



Denman Island Local Trust Committee

Regular Meeting Revised Agenda

Date: May 4, 2021
Time: 10:00 am
Location: Electronic Meeting

			Pages
1.	CALL TO ORDER	10:00 AM - 10:05 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.	RISE AND REPORT - IN CAMERA MEETING MARCH 16, 2021		
4.	REPORTS	10:05 AM - 10:20 AM	
4.1.	Trustee Reports		
4.2.	Chair's Report		
4.3.	Electoral Area Director's Report		
5.	TOWN HALL	10:20 AM - 10:30 AM	
6.	DELEGATIONS - none		
7.	MINUTES	10:30 AM - 10:35 AM	
7.1.	Local Trust Committee Special Meeting Minutes dated March 15, 2021 - for adoption		4 - 5
7.2.	Local Trust Committee Public Hearing Record dated March 15, 2021 - for receipt		6 - 7
7.3.	Local Trust Committee Minutes dated March 16, 2021- for adoption		8 - 19
7.4.	Section 26 Resolutions-Without-Meeting Report dated April 27, 2021		20 - 20
7.5.	Advisory Planning Commission Minutes - none		
8.	BUSINESS ARISING FROM MINUTES	10:35 AM - 10:50 AM	
8.1.	Follow-up Action List dated April 27, 2021		21 - 25

8.2.	Letter dated March 31, 2021 - Local Trust Committee Letter of Support for Connected Coast	26 - 27
8.3.	Letter dated March 23, 2021- Local Trust Committee to Executive Committee regarding Support for Fee Sponsorship for Application DE-RZ-2021.1 - Denman Housing Association (DHA)	28 - 29
8.4.	Denman Island Local Trust Committee - Letter to Editor - Response to Petition about Housing	30 - 31
9.	APPLICATIONS AND REFERRALS	10:50 AM - 11:05 AM
9.1.	DE-RZ-2021.1 Denman Housing Association (DHA)	
9.1.1.	Letter dated April 13, 2021 from Denman Housing Association (DHA)	32 - 32
10.	LOCAL TRUST COMMITTEE PROJECTS - none	
11.	CORRESPONDENCE	11:05 AM - 11:15 AM
	(Correspondence received concerning current applications or projects is posted to the LTC webpage)	
11.1.	Email dated February 13, 2021 from L. Gillett regarding Housing Suggestions	33 - 33
11.2.	Email dated March 3, 2021 from S. Donaldson regarding Affordable Housing	34 - 36
11.3.	Email dated March 19, 2021 from P. Stockdill, The Council of BC Yacht Clubs regarding Expansion of Shellfish Aquaculture Tenure, Henry Bay, Baynes Sound	37 - 54
11.4.	Email dated March 22, 2021 from C. McLaughlin regarding Pentlach Seafood Ltd. expansion of aquaculture tenure	55 - 55
11.5.	<i>Letter dated April 12, 2021 from D. Hunt-Scott regarding Reconciliation Engagement Request</i>	56 - 57
11.6.	<i>Email dated April 30, 2021 from P. Stockdill regarding Oyster Pouches in Baynes Sound</i>	58 - 62
12.	NEW BUSINESS	11:15 AM - 11:25 AM
12.1.	Denman Island Advisory Planning Commission Appointments - Staff Report	63 - 67
13.	REPORTS	11:25 AM - 11:45 AM
13.1.	Trust Conservancy Report - none	
13.2.	Applications Report dated April 27, 2021	68 - 74
13.3.	Trustee and Local Expense Report dated February, 2021	75 - 75
13.4.	Adopted Policies and Standing Resolutions	76 - 80

13.5. Local Trust Committee Webpage

----- **BREAK 11:45 AM TO 12:15 PM** -----

14. WORK PROGRAM 12:15 PM - 12:45 PM

- 14.1. Top Priorities Report dated April 27, 2021 81 - 81
- 14.1.1. *Land Use Bylaw and Official Community Plan Review Backgrounder and Discussion Paper - submitted by Trustee Busheikin* 82 - 86
- 14.2. Projects List Report dated April 27, 2021 87 - 89

15. UPCOMING MEETINGS

- 15.1. Next Regular Meeting Scheduled for Tuesday, July 6, 2020 at 10:00 AM at - to be determined

16. INFORMATION ITEMS

- 16.1. Truth Precedes Reconciliation 90 - 94
- 16.2. Reconciliation Report 2019-2021 95 - 125
- 16.3. Islands Trust Conservancy Newsletter - The Heron - Spring 2021 126 - 133

17. CLOSED MEETING

- 17.1. Motion to Close the Meeting
- That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) (d), (f) and (i) for the purpose of considering adoption of In-Camera Meeting minutes dated March 16, 2021, Bylaw Enforcement and advice that is subject to solicitor-client privilege and that the recorder and staff attend the meeting.*

18. ADJOURNMENT 12:45 PM - 12:45 PM



Denman Island Local Trust Committee Minutes of Special Meeting

Date: March 15, 2021
Location: Electronic Meeting
Members Present: Sue Ellen Fast, Chair
 David Critchley, Local Trustee
 Laura Busheikin, Local Trustee
Staff Present: Sonja Zupanec, Island Planner
 Wil Cottingham, Administrative Assistant
 Vicky Bockman, Recorder
Others Present: Approximately fifteen (15) members of the public

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Fast called the meeting to order at 7:00 pm. She welcomed the public, introduced Trustees, staff, and recorder; and acknowledged that the meeting was being held in traditional territory of the K'ómoks and Qualicum First Nations.

2. COMMUNITY INFORMATION MEETING - Bylaw Nos. 233 & 234

Regarding DE-RZ-2017.1 - Denman Community Land Trust Association (DCLTA) - Denman Seniors Affordable Housing Project (Pepper Lane)

By general consent the agenda was approved as presented.

Planner Zupanec provided a brief overview of the proposal noting that an in-depth presentation was conducted at a recent Community Information Meeting; and advised that new information is available for consideration. She noted that the Public Hearing will occur following this session and explained that comments received prior to the close of the Public Hearing will be reviewed by the Trustees.

She provided the following updates for information and Local Trust Committee (LTC) consideration:

- Plan No. 1 is updated with current text in the Land Use Bylaw;
- The applicant has requested the following changes:
 - an increase in maximum floor area to 65 m² from 60 m²;
 - allowing flexibility in the Restrictive Covenant wording to permit vegetative buffer and fencing changes if approved by the Agricultural Land Commission;

- consideration of a change in the Restrictive Covenant wording to require fencing to mitigate noise and dust along the entire southern property line and both lengths of the driveway;
- Housing Agreement text amending the affordable housing stipulation for maximum rent to reflect a similar formula of BC's Shelter Aid for Elderly Renters;
- The definition of qualified occupant may be expanded on the advice of the Islands Trust Senior Intergovernmental Policy Advisor so that it includes, but is not limited to, on-reserve and off-reserve status and non-status and/or self-identified Indigenous, Inuit or Native people.

