelsea)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

First Nations

Cowichan Tribes
SXIMELEŁ (Esquimalt) Nation
Halalt First Nation
Homalco First Nation
K'ómoks (Comox) First Nation
Klahoose First Nation
Lake Cowichan First Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
xʷməθkʷəy̓əm Musqueam Indian Band
BOKEĆEN (Pauquachin) First Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
Semiahmoo First Nation
Shíshálh (Sechelt) Nation
Snaw-naw-as (Nanoose) First Nation
Snuneymuxw (Nanaimo) First Nation
Lekwungen (Songhees) Nation
Skwxwú7mesh (Squamish) Nation
Stz'uminus First Nation
Tla'amin (Sliammon) First Nation
T'Sou-ke (Sooke) Nation
WJOLEŁP (Tsartlip) First Nation
S7ÁUTW (Tsawout) First Nation
Tsawwassen First Nation
Tsleil-Waututh/ Səlílwətaʔ/Selilwitulh (Burrard Inlet) Nation
WŚIKEM (Tseycum) First Nation
We Wai Kai (Cape Mudge) First Nation
Wei Wai Kum (Campbell River) First Nation

Treaty Groups

Nanwakolas Council
Hul'qumi'num Treaty Group
Laich-kwil-tach Treaty Society
Naut'sa mawt Tribal Council
Te'Mexw Treaty Association

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture
Ministry of Energy, Mines and Petroleum Resources
Ministry of Environment and Climate Change Strategy
Ministry of Environment and Climate Change Strategy (BC Parks and Conservation Officer Service Division)
Ministry of Environment and Climate Change Strategy (Climate Action Secretariat)
Ministry of Forests, Lands, Natural Resource Operations and Rural Development – South Coast Office, Crown Lands, Water Licensing, Ecosystems, Archaeology
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Municipal Affairs and Housing (Intergovernmental Relations and Planning Branch)
Ministry of Transportation and Infrastructure on Vancouver Island and South Coast

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Islands Trust Area (Islands 2050)
(Island)

(Signature)

(Date)

TC 183
(Bylaw Number)

(Title)

(Agency)

STAFF REPORT

File No.: 3026-10 (LTC General –
Meeting Logistics)

DATE OF MEETING: November 30, 2021

TO: Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands)

FROM: Heather Kauer, Regional Planning Manager
Northern Team

SUBJECT: 2022 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. That the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) schedule its regular business meetings on the following dates in 2022: March 16 and October 12.

DISCUSSION

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2022. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Islands Trust Conservancy, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

If alternative dates are proposed, LTCs should avoid scheduling meetings on dates which may conflict with other planned meetings or events. Key dates are noted for reference in Attachment 1. Note, LTCs do not need to identify the planned start times or locations for in-person meetings. Meeting details will be advertised in accordance with legislated notification requirements.

If the LTC is anticipating amending their meeting procedures bylaw to allow for regular meetings to be electronic-only, the LTC has the option of designating which of the dates listed above are anticipated to be electronic vs. in-person. This would allow staff to plan further in advance for accommodating the logistics of each meeting. The alternative is that the format of each meeting is chosen at the end of each previous meeting. If the LTC chooses the latter, staff will book venues for the year and anticipate cancelling the bookings if the meetings get changed to electronic-only.

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	October 19, 2021
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ATTACHMENT

1. Tentative 2022 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2021 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	January 18	January 27	-		-	-	-
	-	-	February 3	February 18	February 7	February 22	-
	March 22	March 3	March 31	-	-	-	March 16
	-	April 7	-	April 29	April 11	-	-
	May 31	May 12	May 26	-	-	May 3	-
	-	June 16	-	June 10	June 6	-	-
	July 19	July 28	July 14	-	-	July 5	-
	-	-	-	-	August 29	-	-
	September 27	September 29	September 1	September 9	-	-	-
	-	October 27	-	-	-	October 4	October 12
	November 8	-	November 17	November 25	November 28	November 29	-
	-	December 1	-				-
Total	6	9	6	5	5	5	2
Start Time -In Person	10:30 am	10:30 am	10:30 am	10:30 am	11:00 am	9:30 am	10:00 am
Location if in person	Denman Activity Centre	Gabriola Arts & Heritage Centre	TBD	Room to Grow	Judith Fisher Centre	Thetis Community Centre	TBD

Key Dates

Stat Holidays	Jan. 1; Feb. 21; Apr. 15, Apr. 18; May 23; Jul. 1; Aug. 1; Sep. 5; Oct. 10; Nov. 11; Dec. 26,27
Trust Council	March 8-10, June 21-23, Sept 20-22 Nov 1-3 (all tentative)
Executive Committee	Jan 12, Feb 2, Feb 23, Mar 23, Apr 13, May 4, May 25, Jul 13, Aug 3, Aug 24, Oct 19, Nov 9, Nov 23, Dec 21
Financial Planning Committee	TBD
Islands Trust Conservancy	Jan 25, Mar 15, May 17, Jul 12, Oct 4, Nov 22
Trust Programs Committee	TBD
Local Planning Committee	TBD
SD 79 (Cowichan) Spring Break	Mar 14-25
SD 46 (Sunshine Coast) Spring Break	Mar 14-25
SD 68 (Nanaimo) Spring Break	Mar 14-25
SD 71 (Comox) Spring Break	Mar 21-Apr 1
AVICC Conference	April 1-3
Salish Sea Conference	April 25-29
LGLF Conference	Feb 9-11
LGMA Conference	June 21-23
UBCM Conference	Sept. 12-16

REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** November 30, 2021

From: David Marlor, Director, Local Planning Services **Date Prepared:** September 15, 2021

SUBJECT: New Fee bylaws

RECOMMENDATION:

That the Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) request Staff to draft a new Fee Bylaw based on the model fee bylaw attached to Trust Council Policy “5.6.1 Application Processing Services.”

DIRECTOR COMMENTS:

The recommendation will allow staff to draft a fee bylaw specific to each local trust committee’s needs based on the model fee bylaw adopted by Trust Council.

1 PURPOSE: To update all local trust committee fee bylaws to be consistent with the new Application Processing Services policy.

2 BACKGROUND:

At its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. Trust Council also passed the following resolution:

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 “Application Processing Services”.

The Trust Council application processing services policy has been amended to:

1. clarify more specifically the activities covered by the application fee to remove ambiguity;
2. remove the need for planners to determine the work required at the start of the process, which has been identified as practically impossible to implement;
3. establish an objective of 80 per cent of the average processing cost for cost recovery;
4. add more clarity around when cost recovery agreements are required, and what are considered extraordinary cost charges; and
5. add a model fees bylaw to the policy as an attachment.

A new model fees bylaw has been developed that:

1. has updated fees that better reflect the actual average cost of processing the various types of applications, designed to include the staff costs and the fixed costs, such as meeting expenses and advertising;
2. adds consideration for recovery of costs associated with First Nation site visits if required;
3. adds more robust fee refund policy to improve fairness;
4. adds an annual automatic increase of fees of two percent to reflect the estimated actual cost increases due to inflation and collective agreement increases for staff;
5. retains ability of local trust committees to reduce fees by up to 20 percent, intended to allow flexibility recognizing local factors affecting cost of application processing;
6. adds flexibility to allow for reduced temporary use permits fees for community benefits as defined by the local trust committee in its official community plan; and
7. adds a 20 per cent higher fee for applications where development began without a permit or permission to reflect the higher cost of processing such an application.

Each local trust committee has been asked by Trust Council to update its fee bylaw to be consistent with the model fee bylaw approved by Trust Council. If a local trust committee wishes to adjust fees in accordance with items 5 and 6 above, the local trust committee should include this request in the resolution to develop a draft fee bylaw. While a local trust committee is under no legislative obligation to amend its fees bylaw, Trust Council has developed the model fee bylaw to assist in assuring the fees charged better reflect the cost of processing applications using shared resources throughout the Islands Trust Area.

Please note that fees charged are to recover the average cost of processing that type of application. Fees cannot be used to be punitive, or to raises funds above the average cost of processing an application. Local trust committees cannot charge fees for building permit referrals or Crown land referrals as there is no authority provided to do so.

Local trust committees are authorized to charge fees for different types of applications as follows:

- **Section 462 of the *Local Government Act*** provides that a local government may, by bylaw, impose fees related to applications and inspections to recover the average costs of processing official community plan amendments, land use bylaw amendments, subdivisions bylaw amendments, heritage conservation bylaw amendments, issuance of a development permit, development variance permit, temporary use permit, heritage alteration permit, land use contract amendments, heritage revitalisation agreement amendments, board of variance orders, and inspection of works and services related to applications and permits, and subdivision applications;
- **Section 31(2)(b) of the *Islands Trust Act*** provides that a local trust committee may impose fees to recover the cost of processing siting and use permits;
- **Section 41 of the *Liquor Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing liquor and liquor licensing referrals; and
- **Section 35 of the *Cannabis Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing a referral for a license under that Act.

Section 462 of the *Local Government Act* also states that local governments must not impose a fee, charge a tax or require works or services to be provided unless authorized by this Act or any other Act. For this reason, fees are not charged for processing of building permit and Crown land referrals, as there is no authorization in any Act for local trust committees to recover these costs.

Fee bylaws are administrative bylaws. There is no requirement for public input. The local trust committee may consider first, second and third readings all at one meeting. The Executive Committee must approve the bylaw before the local trust committee can consider adoption.

Ideally, all local trust committees will have considered updating their bylaws by March 2022 so that the assumptions on revenue can be included in the next fiscal year budget process.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Staff will draft a fee bylaw based on the model fee bylaw and bring back to a future local trust committee meeting for consideration.

FINANCIAL:

No financial implication from the recommendation.

POLICY:

Updating the Fee bylaw will be consistent with Trust Council Policy 5.6.1 Application Processing Services.

IMPLEMENTATION/COMMUNICATIONS:

Local planning staff assigned to the local trust committee will draft fee bylaw for local trust committee consideration.

FIRST NATIONS:

No First Nations implications from the recommendations.

OTHER:

No other implications from the recommendations.

4 RELEVANT POLICY(S):

Trust Council Policy 5.6.1 Application Servicing Process

5 ATTACHMENT(S):

Trust Council Policy 5.6.1 Application Processing Services

RESPONSE OPTIONS

Recommendation:

That the **Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands)** request Staff to draft a new fee bylaw based on the model fee bylaw attached to Trust Council Policy "5.6.1 Application Processing Services."

Alternative:

That the **Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands)** request Staff to draft a new fee bylaw based on the model fee bylaw attached to Trust Council Policy "5.6.1 Application Processing Services" with the following modifications: [list modifications].

Prepared By: David Marlор, Director, Local Planning Services

Reviewed By/Date: Julia Mobbs, Director, Administrative Services/Aug, 2021



Policy:	5.6.1
Approved By:	Trust Council
Approval Date:	June 9, 2021 Repeals policies 5.6.1, 5.6.2 and 5.6.3
Amendment Dates:	
Policy Holder:	Director of Local Planning Services

APPLICATION PROCESSING SERVICES POLICY

Purpose

This policy is intended:

- to identify the services provided by Islands Trust and the different levels of costs associated with these services;
- to provide direction for the preparation of Fees Bylaws and Schedules by Local Trust Committees (LTCs);
- to provide the principles by which cost recovery for extraordinary services beyond the standard fee can be negotiated and agreed to by an applicant and a LTC;
- to recover from applicants 100 per cent of the average cost of processing the development applications, while permitting consideration of lower cost recovery for environmental protection and community benefit.