2.1 QUESTION AND ANSWER SESSION

- The criteria for living in the proposed senior housing is restricted to those in a certain category of health; who makes that decision? What if a tenant has serious health issues and a desire to die at home during residency?
 - Tenancy eligibility conditions are specified within the Housing Agreement and carried out by DCLTA. The terms and conditions in the Housing Agreement are agreed upon by the LTC and DCLTA. This question can be considered by the LTC in their review of the draft Housing Agreement.

3. PUBLIC HEARING - PROPOSED BYLAW NOS. 233 AND 234

3.1 Recess for Public Hearing

By general consent the meeting recessed at 7:31 pm.

3.2 Recall to Order

By general consent the meeting was recalled to order at 7:47 pm. Chair Fast thanked everyone for their participation.

4. UPCOMING MEETINGS

4.1 Next Regular Meeting Scheduled for Tuesday, March 16, 2021 at 10:00 am via Zoom Electronic Meeting

Trustees confirmed the date and time of the next regular meeting, to be conducted electronically via Zoom.

5. ADJOURNMENT

By general consent the meeting was adjourned at 7:49 pm.

Sue Ellen Fast, Chair
Certified Correct:

Vicky Bockman, Recorder



Denman Island Local Trust Committee Public Hearing Record

REGARDING PROPOSED BYLAW NOS. 233 AND 234

Date: March 15, 2021
Time: 7:15 pm
Location: Electronic Meeting via Zoom

Members Present: Sue Ellen Fast, Chair
David Critchley, Local Trustee
Laura Busheikin, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
Wil Cottingham, Administrative Assistant
Vicky Bockman, Recorder

Others Present: Approximately sixteen (16) members of the public

1. CALL TO ORDER

Chair Fast called the Public Hearing to order at 7:31 pm. She welcomed the public, introduced Trustees, staff and recorder and acknowledged that this Public Hearing was being held electronically in traditional territory of the K'ómoks and Qualicum First Nations.

She read the Chairperson's Opening Statement and explained that this Public Hearing is being conducted to hear views regarding proposed Bylaw No. 233 cited as "Denman Island Official Community Plan, 2008", Amendment No. 1, 2019" and proposed Bylaw No.234 cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019".

2. PROPOSED BYLAW NOS. 233 and 235

Planner Zupanec reported that a copy of the Public Hearing Notice was advertised in two consecutive editions of The Islands Grapevine and noted that all notification requirements have been completed. She advised that the Public Hearing binder is available for review during this Hearing on the Islands Trust website.

She explained that the purpose of proposed Bylaw No. 233, if adopted, will amend the Denman Island Official Community Plan (OCP) by introducing new policies to: re-designate a 0.7 hectare portion of the subject property from 'Sustainable Resource' to 'Residential'; allow subdivision to permit seniors affordable housing; require residential rental tenure zoning for multi-family dwellings to ensure rental affordability is maintained in perpetuity; and require Energy Step Code compliance for new dwellings as a result of rezoning or density transfer.

The purpose of Bylaw No. 234, if adopted, will amend the Denman Island Land Use Bylaw (LUB) by: rezoning the parcel to two new site specific 'A(15)' and 'R4(2)' zones to allow for subdivision and increase in density in R4(2) zone; permitting seniors affordable housing duplexes by way of a residential rental tenure zone; changing proof of adequate potable water requirement at the time of subdivision from 1200 litres/day/dwelling to providing proof of water licence (3680 litres/day as per licence); and regulating siting, size, lot coverage, parking, signage and several other land use parameters for the new 'Affordable Rental Housing (2)' - R4(2) zone.

She identified the referrals that were sent out for comment, noting that responses received are available on the Islands Trust website. As of this meeting time there have been 12 submissions received regarding these bylaws; and emails received during this Public Hearing will be reviewed by Trustees prior to the close of the Hearing.

3. PUBLIC COMMENTS

Chair Fast explained that this is the opportunity for the public to comment on the proposed bylaws.

- Stephanie Slater – Supports the application. She requested that the R4(2) zoning be explained further for community information and was advised that the next Local Trust Committee (LTC) meeting might be an appropriate time for this to occur;
- Bill Engleson – Supports the application and encouraged the LTC to move forward with the proposal;
- Sean Maher – asked the LTC to consider screening issues that are causing concern to neighbours and to set mitigating requirements in writing.

Trustees reviewed emails received during this Public Hearing.

4. ADJOURNMENT

Chair Fast thanked the public for their submissions. She asked three times for comments from the public and hearing none the Public Hearing was closed at 7:46 pm.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD:

Vicky Bockman, Recorder



Denman Island Local Trust Committee Minutes of Regular Meeting

Date: March 16, 2021
Location: Electronic Meeting

Members Present: Sue Ellen Fast, Chair
 David Critchley, Local Trustee
 Laura Busheikin, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
 Jaime Dubyna, Planner 2
 Wil Cottingham, Administrative Assistant
 Vicky Bockman, Recorder

Others Present: Comox Valley Regional District Electoral Area A Director Arbour
 Doug Olstead, Co-Chair Denman Community Land Trust Association
 Approximately seventeen (17) members of the public

1. APPROVAL OF AGENDA

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Fast called the meeting to order at 10:00 am. She welcomed the public, introduced Trustees, staff and recorder, and acknowledged that the meeting was being held electronically in traditional territory of the K'ómoks and Qualicum First Nations.

By general consent the agenda was approved.

2. REPORTS

2.1 Trustee Reports

Trustee Critchley provided updates on the following meetings:

- Trust Programs Committee;
- Baynes Sound Lambert Channel Steering Committee;
- Select Committee regarding the management review of the Islands Trust;
- BC Shellfish Growers Association information session regarding voluntary code of practice;
- Connected Coast regarding internet fibre optic cable for Denman and Hornby Islands;
- Community Information Meeting regarding Seniors Affordable Housing - Pepper Lane;
- Meeting of Comox Valley elected officials including from Comox Valley Regional District (CVRD) and K'ómoks First Nation;
- Trust Council;

- Although he was unable to attend the Ferry Advisory Committee meeting, an update on BC Ferry matters was provided.

Trustee Busheikin provided information on the following meetings attended:

- Meeting of Comox Valley elected officials including from Comox Valley Regional District (CVRD, School District, and K'ómoks First Nation;
- Financial Planning Committee;
- Regional Planning Committee;
- Trust-wide Water Sustainability Steering Committee Round Table;
- Denman Island ad hoc group coordinating and sharing information regarding COVID-19 response;
- Numerous phone calls and emails with constituents.

2.2 Chair's Report

Chair Fast reported that her work included attending Executive Committee and Islands Trust Conservancy meetings.