A. Definitions

1. Application Processing Services include:

- 1.1 Bylaw Amendments to an official community plan, zoning bylaw, subdivision bylaw or other land use bylaws;
- 1.2 Development Application Requests for:
 - 1.2.1 Development Permits,
 - 1.2.2 Development Variance Permits,
 - 1.2.3 Temporary Use Permits,
 - 1.2.4 Soil Removal and Deposit Permits,
 - 1.2.5 Heritage Alteration Permits,
 - 1.2.6 Board of Variance Orders,
 - 1.2.7 Liquor Licensing Permits,
 - 1.2.8 Cannabis Licensing Permits,
 - 1.2.9 Siting & Use Permits,
 - 1.2.10 Land Use Contracts;
- 1.3 Agency Referral Responses and Comments on applications referred from other agencies.

2. Service Levels include:

- 2.1 Information Service that involves providing information to applicants and the general public at no cost, as a public service, and funded by property taxation revenues.
 - 2.2 Standard Application Processing Service that involves providing a specific service to applicants as a direct response to an application, whether directly to Islands Trust or through a referral from another agency, and primarily funded by established fees paid by an applicant.
 - 2.3 Extraordinary Processing Service is a service provided to the applicant that is beyond the standard processing service, with funding provided by the applicant as a deposit with the application fee or through a cost recovery agreement.
3. Costs:
- 3.1 General Service Costs includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.
 - 3.2 Estimated Direct Costs include advertisements, delivery of notices, hall rentals, minute taking at public hearings and community information meetings, and staff travel to attend public hearings and community information meetings.
 - 3.3 Extraordinary Processing Costs include costs beyond the standard processing service such as additional community information meetings, review of technical reports provided by specialists hired by the applicant, and specific legal services such as the preparation and registration of legal documents and the acquisition of legal advice.
4. Community Benefit:
- 4.1 Community benefit is the provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit or amenity.

B. Policy

1. Standard Application Processing Services

Applicants are responsible for paying different rates based on the level of service. The details involved in each level of a standard application processing service are identified below.

1.1 Information Service – No Fee Required

Information services are considered a public service and include:

- 1.1.1 ***providing information*** on application process requirements including a meeting with staff;
- 1.1.2 ***providing assistance*** to complete an application;
- 1.1.3 ***determination*** of applicable fees;

1.1.4 **identification** of readily identifiable issues to be addressed.

1.2 Application and Processing Service – Included in Application Fee

For rezoning applications, temporary use permit applications, development variances, development permits, liquor and cannabis retail license applications, and strata conversion applications, the application fee covers the following services:

- 1.2.1 comprehensive staff assessment including site visit where required;
- 1.2.2 staff reports;
- 1.2.3 discussion between planners and applicant throughout process;
- 1.2.4 review of archaeological data;
- 1.2.5 staff referral to other agencies, advisory planning commissions, and analysis of their comments;
- 1.2.6 bylaw or resolution drafting, including review for compatibility with Trust Object and policies and the relevant Official Community Plan;
- 1.2.7 staff report with recommendation for Local Trust Committee (LTC) approval consideration;
- 1.2.8 processing bylaws through Executive Committee for approval consideration, if necessary;
- 1.2.9 forwarding to Minister of Municipal Affairs and Housing for approval consideration, if necessary;
- 1.2.10 adoption of all bylaws or issuing of permits as required.

1.3 Public Hearing – Included in Application Fee

Services related to a Public Hearing that will be provided to an applicant who has paid an application fee include:

- 1.3.1 conducting one public hearing with staff present (includes staff time, staff travel costs and estimated direct costs such as meeting place rental, newspaper notice of public hearing, minute taker fee, and delivery of notices when needed).

1.4 Community Information Meeting – Included in Application Fee

Services related to a Community Information Meeting that will be provided to an applicant who has paid an application fee include:

- 1.4.1 conducting one community information meeting with staff present (includes staff time, staff travel costs, and estimated direct costs such as meeting place rental and delivery of notices when needed).

2. Extraordinary Processing Services – additional fees required

Extraordinary Processing Services are services provided to the applicant that are beyond the standard processing services identified in 1.1- 1.4. Applicants are responsible for paying additional fees for extraordinary processing services.

2.1 Role of LTC in Determining Necessity for Extraordinary Services

- 2.1.1 Local trust committees (LTCs) can determine the necessary requirements for processing applications. These requirements may necessitate extraordinary processing services, where the actual or estimated processing service level costs are in excess of the costs of a standard application fee for a similar process because:
 - 2.1.1.1 of additional requirements such as additional public consultation, complex covenant requirements or extensive staff time; or,
 - 2.1.1.2 the processing requirements include services obtained from professions outside Islands Trust such as special technical assistance and/or specific legal services; or,
 - 2.1.1.3 the processing requirements include First Nations site visit(s).
- 2.1.2 The Regional Planning Manager is responsible for assisting LTCs in identifying and costing extraordinary processing service requirements and advising the LTCs of the options available to handle these requirements.
- 2.1.3 The Regional Planning Manager is responsible for ensuring that complex service requirements include terms of reference which outline detailed criteria and parameters for the extraordinary services that are required.

2.2 Provision of Extraordinary Processing Services

- 2.2.1 Extraordinary processing services can be provided by Islands Trust via a cost recovery agreement, with costs to be paid by the applicant, in addition to the applicable standard fee.
- 2.2.2 A resolution of the LTC following the recommendation of the Regional Planning Manager is required to proceed.
- 2.2.3 When extraordinary processing service requirements have been identified, the applicant should be advised by staff that the application cannot be processed until additional funds are provided by the applicant and a cost recovery agreement with the Islands Trust is signed and a security deposit has been received.

3. Extraordinary Services Cost Recovery Agreements

3.1 Extraordinary Services Cost Recovery – Principles

- 3.1.1 Cost Recovery Agreements reflect a service level which includes the extraordinary services needed to undertake the approval process for a complex application.
- 3.1.2 Cost Recovery Agreements will endeavour to recover all costs of processing that exceed the standard costs of processing services.
- 3.1.3 The existence of a Cost Recovery Agreement will not fetter a LTC's discretion with respect to an application before the committee.
- 3.1.4 Authority for negotiating Cost Recovery Agreements is provided within the respective LTC Fees Bylaws.
- 3.1.5 Cost Recovery Agreements will proceed only by resolution of the LTC after consultation with the Regional Planning Manager, except in situations where an applicant is seeking to discuss an issue directly with Islands Trust legal advisors, in which case the Director of Local Planning Services may approve the Cost Recovery Agreement.
- 3.1.6 The Cost Recovery Agreement letter will be submitted, together with the recommendation of the Regional Planning Manager and the LTC resolution, for approval by the Director of Local Planning Services (or designate) prior to final agreement with the applicant.

3.2 Services Requiring Extraordinary Services Cost Recovery Agreement

The services identified below are considered to be beyond the scope of standard processing services. These services require payment, in addition to standard application fees established in the Fees Bylaw, of additional fees based on a cost recovery agreement between the Islands Trust and an applicant:

- 3.2.1 staff time required for covenant development;
- 3.2.2 staff time to attend more public consultation meetings than that already covered by the standard application fee, including community information meetings, advisory planning commission meetings, and public hearings;
- 3.2.3 technical assessments or studies as required by the local trust committee;
- 3.2.4 retaining special technical assistance required by the local trust committee;
- 3.2.5 additional legal counsel services required for the application not covered under the estimated direct costs of the Fees Bylaw;
- 3.2.6 process agreement negotiation;
- 3.2.7 First Nations site visits;
- 3.2.8 other resources and/or services required by the local trust committee to process the application not covered by the Fees Bylaw.

4. Funding Basis and Fee Adjustments

- 4.1 Application processing services are funded primarily through fees, as per a LTC's Fees Bylaw. Local trust committees should adopt a Fees Bylaw consistent with the model Fees Bylaw in Attachment 1.
- 4.2 Standard fees in Fees Bylaws are to be based on average processing costs, as per Section 462 of the *Local Government Act*, Section 31(2)(b) of the *Islands Trust Act*, Section 41 of the *Liquor Control and Licensing Act*, and Section 35 of the *Cannabis Control and Licensing Act*. Standard fees are calculated as the product of staff labour costs multiplied by processing time (including Planner and administrative support). Standard application fees include estimated direct costs.
- 4.3 A local trust committee may enact variances of up to 20% below what is indicated in the Trust Council's Model Fees Bylaw when adopting a LTC Fees Bylaw. The following criteria must be considered when evaluating a fee variance:
 - 4.3.1 the level of community/environmental benefit offered by the type of application;
 - 4.3.2 variances in direct costs (e.g. hall rental); and,
 - 4.3.3 an amendment to an approved application occurring within 6 months of the approval date.
- 4.4 Variance to a Fees Bylaw must be adopted by bylaw amendment. All LTC Fees Bylaws and Fees Bylaw amendments must be approved by the Executive Committee before adoption by a LTC.
- 4.5 Where the model fees bylaw permits reduced fees for temporary use permits that have a community benefit and are small scale, the local trust committee fees bylaw must specify the actual community benefit to which the fee applies, and should be supported by policies in the official community plan on what are considered amenities to the community.
- 4.6 Applications for development that begin without a permit or bylaw authorisation are subject to a 20 per cent surcharge to recover the additional cost in processing these types of applications.

5. Application Fee Sponsorship

- 5.1 If eligible, as identified in [Trust Council Policy 4.1.13 Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications](#), the applicant may apply for development application fee sponsorship.

6. Development Approval Information

- 6.1 The Development Approval Information (DAI) Bylaw provides a mechanism to ensure that the LTC receives appropriate reports and documentation (such as reports from engineers, biologists, hydrogeologists, and geotechnical specialists) from applicants to support rezoning, temporary use permit, and development permit applications.
- 6.2 DAI bylaws reduce operational costs by ensuring that applications are complete and the information provided is appropriate.
- 6.3 Local trust committees should adopt a development approval information bylaw.
- 6.4 The Regional Planning Committee should develop a model Development Approval Information bylaw for addition as Attachment 2 to this policy.

C. Legislated References

Local Government Act, S.462

Local Government Act, S.486

Liquor Control and Licensing Act, S.41

Cannabis Control and Licensing Act, S.35

D. Attachments/Links to Supporting Forms, Documents, Websites, Related Policies and Procedures

- 1. Model Fees Bylaw

[INSERT LTC NAME] LOCAL TRUST COMMITTEE

BYLAW NO. [XX]

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications. Model fees reflect the cost recovery for application processing.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act, **[DENMAN AND HORNBY ONLY and Section 31(2)(b) of the Islands Trust Act provides that a local trust committee may impose a fees to recover the cost of processing siting and use permits]** ;

NOW THEREFORE the **[Insert LTC Name]** Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the **[Insert LTC Name]** Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

Citation

1.1 This bylaw may be cited as the "[Insert LTC Name] Local Trust Committee Fees Bylaw, No. [XX]".

Interpretation

2.1 In this bylaw:

"Applicant" means:

2.1.1 the person authorized under the _____ Island Local Trust Committee Procedures Bylaw No. ____, _____ to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;

2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;

- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit.