2.3 Electoral Area Director's Report

Director Arbour shared information on the following topics:

- CVRD has allocated \$100,000 for the next 3 years for the Hornby Island bus and the Denman Island bus pilot project;
- The Kirk Road stairs addition to the Cross Island Trail has been well received;
- An update on the Connected Coast internet connectivity funding;
- Baynes Sound Ecosystem Forum multi-stakeholder group;
- The Island group discussing COVID-19 issues has helped identify needs;
- Grants from BC Housing are being secured and a new fund has been established to be used by local governments to assist in accelerating the approval process for affordable housing projects;
- CVRD Board has been asked to write a letter of support for Denman Green and will be considering requests from Denman Housing Association (DHA) and Denman Community Land Trust Association (DCLTA) to assist with development costs for their affordable housing projects.

3. TOWN HALL

- Support was expressed for the Agricultural Land Reserve Use Regulation that allows farmers to have up to 10 sleeping units; the Local Trust Committee (LTC) was asked to allow Denman Island farmers to accommodate up to 10 campsites and not to require a Temporary Use Permit for this purpose.

4. DELEGATIONS

4.1 Riane da Silva regarding Bylaw Enforcement and Housing

Riane da Silva presented information on Denman Island housing needs, with the full address included in the LTC meeting agenda package. She expressed concern that even with the partial moratorium on bylaw enforcement of unlawful dwellings, vulnerable people living in precarious housing are being stressed.

She presented a petition, signed by over 600 residents, asking the LTC to place a moratorium on enforcement resulting in eviction until:

- an Official Community Plan (OCP) review is conducted;
- a targeted review of Land Use Bylaw (LUB) housing regulations is completed;
- supportive LUB bylaws are created.

4.2 Simon Palmer for Denman Housing Association regarding New Plans for an Affordable Housing Rezoning Application

Simon Palmer introduced the proposed new site for a Denman Green affordable housing project, noting that the plans are to accommodate 20 units of housing. He reported that a rezoning application has been submitted along with an application for sponsorship of the application fee; and he provided a summary of reports and plans in progress for this proposal.

4.3 Harlene Holm regarding Suggested Amendments to Bylaw 228 (Farm Plan)

Harlene Holm addressed concerns with proposed Bylaw No. 228 that will make it difficult to protect wetlands and watershed areas on Denman Island. An annotated copy of the bylaw has been included in the LTC meeting agenda package.

She requested that the LTC:

- set aside consideration of proposed Bylaw No. 228 until protection of watershed and wetland areas is in place;
- give priority to completing accurate mapping of water systems on Denman Island using Island knowledge and expertise;
- work with the Ministry of Transportation and Infrastructure regarding alternatives to its use of ditches and culverts to drain surface water including wetlands;
- encourage the farming community and the community in general to steward wetland areas;
- support the mandate of the Trust by recognizing that farming on Denman is and can continue to be compatible with island scale, that farming encompasses productive gardens as well as income-producing farms and that food sovereignty is a valid community goal.

4.4 David Graham regarding Bylaw Enforcement of Illegal Dwellings

David Graham supported the petition created to request a moratorium on bylaw enforcement of unlawful dwellings. He reported that it was determined approximately eight years ago, when he was a Local Trustee, that the housing regulations did not align with the way people were choosing to live at that time; and it was thought that a full review of housing would occur, however, it has not. He encouraged the LTC to place a full review of Housing Regulations on the Top Priorities list in order to allow for consideration and community consultation on the topic.

A Trustee responded that a review of LUB Housing Regulations is currently on the Top Priority list; however noted that a Standing Resolution to prioritize use of staff resources on affordable housing applications makes advancing other worthwhile projects difficult. They advised that a trust-wide moratorium on bylaw enforcement of unlawful dwellings is in effect until COVID-19 health and safety issues are resolved.

By general consent item “10.2 Denman Housing Association Request for Letter of Support” was added to the agenda.

5. MINUTES

5.1 Local Trust Committee Minutes dated January 19, 2021- for adoption

DE-2021-018

It was MOVED and SECONDED,

that the minutes be amended by removing the following text: page 2, item 4.1, Trustee Busheikin’s report, first bullet, the words after “Trust Council”.

CARRIED

By general consent the minutes of the LTC meeting of January 19, 2021 were adopted, as amended.

5.2 Local Trust Committee Special Meeting Minutes dated March 2, 2021

By general consent the minutes of the Local Trust Committee Special Meeting dated March 2, 2021 were adopted.

5.3 Section 26 Resolutions-Without-Meeting Report - none

5.4 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated March 8, 2021

Received.

6.2 Guidelines for Correspondence and Meeting Participation - for discussion

Trustees related their support to make public participation as easy as possible and considered possible changes to the draft Guidelines with suggestions including:

- rather than limit a delegation’s ability to talk about ideas and information on the agenda, limit talks that are related to ongoing applications;
- note that delegation materials submitted less than two weeks before the meeting may not be posted or published.

DE-2021-019

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee ask staff to bring back a revised draft of the Guidelines for Correspondence and Meeting Participation.

CARRIED

By general consent the meeting was recessed at 11:12 am and reconvened at 11:19 am.

7. APPLICATIONS, REFERRALS AND BYLAWS

7.1 DE-SUB-2019.2 (Nielsen) - Staff Report

Planner Dubyna summarized the Staff Report that asks the LTC to consider accepting a water treatment covenant requiring water treatment to meet potable drinking water

standards in accordance with the Denman Island LUB, as a condition of a proposed six lot subdivision.

A Trustee confirmed that the Islands Trust Senior Freshwater Specialist had reviewed the information and had provided feedback; and that the covenant would cover all lots to ensure that potential purchasers of these lots are informed of the water quality issues in the area.

DE-2021-020

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee, in respect of application DE-SUB-2019.2, accept a water treatment covenant under Section 219 of the *Land Title Act* from the registered owners of THE EAST ½ OF SECTION 28, DENMAN ISLAND, NANAIMO DISTRICT, EXCEPT PARTS IN PLANS VIP87737 AND VIP88293 (PID 006-660-495), attached as Attachment 1 to this Staff Report, dated March 16, 2021, and designate the Chair and additional Trustee of the Local Trust Committee to sign the covenant.

CARRIED

7.2 PROPOSED BYLAW NOS. 233 and 234 (DE-RZ-2017.1) - consideration of further readings

Planner Zupanec reported that the Public Hearing held on March 15, 2021 resulted in a small number of input for Trustees to consider relating to the proposed Bylaws and advised of the following:

- there are no staff recommendations for changes to Bylaw No. 233 (OCP); and the LTC may consider second and third readings at this time;
- a number of minor changes for Bylaw No. 234 have been identified for LTC consideration prior to advancing the Bylaw.

DE-2021-021

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 233, cited as “Denman Island Official Community Plan, 2008”, Amendment No. 1, 2019”, be read a second time.

Trustees commended members of Denman Community Land Trust Association and owner of the parent property for their work to bring this project to this point; the need for this housing was acknowledged and it was suggested that this project helps to meet that need in a sustainable way.