[NOTE: This is in relation to temporary use permits for a use under a specified size that provides a community benefit. The local trust committee would define community benefit here based on its official community plan definition of community benefit]

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs..

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw)	
Column 1: Type of Application	Column 2: Fee
1. Major (e.g. change to density or land use designation)	\$7,800
2. Minor (e.g. policy change without changing density or land use designation not requiring an OCP amendment)	\$4,600

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	Column 2: Fee
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000
2. Protection of Development from Hazardous Conditions	\$1,000
3. Protection of Farming	\$1,000
4. Objectives for Form and Character	\$1,700
5. Objectives to Promote Energy Conservation	\$1,000
6. Objectives to Promote Water Conservation	\$1,000
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000
8. Development Permit Amendment	\$1,000

Type of Development Variance Permit	
9. Development variance permit (commercial, industrial or institutional development)	\$1900
10. Development variance permit (residential development)	\$1900
Type of Temporary Use Permit	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit for residential uses and commercial uses under 95 square metres that provide community benefit..	\$1000
13. Temporary Use Permit Renewal	\$700
14. Temporary Use Permit Renewal (Community Benefit)	\$350
Other Permits	
15. Siting and Use Permit	\$250
16. Heritage Alteration Permit	\$1,700
Combination Applications	
17. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
18. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,000
2. Application for Subdivision Review – per additional lot created	\$100
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rated in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.
- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC.

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.

- 6.2 Where legal work is required for the preparation of covenants, registration of covenant at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is less than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

7. Annual Fee Increases

- 7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The (Insert LTC Name) will maintain a record of annual 2% increases and make that record available for public inspection.

8. Application Fee Sponsorship

- 8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

9. Severability

- 9.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

10. Repeal

- 10.1 “[Insert LTC Name] Local Trust Committee Fees Bylaw No. [XX]” is repealed upon adoption of this bylaw.
- 10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME this st day of , 20

READ A SECOND TIME this st day of , 20



DATE OF MEETING: November 30, 2021

TO: Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands)

FROM: Heather Kauer, Regional Planning Manager
Northern Team

SUBJECT: Model Fees Bylaw

RECOMMENDATION

1. That Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Bylaw No. 35, cited as “Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Fees Bylaw, 2021”, be read a first time.
2. That Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Bylaw No. 35, cited as “Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Fees Bylaw, 2021”, be read a second time.
3. That Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Bylaw No. 35, cited as “Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Fees Bylaw, 2021”, be read a third time.
4. That Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Bylaw No. 35, cited as “Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Fees Bylaw, 2021”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

The purpose of this report is to provide a recommendation to the Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) for replacing "Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Fees Bylaw No. 33, 2016."

BACKGROUND

As explained in the staff report by Director of Land Use Planning Services dated September 15, 2021, at its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model fee bylaw. Trust Council also passed the following resolution:

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 "Application Processing Services".

The new fee bylaw as recommended is Attachment 1 of this report. Staff are recommending that the Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea) adopt the fees bylaw as recommended.

The following table depicts a comparison between the fees in the existing bylaw with the fees recommended by Trust Council and staff:

MODEL BYLAW APPLICATION DESCRIPTIONS		EXISTING BYLAW
TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw		
Type of Application	Fee : MODEL BYLAW	BYLAW NO. 33
1. Major (e.g. change to density or OCP)	\$7,800	5,400 see 2
2. Minor (e.g. regulation change without changing density or OCP amendment)	\$4,600	4,400 see 1 and 3

TABLE 2 – Permits		
Development Permit in Respect of:	Fee : MODEL BYLAW	BYLAW NO. 33
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000	\$1,100
2. Protection of Development from Hazardous Conditions	\$1,000	\$1,100
3. Protection of Farming	\$1,000	New
4. Objectives for Form and Character	\$1,700	New
5. Objectives to Promote Energy Conservation	\$1,000	New
6. Objectives to Promote Water Conservation	\$1,000	New
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000	New
8. Development Permit Amendment	\$1,000	\$330
9. Development variance permit (commercial, industrial or institutional development)	\$1900	\$935
10. Development variance permit (residential development)	\$1900	\$935

MODEL BYLAW APPLICATION DESCRIPTIONS		EXISTING BYLAW
TABLE 2 – Permits continued		
Type of Temporary Use Permit	Fee : MODEL BYLAW	BYLAW NO.33
11. Temporary Use Permit (residential/commercial/industrial)	\$2150	\$1,100
12. Temporary Use Permit for residential uses or commercial uses under 95 square metres that provide community benefit.	\$1000	New
13. Temporary Use Permit Renewal	\$700	\$165
14. Temporary Use Permit Renewal (Community Benefit)	\$350	New
Other Permits	Fee : MODEL BYLAW	BYLAW NO. 33
15. Heritage Alteration Permit	\$1,700	New
Combination Applications	Fee : MODEL BYLAW	BYLAW NO. 33
16. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500	\$1,320 (see Table 2 – #4.)
17. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000	New

TABLE 3 – Subdivision Referrals		
Type of Application	Fee : MODEL BYLAW	BYLAW NO.33
1. Application for Subdivision Review – base fee	\$1,000	\$1,100
2. Application for Subdivision Review – per additional lot created	\$100	\$110
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500	\$330

MODEL BYLAW APPLICATION DESCRIPTIONS		EXISTING BYLAW
TABLE 4 – Other Applications		
Type of Application	Fee : MODEL BYLAW	BYLAW NO.33
1. Board of Variance	\$2,200	\$935
2. Land Use Contract amendment	\$2,000	\$3,200
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process and referrals requiring local government consultation	\$1,500	\$825
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500	New
5. Strata Conversions	\$1,500	New

ANALYSIS

Rationale for Recommendation

The fees bylaw is administrative in nature and is not subject to the requirement to conduct a public hearing. The bylaw is being presented as recommended by Trust Council.