A Trustee added that the project has had great support from the community; all comments received were appreciated; pointing out that this application needed to take precedence over the issue of removing land from the Agricultural Land Reserve given the need for affordable housing opportunity on Denman Island and that this parcel does not have high agricultural possibility.

CARRIED

DE-2021-022

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 233, cited as “Denman Island Official Community Plan, 2008”, Amendment No. 1, 2019”, be read a third time.

CARRIED

DE-2021-023

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 233, cited as “Denman Island Official Community Plan, 2008”, Amendment No. 1, 2019”, be forwarded to the Secretary of the Islands Trust for approval of Executive Committee.

CARRIED

DE-2021-024

It was MOVED and SECONDED,

that Denman Island Local Trust Committee forward Bylaw No. 233, cited as “Denman Island Official Community Plan, 2008”, Amendment No. 1, 2019”, to the Minister of Municipal Affairs and Housing for approval.

CARRIED

Planner Zupanec identified two changes to proposed Bylaw No. 234 (LUB) for LTC consideration:

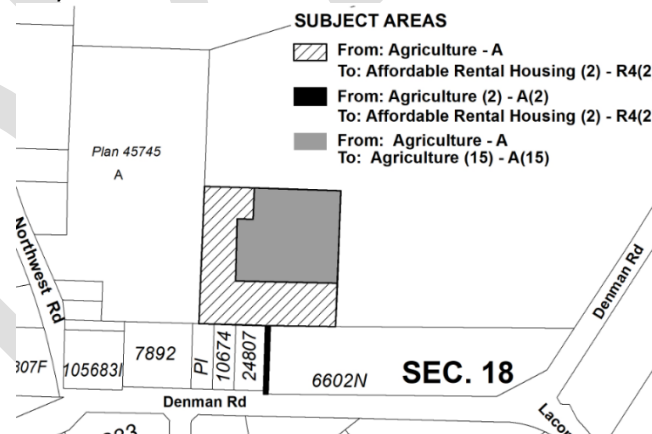
- the applicant has requested that in Table 8 the maximum gross floor area of a seniors affordable dwelling unit be amended from 60m² to 65m²;
- Plan No. 1 be replaced with a plan that has the correct citation for the Affordable Housing Zone and removal of the “Conceptual Plan Only” text.

DE-2021-025

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 234, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”, be amended by:

1. Table 8, item 9: the floor area be increased from 60m² to 65m²;
2. Plan No. 1 be replaced with the following Plan and the words “conceptual plan only” be removed in the title of “Plan No. 1”.



CARRIED

DE-2021-026

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 234, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”, as amended, be read a second time.

Trustees spoke to concerns raised that the R4 Zone might allow for large-scale multi-unit, urban style developments, by responding that this zone gives guidance, limits and requirements for any future rental multi-unit housing to ensure that they meet community needs; and this zone is an aid to further future affordable housing applications.

CARRIED

DE-2021-027

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 234, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”, be read a third time.

CARRIED

DE-2021-028

It was MOVED and SECONDED,

that Denman Island Local Trust Committee Bylaw No. 234, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2019”, be forwarded to the Secretary of the Islands Trust for approval of Executive Committee.

CARRIED

Planner Zupanec identified changes to the Restrictive Covenant requested by the applicant, noting that minor modifications to the Restrictive Covenant might be considered at this time or at a future meeting without delaying the advancement of Bylaw Nos. 233 and 234:

- Clause (a) - allowing flexibility in the wording to permit vegetative buffer and fencing changes if approved by the Agricultural Land Commission;
- Clause (c) – consideration of a change in the wording to standardize the requirement to require fencing suitable to mitigate noise and dust to include the three other neighbouring properties that abut the project;
- Clause (d) – modification to extend the existing clause to create a buffer area for the regeneration of natural vegetation that was specific to one property to include the other three properties that abut the development.

Trustees discussed possible amendments to the Restrictive Covenant with the following noted:

- A reconsideration of the requirement for an annual professional analysis of the well datalogger data was suggested to mitigate the expense that DCLTA would incur to meet that requirement; alternative suggestions included annual reporting of raw data to Islands Trust, or a graduated approach limiting the annual requirement of a professional analysis to a number of years;
- Suggestions from staff might be useful regarding construction and maintenance of fencing, including consideration of the noise abatement aspect.

By general consent the meeting recessed at 12:11 pm and reconvened at 12:43 pm.

DE-2021-029

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee amend “Section 2 No Build” of the draft restrictive covenant for DE-RZ-2017.1 (DCLTA- Pepper Lane) by:

1. clause (a) – by adding the words “or amendments thereto approved by the ALC” after “..contained in the ALC Resolutions;”
2. clause (c) – by replacing the clause with “it constructs a solid fence suitable to mitigate noise and dust along both lengths of the driveway of the subject property and the full extent of the southern property lines of the subject property.”
3. Clause (d) – by replacing the clause with “it establishes an area for the regeneration of the natural vegetation to create a buffer along the full extent of the southern borders of the subject property adjacent to the neighbouring properties along Denman Road.

CARRIED

DE-2021-030

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to work with the applicant and address concerns with adjacent property owners with concerns to clauses (c) and (d) and return alternative language with respect to the Restrictive Covenant for Local Trust Committee consideration.

CARRIED

DE-2021-031

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to review clause 6 (c)(Water Champion Covenant Annual Report) of the draft Restrictive Covenant and to provide alternative suggestions to reduce or eliminate the burden of expense on the applicant.

In speaking to the motion, a Trustee expressed concern with the financial burden to the applicant to complete the annual professional analysis of the datalogger data requirement, noting that the analysis is an amenity for the community; and suggested that some term of years might be more appropriate; the raw data collected and reviewed by the applicant would bring attention to any saltwater intrusion for mitigating measures to be taken.

CARRIED

Planner Zupanec advised that the applicant has requested a change to the Housing Agreement text, amending the affordable housing stipulation for maximum rent to reflect a similar formula of BC’s Shelter Aid for Elderly Renters.

DE-2021-032

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee Bylaw No. 239, cited as “Denman Island Housing Agreement Bylaw No. 239, 2020”, Section E. Rental rates, subsection i., be amended by adding the following to the end of the clause: “provided ‘rent’ does not include any sums received by way of institutional rent subsidy or rent assistance available from time to time.”

A Trustee requested clarification of the requested change and Chair Fast invited the applicant to respond. Doug Olstead explained that this change allows the additional funding from the government to be accessed.

CARRIED

A Trustee commented that the possibility of expanding the definition of qualified occupants in the Housing Agreement to include indigenous people was raised at the Special Meeting held last night and is beginning to be included in other Trust areas.

DE-2021-033

It was MOVED and SECONDED,

that the Denman Island Local Trust request staff bring back a draft amendment to the Housing Agreement to specify that the qualified occupant definition be expanded so that it includes but is not limited to on-reserve and off-reserve status and non-status and/or self-identified Indigenous, Inuit, or Native people.