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. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) request that staff provide [specific information].

2. Request modifications

The LTC may request specific modifications to the bylaw. Recommended wording for the resolution is as follows:

That the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) request Staff to draft a new fee bylaw based on the model fee bylaw attached to Trust Council Policy “5.6.1 Application Processing Services” with the following modifications: [list modifications].

NEXT STEPS

If the LTC gives all three readings, staff will forward the bylaw to the Executive Committee for approval at one of their upcoming meetings.

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	November 22, 2021
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ATTACHMENTS

1. Proposed Bylaw No. 35

EXECUTIVE COMMITTEE ACTING AS A LOCAL TRUST COMMITTEE (Ballenas – Winchelsea Islands)

BYLAW NO. 35

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act;

NOW THEREFORE the Executive Committee Acting as a Local Trust Committee (**Ballenas – Winchelsea Islands**),, being the Local Trust Committee having jurisdiction in respect of the Executive Committee Acting as a Local Trust Committee (**Ballenas – Winchelsea Islands**), in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

Citation

- 1.1 This bylaw may be cited as the "Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) Fees Bylaw, 2021".

Interpretation

- 2.1 In this bylaw:

"Applicant" means:

- 2.1.1 the person authorized under the Executive Committee Acting as a Local Trust Committee (**Ballenas – Winchelsea Islands**) Development Procedures Bylaw No. 33, 2016 to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;
- 2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community amenity

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs..

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw	
Column 1: Type of Application	Column 2: Fee
Major (e.g. change to density or OCP)	\$7,800
Minor (e.g. regulation change without changing density or OCP amendment)	\$4,600

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	Column 2: Fee
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000
2. Protection of Development from Hazardous Conditions (Development Area DP6)	\$1,000
3. Protection of Farming	\$1,000
4. Objectives for Form and Character	\$1,700
5. Objectives to Promote Energy Conservation	\$1,000
6. Objectives to Promote Water Conservation	\$1,000
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000
8. Development Permit Amendment	\$1,000
Type of Development Variance Permit	
9. Development variance permit (commercial, industrial or institutional development)	\$1900
10. Development variance permit (residential development)	\$1900
Type of Temporary Use Permit	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit for residential uses or commercial uses under 95 square metres that provide community benefit.	\$1000
13. Temporary Use Permit Renewal	\$700
14. Temporary Use Permit Renewal (Community Benefit)	\$350
Other Permits	
15. Heritage Alteration Permit	\$1,700
Combination Applications	
16. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
17. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,100
2. Application for Subdivision Review – per additional lot created	\$110
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process and referrals requiring local government consultation	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rate in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.
- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC, Board of Variance, or formal referral response submitted to the relevant agency.

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.
- 6.2 Where legal work is required for the preparation of covenants, registration of covenant at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is less than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

7. Annual Fee Increases

- 7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The Executive Committee Acting as a Local Trust Committee (**Ballenas – Winchelsea Islands**) will maintain a record of annual 2% increases and make that record available for public inspection.

8. Application Fee Sponsorship

- 8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

9. Severability

- 9.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

10. Repeal

- 10.1 “Executive Committee Acting as a Local Trust Committee (**Ballenas – Winchelsea Islands**) Fees Bylaw No. 33, 2016” is repealed upon adoption of this bylaw.
- 10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME THIS	_____	DAY OF _____	, 202X
READ A SECOND TIME THIS	_____	DAY OF _____	, 202X
READ A THIRD TIME THIS	_____	DAY OF _____	, 202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF _____	, 202X
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ADOPTED THIS	_____	DAY OF _____	, 202X
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CHAIR

SECRETARY



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY, CC TO EXECUTIVE May 25, 2021

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY BOARD MEETING (OPEN PORTION)

Islands Trust Conservancy has made changes to the format of this report to make its production and delivery more efficient. For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- Islands Trust Conservancy Manager Kate Emmings introduced the board to Islands Trust Conservancy's newest staff member: Conservation Technician Co-op Student Devin Hentschel. The Conservation Technician role will assist Islands Trust Conservancy Covenant and Outreach Specialist Jemma Green and Property Management Specialist Nuala Murphy with covenant and property monitoring this summer. Devin Hentschel is a fourth-year student at the University of Victoria, majoring in Biology and minoring in Anthropology, has a passion for environmental and wildlife conservation, and is interested in citizen science projects that aim to involve, support, and collaborate with First Nations.

2. STRATEGIC PLANNING/ADMINISTRATION

- Islands Trust Senior Policy Advisor Dilani Hippola presented information on the Islands Trust Policy Statement Amendment Project, confirming that the board would be able to provide a written response after first reading by Trust Council, and emphasizing that it is a living document that will continue to change and evolve over time, with more frequent (e.g., annual) reviews. The board suggested that the project and document re-write focus more on the importance of *island* biodiversity and ecology (as opposed to biodiversity, in general). It was noted that Ecosystem Protection Specialist Kathryn Martell contributed substantively to the current draft, as did Islands Trust Conservancy Manager Kate Emmings. It was also noted that Islands Trust Conservancy is not subject to the Policy Statement as it operates under a separate Five-year Plan. While there are some references to the Conservancy in the current draft, it is not included in the policy directives.

3. COVENANT AND PROPERTY ACQUISITIONS

- Islands Trust Conservancy approved a Morrison-Waxler Biodiversity Protection Legacy Fund Grant of \$5,500 for survey and baseline report costs for a NAPTEP covenant on lands owned by Lisa Baile and Peter Paré, of North Pender Island. The Morrison-Waxler Biodiversity Protection Legacy Fund Grant Program is only available on North and South Pender and is available to landholders who wish to place conservation covenants on their lands.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY, CC TO EXECUTIVE May 25, 2021

4. COVENANT AND PROPERTY MANAGEMENT

- The Islands Trust Conservancy Board reviewed a number of updates to the Crystal Mountain Society proposal to create a new nature reserve on Galiano Island as part of a rezoning process with the Galiano Island Local Trust Committee. The board passed several resolutions and forwarded them to the applicant.¹
- The Islands Trust Conservancy Manager and Covenant and Outreach Specialist outlined the Sidney Island Ecological Restoration Plan to the board, who noted that the plan was compatible with the Islands Trust mandate and actions around First Nations reconciliation and climate change. They also noted their appreciation towards the plan's emphasis on ecosystem restoration and animal welfare.

5. COMMUNICATIONS AND OUTREACH

- Acting Islands Trust Conservancy Fundraising Specialist Carla Funk gave a presentation to board members on how to cultivate a culture of philanthropy, explaining why people give and describing how to inspire others through storytelling.
- The Islands Trust Conservancy Board approved a draft for the 2020/2021 Annual Report after calling for a number of slight rewording amendments, and also asked that the contents of the Annual Report be repurposed or otherwise made available to a wider audience – to which staff replied that a donor-oriented “Impact Report” version of this material was planned for publication in the near term.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- Islands Trust Conservancy approved two Opportunity Fund Grants: one of \$4,000 to be awarded to the Denman Conservancy Association, and one of \$2,500 to be awarded to the Salt Spring Island Water Preservation Society.

¹ Islands Trust Conservancy Manager Kate Emmings left the meeting for the Crystal Mountain Society application due to a previously declared conflict of interest.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY JULY 13, 2021 BOARD MEETING (OPEN PORTION)

NOTE: Islands Trust Conservancy has made changes to the format of this report to make its production and delivery more efficient. For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

JOINT MEETING – Islands Trust Conservancy Board + Islands Trust Executive Committee

- The Islands Trust Conservancy Board and Islands Trust Executive Committee shared a liaison meeting and corresponded on many of the topics outlined in the sections below. The liaison meeting is intended to enhance collaboration between the two bodies by deepening understanding of the current programs and upcoming opportunities each is influencing and to proactively identify points where working together would generate a more positive outcome than would otherwise be possible. This meeting occurs annually as per Islands Trust policy.

1. ORGANIZATION UPDATES/TEAM

- Islands Trust Conservancy Manager Kate Emmings welcomed Wendy Tyrrell as the new Species at Risk Program Coordinator. Wendy comes to the Conservancy from Habitat Acquisition Trust where she worked for 14 years, originally as the Land Protection Coordinator and the past six years as the Habitat Management Program Coordinator. Having joined Islands Trust Conservancy in July 2021, Wendy is now positioned to lead the Species at Risk (SAR) Program through its second and third years.

2. STRATEGIC PLANNING/ADMINISTRATION

- The Minister of Municipal Affairs is selecting three appointees to serve on the Islands Trust Conservancy Board. The Board hopes that at least two of these appointees will be actively on the Board by the end of August 2021.

3. COVENANT AND PROPERTY ACQUISITIONS

- The Islands Trust Conservancy Board reported that they have entered into a lease agreement with the BC Parks Foundation for Saturnina Island in the Gabriola Island Local Trust Area.
- Ecosystem Protection Specialist Kathryn Martell provided an update for the Crystal Mountain application currently in progress on Galiano Island after recently visiting the site.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

4. COVENANT AND PROPERTY MANAGEMENT

- The Islands Trust Conservancy Board reviewed the Regional Conservation Plan Progress Report and noted that the recent “heat dome” effect in the Islands Trust Area and the Salish Sea may have had wide-ranging effects on forage fish populations. They agreed that the effects from the event could be something to monitor in the future.

5. COMMUNICATIONS AND OUTREACH

- Islands Trust Conservancy Chair Kate-Louise Stamford discussed her attendance of a recent Saturnina Island event hosted by the BC Parks Foundation, noting that Islands Trust Conservancy leaders (herself and Manager Kate Emmings) were guests and highlighting that the event was well-attended by press, students, and donors. Islands Trust Conservancy Board discussed partnership between Islands Trust Conservancy and the BC Parks Foundation, specifically in terms of the opportunities it provides for securing and managing land and for communications. Further, they discussed the importance of improving the inclusion of Snuneymuxw First Nation in the Saturnina Island process.
- The Islands Trust Conservancy Board discussed a plan to make a statement of support for the Howe Sound UNESCO Biosphere Reserve nomination. The process for a formal declaration has almost been completed.
- The 2020/2021 Annual Report process has been slightly delayed by a delayed financial audit. The Board resolved to hold a special meeting to review the audit results on August 24, 2021.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- During the liaison meeting, Executive Committee members recognized Acting Fundraising Specialist Carla Funk for her work and for her plan to bring national attention to the Conservancy through a legacy giving platform called “Willpower”. They discussed fundraising results, the importance of developing long-term connections, and suggested commissioning a simple infographic to convey that the Conservancy is not competing with smaller local conservation groups; rather, all are working together to protect the land with the Conservancy often feeding funds directly to the smaller conservancies to “kick-start” conservancy projects (i.e., Opportunity Fund).