In speaking to the motion, a Trustee noted that this approach has been proposed on the advice of the Islands Trust Senior Intergovernmental Advisor. A Trustee commented that there are questions regarding some of the elements of the proposed definition; however it is supported in the spirit of reconciliation.

CARRIED

Chair Fast invited the applicant to speak and Doug Olstead’s comments including the following:

- DCLTA has recognized that the issue raised at the Community Information Meeting, regarding aging in place and becoming incapacitated, has not been adequately addressed in their tenant selection procedure. They would like to add an additional paragraph to the end of the Housing Agreement to stipulate that the owner may amend the tenant selection process from time to time in order to adapt when necessary.

DE-2021-034

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee request staff to work with the applicant to add a phrase regarding the ability to adapt the tenant selection procedure.

Trustees requested that staff provide the Staff Report and recommendation to Trustees in advance of the next Local Trust Committee meeting for their review of the suggested wording to address the issue to everyone’s satisfaction.

CARRIED

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Farm Plan Implementation Status Update – Memorandum

Planner Zupanec summarized the Memorandum that provides a status update on the project. She advised that a new affordable housing application is forthcoming, and that staff will bring a more in-depth report on the Farm Plan Implementation project as resources allow.

Trustees commented with the following noted:

- The Standing Resolution that gives priority to processing applications for affordable housing projects is still supported and the challenging task to balance resources and move ahead with projects that the community considers important was acknowledged;
- It was questioned whether the provincial grant for local governments reported by CVRD Director Arbour might be utilized by the Denman Island LTC to assist in the effort to advance affordable housing initiatives; Staff will discuss with the Islands Trust grant manager and report back.

9. CORRESPONDENCE

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

9.1 Letter dated January 21, 2021 from Hornby & Denman Community Health Care Society regarding Transportation Issues

A Trustee advised that Denman Works!, the Denman Island Community Economic Enhancement Society, might be informed of this project as it has formed a transportation committee that may have overlapping issues and interests in this Active Transportation Network Planning project.

9.2 Email dated February 22, 2021 from W. Northcut regarding Permit Transparency

Trustees discussed the suggestion to post all Siting and Use Permits on the Trust website. They identified difficulties with that approach and noted that contacting staff with questions is an efficient option that is always available.

9.3 Letter dated March 6, 2021 from B. Engleson regarding Support for Denman Housing Society New Proposal

Received.

10. NEW BUSINESS

10.1 Denman Island Cross island Trail - for discussion

Trustee Busheikin proposed that a letter be drafted encouraging the CVRD to hold public consultation prior to continuing with the next phase of the Cross Island Trail to determine community priorities that may involve preference for other recreational initiatives than the trail.

DE-2021-035

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee send a letter signed by the Chair to the Comox Valley Regional District encouraging further public consultation before moving ahead with the next phase of the Denman Island Cross Island Trail.

A Trustee and the Chair commented that it might be appropriate to bring this to Director Arbour as it is a Comox Valley Regional District project; and observed that the Cross Island Trail initiative fits with various Islands Trust policies concerning climate action and alternative transportation options.

A Trustee noted as background information, that the Parks and Greenways Plan is a Comox Valley Regional District initiative, and supported discussing this topic directly with Director Arbour.

DEFEATED

**Chair Fast Opposed
Trustee Critchley Opposed**

10.2 Denman Housing Association Request for Letter of Support

DE-2021-036

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee write a letter to Executive Committee supporting Denman Housing Association's application for fee sponsorship.

CARRIED

Trustee Busheikin offered to draft the letter.

11. REPORTS

11.1 Trust Conservancy Report dated January 26, 2021

Chair Fast summarized the report.

11.2 Applications Report dated March 8, 2021

Planner Zupanec responded to Trustee questions that arose.

11.3 Trustee and Local Expense Report dated January, 2021

Received.

11.4 Adopted Policies and Standing Resolutions

Received.

11.5 Local Trust Committee Webpage

There were no changes or additions requested.

12. WORK PROGRAM

12.1 Top Priorities Report dated March 8, 2021

Received.

12.2 Projects List Report dated March 8, 2021

Received.

13. INFORMATION ITEMS

13.1 Letter to Editor from Denman Local Trust Committee regarding Bylaw Enforcement Clarification

Received.

13.2 News Release dated January 21, 2021- Islands Trust Actively Promotes Regional Collaboration

Received.

13.3 Letter dated January 21, 2021 regarding Support for Association of Denman Island Marine Stewards (ADIMS) Application to BC Clean Waters (BCCCW) Fund

Received.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, May 4, 2021 at 10:00 am via Zoom Electronic Meeting

Trustees confirmed the next regular meeting date and time to be conducted electronically via Zoom.

15. CLOSED MEETING

15.1 Motion to Closed the Meeting

DE-2021-037

It was MOVED and SECONDED,

that the meeting be closed to the public in accordance with the *Community Charter*, Part 4, Division 3, s.90(1) (d) and (f) for the purpose of considering Adoption of *In-Camera* Meeting Minutes dated January 19, 2021 and Bylaw Enforcement and that the recorder and staff attend the meeting.

CARRIED

The meeting was closed to the public at 2:10 pm.

15.2 Recall to Order – none.

16. ADJOURNMENT

By general consent the meeting was adjourned at 2:10 pm.

Sue Ellen Fast, Chair

Certified Correct:

Vicky Bockman, Recorder

Resolutions Without Meetings Log

Denman Island

Resolution Number	Action	Date
2021-003	Carried	21-Apr-2021
"That the Denman Island Local Trust Committee request staff to prepare and submit an application for the 'Local Government Partnership Program - Investment Agriculture Foundation' by the May 17, 2021 deadline, to implement the 'Denman Farm Plan' project."		
2021-002	Carried	01-Apr-2021
"That the Denman Island Local Trust Committee write a letter of support for the application by the Connected Coast fibre internet project (https://connectedcoast.ca/) to install landing sites and last mile service on Hornby and Denman Islands."		
2021-001 (Standing)	Carried	29-Mar-2021
"That the Denman Island Local Trust Committee amend standing resolution DE-IC-2021-002 on bylaw enforcement passed at its March 16, 2021, meeting by deleting the words "except where there are concerns regarding health and safety, lack of septic services and possible contamination of wells and drinking water supplies" and by adding the words "or demands for eviction" after the word "evictions."		