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

Shortcuts here:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/planning-2018-2027/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)

Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea) Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy
1.	May 19, 2015	EX-LTC-2015-007	Adoption of Minutes via RWM	It was MOVED and SECONDED that the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea) request staff to issue an Resolution Without Meeting for adoption of the minutes on a regular basis.
2.	March 12, 2020	EX-LTC-RWM-2020.1	Reconciliation engagement with local First Nations	It was MOVED and SECONDED that the Executive Committee Acting as a Local Trust Committee (Ballenas-Winchelsea Islands) adopt the following standing resolution: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; and e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

Top Priorities Report

Ballenas-Winchelsea Islands

1. *Advocacy for the protection and appropriate use of Crown islets.*

Responsible

Dates

To work with Nanoose First Nation, provincial agencies and other agencies to facilitate appropriate public use of the islands.

Rec'd: 19-May-2015

- Coordinate a boat tour of the BW islands and islets inviting FN representatives, MABR members and Regional District Electoral Area representative.

2. *Nanoose First Nation Relationship Building.*

Responsible

Dates

- Coordinate BW meeting rotation at Nanoose FN meeting facility

Rec'd: 26-Jul-2011

3. *Implement the Protection of Coastal Douglas fir and Associated Ecosystems toolkit and Islands Trust Conservancy Regional Conservation Plan.*

Responsible

Dates

Review the OCP and LUB.

Rec'd: 12-Dec-2018

Projects Report

Ballenas-Winchelsea Islands

1. *Develop Educational Outreach*

Responsible

Date Received

06-Mar-2019

2. *Map ecosystem environmental and carbon sequestration value*

Responsible

Date Received

Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value.

04-Mar-2020

News Release

200 - 1627 Fort Street Victoria BC V8R 1H8

Telephone **250.405.5151** FAX: 250.405.5155

Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC

1.800.663.7867

information@islandstrust.bc.ca

www.islandstrust.bc.ca

October 28, 2021 – for immediate release

2021-20-IT

Nov/Dec 2021 Islands Trust Council Meeting Program Announced

Public invited to first in-person meeting since March 2020

Lək'wəḡən, METULIYE/Victoria, B.C. – Islands Trust Council's November 30-December 2 quarterly meeting will be held in-person at the Coast Victoria Hotel, 146 Kingston Street, Victoria. The public is invited to attend and participate in Trust Council's first hybrid meeting offering in-person and electronic options. "The health and safety of all who attend the live meeting is paramount," said Chief Administrative Officer, Russ Hotsenpiller. Following Provincial Health Orders for gatherings and events, masks will be required to be worn in all meeting spaces in the hotel.

Delegations and Town Hall Session Moves to Afternoon Wednesday, December 1, 1:00 pm

Since March 2020, electronic meetings have offered the benefit of little to no travel for all meeting attendees. With a return to in-person meetings, travel schedules means longer days for participants. This Trust Council quarterly schedule has returned to its former timing of holding an afternoon delegation and town hall session.

In-person or electronically, make a delegation presentation to Trust Council or speak at the town hall portion of the meeting, **Wednesday, December 1 starting at 1:00 p.m.** on matters impacting the Trust Area.

Apply to be a Delegation Deadline to send complete delegation presentations: **Wednesday, November 10** to lfoster@islandstrust.bc.ca or phone: 250-405-5161 for more information or visit Share Your Views <https://islandstrust.bc.ca/contact-us/share-your-views/>

Electronic Attendance and Participation

The public is invited to attend electronically, view the live stream in real-time on a computer or smartphone, listen and participate by telephone call-in or, join the meeting by Zoom. Visit the meeting site links for all the details.

November 30

<https://islandstrust.bc.ca/event/trust-council-nov30/>

December 1

<https://islandstrust.bc.ca/event/trust-council-dec1/>

December 2

<https://islandstrust.bc.ca/event/trust-council-dec2/>

Featured Sessions

2022/23 Draft Budget Session – Trust Council will review the draft 2022/23 budget before moving to public consultation in January and adoption in March.

Trustee Roundtable – updates by each of the 26 local trustees about initiatives, events, and developments of interest from their local trust area.

Council Committees – updates on top priorities and project status from each of Trust Council's committees: Executive, Regional Planning, Finance, and Trust Programs.

Published Friday, November 19 – The meeting agenda and schedule posting date. Visit the [document library](#) or [meeting and events](#) links on the Islands Trust website.

Trust Council meets quarterly to make decisions about matters that apply to the Islands Trust Area, and parts of the meeting involve routine business. Trust Council receives, discusses, and makes decisions about policies, finances, and proposed work for the coming quarter.

Trust Council works to preserve and protect over 450 islands and their surrounding waters in the Salish Sea. Input, comments, ideas, and feedback on topics related to the jurisdiction of the Islands Trust are welcomed.

- 30 -

The Islands Trust is a federation of special-purpose local government bodies representing 26,000 people living within the Islands Trust area and another 10,000 non-resident property owners. The Islands Trust area is located within Coast Salish territory and is the homeland to over 28,000 Coast Salish Peoples who have called this place home since time immemorial. The Islands Trust is responsible for preserving and protecting the Islands Trust Area's unique environment and amenities by planning and regulating land use, development management, education, cooperation with other agencies, and land conservation. The area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major islands and more than 450 smaller islands covering 5,200 square kilometres.

Contact: Peter Luckham, Chair, Islands Trust Council 250-210-2553
Russ Hotsenpiller, Chief Administrative Officer 250-405-5160 via
Clare Frater, Director of Trust Area Services 250-405-5192