Follow Up Action Report

Denman Island

07-Feb-2019

Activity	Responsibility	Dates	Status
1 Amend Bylaw No. 228 (OCP) by replacing item 1.15 Policy 3 (as per Feb. 7, 2019 staff report).	Becky McErlean Sonja Zupanec		In Progress

Follow Up Action Report

Denman Island

07-Feb-2019

Activity	Responsibility	Dates	Status
2 Amend Bylaw No. 229 (LUB) for LTC consideration: a. Include TUP and rainwater harvesting collection system requirements for temporary secondary dwellings for immediate family; b. Amend the agri-tourism accommodation TUP guidelines to remove the option for seasonal cabins, and continue to permit seasonal campsites and a maximum of three sleeping units, which includes home-based guest accommodation rooms; c. Reduce the lot line setback for feedlots from 50 m to 30 m. - d Remove the term feedlot e. Add a new defined term, confined livestock area. f. remove agriculture as an accessory use in the R1 zone, while retaining horticulture as an accessory use in this zone; - g remove the term intensive agriculture; h. amend the definition of horticulture to continue to allow the sale of products produced on the lot, and to ensure that the use is accessory to a principal residential use and not tied specifically to a landowner; i. permit the keeping of animals for personal use as an accessory use in the R1, R2, R3 zones. j. Remove horticulture as a permitted use in the A, F, and RE zones, while retaining agriculture as a principal permitted use in these zones.	Becky McErlean Sonja Zupanec		In Progress

Follow Up Action Report

Denman Island

04-Jul-2019

Activity	Responsibility	Dates	Status
1 David Marlor to bring forward draft procedures for cell tower application consultation for LTC consideration.	David Marlor		In Progress

03-Oct-2019

Activity	Responsibility	Dates	Status
1 Staff to follow up with the Farm Industry Review Board (FIRB) to arrange a meeting and a tour as per their letter dated September 25, 2019 and include invitation to the Hornby LTC. <i>2020-09-08 update: presentation held at Denman LTC meeting</i> <i>2020-09-08. FIRB availability for Tour - summer 2021.</i>	Becky McErlean Penny Hawley Sonja Zupanec Wil Cottingham		In Progress

21-Jan-2020

Activity	Responsibility	Dates	Status
1 Staff to prepare a draft Water Sustainability Project Charter.	William Shulba		In Progress

08-Sep-2020

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Denman Island

08-Sep-2020

Activity	Responsibility	Dates	Status
1 Staff to bring back a staff report for LTC consideration regarding DE-SUP-2020.3 and the landowner's request to build in the covenanted area identified in Archaeological Covenant CA7485176.	Jaime Dubyna		In Progress

19-Jan-2021

Activity	Responsibility	Dates	Status
1 LTC request that staff bring back a memo explaining the difference between a bed and breakfast and secondary suite, as per the Denman Land Use Bylaw.	Warren Dingman		In Progress

16-Mar-2021

Activity	Responsibility	Dates	Status
1 LTC requests staff to bring back a revised draft public participation guidelines document based on the LTC discussion (see minutes March 16 for details).	Becky McErlean		In Progress
2 DE-SUP-2019.2 - LTC accepted covenant as presented.	Jaime Dubyna		Completed

Follow Up Action Report

Denman Island

16-Mar-2021

Activity	Responsibility	Dates	Status
3 DE-RZ-2017.1 (DCLTA- Pepper Lane) - Proposed Bylaw 233 given second and third reading. Forward to EC for consideration of approval and then Minister. Proposed Bylaw 234 amended (see minutes). Given second and third reading. Forward to EC for consideration of approval. Restrictive covenant: amended as per minutes. staff to work with applicant to ensure clauses c) and d) address neighbour's concerns regarding fencing, screening and noise. return draft language to LTC for consideration. Staff to provide alternatives to clause 6 c) to reduce or eliminate burden of expense on applicant. Housing Agreement: amended as per minutes. staff to return draft language to ensure qualified occupants includes indigenous people; tenant selection criteria address concerns around palliative care.	Becky McErlean Sonja Zupanec		In Progress



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Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

March 31, 2021

File No.: 5590-30; 6410-03

Via email: CITZ.Minister@gov.bc.ca

The Honourable Lisa Beare
Minister of Citizens' Services

Via email: josie.osborne.MLA@leg.bc.ca

Hon. Josie Osborne
Minister of Municipal Affairs &
MLA, Mid Island-Pacific Rim

Via email: reachme@danielarbour.ca

Daniel Arbour
Director, Electoral Area A

Via email: dleitch@srd.ca

David Leitch, Chief Administrative Officer
Strathcona Regional District

Via email: jwarren@comoxvalleyrd.ca

James Warren, Deputy Chief Administrative Officer
Comox Valley Regional District

Re: Support for Connected Coast by Denman Island LTC

Dear Minister Beare, CAO Leitch, Deputy CAO Warren, Minister Osborne and Director Arbour,

On behalf of the Denman Island Local Trust Committee, I am writing to support the application by the Connected Coast fibre internet project (<https://connectedcoast.ca/>) to install landing sites and last mile service on Hornby and Denman Islands.

Currently, Internet service on both islands is unavailable in some areas and unreliable in many others. Plentiful evidence of this, and of its numerous adverse effects, is available at www.hornbydenmaninternet.com. This site contains the results of in-depth research and analysis by the Hornby Island Community Economic Enhancement Corporation and the Denman Island Internet Committee (a committee of the Denman Island Ratepayers' Association).

Inadequate Internet service has severe negative impacts on the economy and on community resilience and diversity. Income-generating opportunities on the Islands are limited by geography, and adequate internet services are essential to address this.

The need to improve economic sustainability on Denman is acute. The average tax-filer income on Denman Island in 2015 was \$62,025, which is 23.6% lower than the Comox Valley Regional District average income, and 43.6% lower than BC (Statistics Canada 2017a, quoted in the *Denman Island Housing Needs Assessment*). This grim economic picture feeds into numerous social and health challenges, which ultimately cost the taxpayer money to address.

As well as supporting a stronger local economy, improved Internet is essential for access to medical care, education, family, community, social contacts, political engagement, and more.

Trust Council, the regional governing body for the Islands Trust, has been advocating for several years for the inclusion of Denman and Hornby Islands Trust (as well as several other islands in the Trust Area) in the Connected Coast Initiative, as directed by a resolution made by Trust Council.

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The following excerpts from a September 15, 2019, letter from Island Trust Council Chair Peter Luckham to Minister of Citizens' Services Jinny Simms document the Islands Trust position:

"I am writing on behalf of the Islands Trust to request further funding and support for the Islands Trust Area communities that have not been included in the Connect to Innovate and Connected Coast initiatives, namely Denman Island, Hornby Island, Gabriola Island, Thetis Island, Galiano Island, Mayne Island, South Pender Island, and Keats Island. During the June 18-20, 2019 Islands Trust Council meeting, the following resolution was passed:

That Trust Council, by a letter signed by the Chair, request the appropriate agencies of Canada and the Province of British Columbia to take steps to facilitate and fund the safe and reliable improvement of internet connectivity throughout the Trust Area and in particular to encourage the provision of additional landing sites to service areas in the Trust Area that may request such service through the Connected Coast project.

"... improved, high-speed broadband internet connections for residents in rural and remote communities will in turn help to improve their quality of life. Improved connectivity can help community members to reduce their greenhouse gas emissions via reduced travel, access education and health services, participate in economic opportunities that are compatible with the conservation of island resources, and better participate in the decision-making processes of all levels of government.

"Please note that we encourage a process whereby all service providers are required to prevent or lessen impacts on cultural, archaeological and sacred sites as per the Islands Trust Reconciliation Declaration."

The Islands Trust appreciates your consideration in expediting approvals for the landing sites and last mile service.

Sincerely,



Sue Ellen Fast,
Chair, Denman Island Local Trust Committee

cc: Denman Hornby Internet Working Group, Karen Ross, Chair at karenross@telus.net
info@hornbydenmaninternet.com
Denman Island Residents Association, dira.residents@gmail.com
Hornby Island Community Economic Enhancement Corporation, karen@hiceec.ca
Denman Island Local Trust Committee



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March 23, 2021

Executive Committee
Islands Trust

Dear Executive Committee,

I'm writing on behalf of the Denman Island Local Trust Committee to recommend that Executive Committee provide fee sponsorship to Denman Housing Association (DHA) for its rezoning application for 20 units of affordable rental housing.

This application aligns with numerous Denman Island Official Community Plan provisions, namely:

Preamble: The community acknowledges the need for affordable and special needs housing to maintain a diverse population in the face of rising land prices and to encourage seniors to remain on the island.

Objective 2: To ensure housing options preserve human diversity in the community.

Objective 4: To support the establishment of affordable housing, rental opportunities and special needs housing and provide the opportunity for Island seniors to remain in the community, especially in their own or their families' homes.

Policy 17: The Local Trust Committee should encourage the establishment and work of non-profit land trusts for affordable housing.

Policy 28: The Local Trust Committee should consider zoning amendment applications for affordable housing projects.

The need for housing options on Denman Island has been documented in numerous reports, most recently *the Islands Trust Northern Region Housing Needs Assessment*, which states that Denman Island needs 80 units of affordable housing to meet current needs.

Denman Housing Association originally proposed a similar project on a different property, but this project fell through when the owner of the property decided to terminate the agreement with DHA. The rezoning process was well along at that point.

The move to the new property demonstrates the tenacity and ability of DHA to pivot and adapt. Furthermore, the new property addresses one of the concerns about the original application that it was too far from services. The new property is in the downtown village centre, right across from the

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Community Hall, kitty corner from the school, about 100 metres from the General Store, and a five-minute walk from the ferry terminal.

The community has demonstrated interest in having housing on this site. The current owners, who have entered into an agreement with DHA, carried out a community consultation process earlier this year. According to the land owners, Bente Pilgaard and Henning Nielsen, "The majority of the comments/responses were in favour of some form of housing, preferably affordable housing." (Source: email from Pilgaard and Nielsen to Laura Busheikin, dated March 17, 2021).

As well, DenmanWORKS, the Island's economic development agency (similar to a chamber of commerce) surveyed all the downtown village businesses about the proposed rezoning project for affordable housing, and based on that, wrote a letter to the Denman Housing Association stating that it "supports in principle" a rezoning of the property from commercial to residential (Source: letter to Denman Housing Association dated February 27, 2021).

Further support for affordable housing in the downtown village centre on Denman can be found in the *Denman Community Design Charrette*, January 2018. The charrette, based on three community engagement sessions, identified "housing" as one of three priorities for the downtown village area. (Source: *Denman Island Community Design Charrette*, page 1, on the Denman Island page of the Islands Trust website).

DHA is a grassroots community group run by volunteers, with a budget reliant entirely on fundraising and grants. The fees sponsorship will materially help them with their work.

Regards,



Sue Ellen Fast
Chair, Denman Island Local Trust Committee

Response to Petition about Housing

Submitted by the Denman Island Local Trust Committee (Laura Busheikin, David Critchley, and Sue Ellen Fast)

The Denman Island Local Trust Committee (LTC) acknowledges the 541 signatories of the petition received on March 16, asking for action on housing. This is approximately half the Denman population and sends a strong message.

We appreciate the way that the petition underscores and adds to the significant evidence of the ongoing housing crisis on Denman, and supports measures to address this situation. This article is an initial response.

The petition had three requests. Here is an update on each of these:

Request #1—a full moratorium on bylaw enforcement on illegal housing

The Denman Island Local Trust Committee recognizes that, given the dual challenge of COVID-19 and a growing housing crisis, rental housing needs special protection at this time. There has already been a pause on all enforcement that would prompt evictions since spring last year, initiated through the Islands Trust Bylaw Enforcement department. This will remain in effect until the public health order is lifted. To further clarify this for Denman Island, the LTC passed a standing resolution (a type of temporary policy) at its March 16, 2021, meeting confirming the above.

Also, a partial moratorium, with several exceptions, has been in effect on Denman since June, 2019. This will remain valid until the LTC decides to remove or change it. Here is a bit more context for these two standing resolutions:*

- Any moratorium on enforcement is temporary and is not meant to provide long-term solutions to housing, nor to encourage continued bylaw infractions.
- Site visits and communication with affected property owners will continue to take place. These are important to ascertain if the alleged infraction is actually happening or not, and to let the property owners know that a complaint has been made. This gives property owners (and potentially, tenants) time to seek information and make plans to remedy the situation.
- Even when there's no moratorium, enforcement against housing takes into account the human realities of the situation and seeks to avoid sudden eviction.

The LTC recognizes there is concern around reports of evictions connected to enforcement. The Islands Trust did not issue any eviction notices, or request evictions, in 2020 nor, thus far, in 2021. There were two enforcement files in 2020 that referred to alleged illegal housing on Denman Island. In each case, there was ongoing communication with property owners to ensure that they understood the extended timelines and options for compliance, and that they realized that no demands were being made to evict tenants at that time.

Requests #2 and #3—a review of Denman’s Official Community Plan (OCP) and Land Use Bylaw (LUB) (the two main documents regulating land use), focusing on housing

The LTC is in favour of this, and made a decision earlier this year, by resolution, to review housing regulations as part of a targeted LUB review. This initiative can include the OCP if that is needed to meet community goals. The LTC will keep this request front of mind as it works on clarifying the scope, shape and timeline of this major regulatory review.

The challenge for this review is timing. Currently, all available staff resources are directed at processing affordable housing applications. We realize this is not what is requested in the petition, but the LTC believes these projects, if successful, will play a key role in meeting housing needs, both in the short term and long term. The LTC is mindful of OCP Policy 17, which asks it to “encourage...the work of non-profit land trusts for affordable housing,” and Policies 27 and 28, which encourage consideration of zoning amendment applications for seniors and affordable housing projects.

In the meantime, the LTC continues to work at clarifying the scope and approach of this review, and seeking resources to carry it out in a timely, thorough, fair and effective way. The petition conveys a sense of urgency to this goal and provides evidence of community support for prompt and decisive action.

We thank the signatories for this key piece of public input. We invite all community members to read updates on our work on housing and other issues in the *Grapevine* and *Flagstone*, to attend or watch recordings of meetings, to contact the LTC at northinfo@islandstrust.bc.ca, or to communicate with trustees individually at lbushiekin@islandstrust.bc.ca, dcritchely@islandstrust.bc.ca, and sfast@islandstrust.bc.ca.

*Standing resolutions can be found at [islandstrust.bc.ca/media/350894/de_2021-01-19_-policies_standing-res.pdf](https://islandstrust.bc.ca/media/350894/de_2021-01-19_-_policies_standing-res.pdf)

Denman Housing Association
3720 East Road, Denman Island, B.C. V0R 1T0
DenmanAffordableHousing@gmail.com 250 335 2559
Registered Charity #84680 0936 RR0001

To: Denman Island Local Trust Committee
Copy: Planner Sonja Zupanec

Re: DE-RZ-2021.1

April 13 2021

Dear DILTC,

We received the above file number on our Application to amend the LUB & OCP on March 17 this year.

As you start the process of considering our Application, bylaw amendments and other details, we would request that:

1. Where your discretion permits, you may take steps to move our Application forward as expeditiously as possible
2. Where time may usefully be saved you consider an interim meeting at some point
2. As was permitted in the Gabriola Housing Society Application, ours be moved forward through Third Reading and Ministry review, with only final adoption being conditioned on our receiving a water licence. This because water licence issuance is a 12 month process.

Thank you for your consideration

Sincerely

Simon Palmer - Chair

From: [REDACTED]
Sent: Saturday, February 13, 2021 4:14 PM
To: David Critchley <dcritchley@islandstrust.bc.ca>; Laura Busheikin <lbusheikin@islandstrust.bc.ca>; northinfo <northinfo@islandstrust.bc.ca>; Denman Island Local Trust Committee <DenmanIslandLocalTrustCommittee@islandstrust.bc.ca>
Subject: housing suggestion

February 13, 2021

Denman LTC members and planner:
David Critchley, Laura Busheikin, Sue Ellen Fast, Heather Kauer

Hello everyone,

The housing situation on Denman Island has interested me for some time. In many parts of BC, governments of all stripes are coming up with ways to alleviate some of the housing pressure in their communities. Both Victoria and Saanich have approved secondary dwellings in the past couple of years - designated as laneway housing or garden suites - and even Oak Bay is seriously studying the idea.

With the justifiable end to the latest affordable housing application, I have been looking into other ways to both help younger families buy on Denman, given the high land costs, and to provide secure rentals for others.

In reading through the OCP and LUB, a couple of possible scenarios arose. I realize this issue has been much studied - I am pretty sure I have been on at least one such committee in the past 27 years - and in no way am I suggesting we need another housing committee to review it all. In the best of bylaw worlds we could craft something that would not take years to implement and would not require hours of staff and trustee time. Hence I am taking a somewhat purposely simplistic approach.

The basic suggestion is to add a secondary dwelling unit as an allowable use on all properties larger than one hectare. The TUP regulations for secondary dwelling units as defined under 2.1.6 of the LUB re dwelling size, sewage and potable water could all remain as written. This would not contravene the philosophy of the OCP as under Housing E.1 policy 9 is support for "one dwelling unit per one hectare".

In no way am I saying larger properties could have 3 or 5 units depending on lot size. I am suggesting an amendment to allow up to two dwelling units on designated properties greater in size than one hectare with the existing TUP regulations. People would not have to apply for a TUP just a Siting and Use permit to ensure appropriate regulations are being followed. This would allow legal mortgage helpers, extended family housing and/or long-term rentals. I would add moveable housing unit to allowed buildings as tiny homes et al are now a viable option for many.

Concerns about carrying capacity and the rural nature of the island are valid. New technologies re water catchment, grey water systems, renewable energies all help to mitigate some infrastructure problems. Being sensitive to evolving generational concerns and the desire of many to live lightly on the land is also important.

Of course this is a bare bones idea with a number of implications, and it is also another possible way forward. Thank you for your time and energy. Please do not hesitate to contact me with any questions or requests for any assistance you deem helpful.

Leslie Gillett - [REDACTED] - [REDACTED]

From: [REDACTED]
Sent: Saturday, April 3, 2021 6:54 PM
To: deltcwebmail <deltcwebmail@islandstrust.bc.ca>
Subject: Contact Form Submission

Contact: Denman Island Local Trust Committee
Name: Geoffrey Scott Donaldson
Email: [REDACTED]

If you would like to be contacted using a different method than E-mail, please enter the details: 250-335-1145

Write your message: RE: RESPONSE TO PETITION ABOUT HOUSING, published in The Islands Grapevine, April 1, 2021. Denman Trustees Busheikin & Critchley: First, let me try to disabuse you of the notion that a “housing crisis” exists on our Island. A “crisis” implies a critical point in time when, if something isn’t done, a significant change in circumstances will occur. The term “housing crisis” is commonly heard these days, notably with respect tent encampments occupied by homeless people in most cities and towns in North America; although not a new phenomenon, these encampments have grown substantially in number and size this past year or so, and can be fairly said to be approaching a critical point from various points of view: public health, law enforcement, aesthetically where located in parks and other public spaces, for example, significant circumstantial changes that qualify most of these situations as crises manifest in forced removals, relocations, deadly fires and propane suffocations, medical emergencies and violent crimes, not to mention political reaction and social unrest. In contrast, the spate of fatal overdosing in users of illegally-made ‘fentanyl’ and the Covid pandemic have been around long enough now, neither with significant circumstantial change, that they can’t be called “crises” anymore: they are, rather, “epidemic” or even “endemic,” both figuratively and literally. Neither circumstance will change significantly without concerted, concentrated effort—effort that’s possible but, apparently, impolitic. Covid vaccines are promising, but admittedly not applied to eliminate but, rather, to mitigate the pandemic; and politicians remain reluctant to implement measures to remediate the overdose epidemic among users of toxic street opioids despite ample proof that these measures work (indeed, the only way the overdose epidemic could be even remotely called a “crisis” is that fatal overdoses have significantly increased in number since the Covid pandemic was officially declared a year ago; tragically, it’s only a matter of degree, otherwise the ‘same-old-same-old’). One could fairly say the term “crisis” is being confused with “epidemic” and its eventual outcome: “endemic.” It’s also often conflated: one epidemic or endemic times another somehow equals “crisis.” It’s easy to do because the housing crisis, so cited, manifest in tent encampments of homeless people, is definitely conflated with and by Covid and illegally-made ‘fentanyl.’ It’s easy to confuse what is really a crisis and what is not. Does a “housing crisis” really exist on our rural Island? Is it the same as the housing crisis in cities and towns? It seems to me that you and your critics are both using the term “crisis” inappropriately with respect to our Island. There are no tent cities of homeless residents here, nor any of the critical problems such encampments commonly have wherever they’re located; neither is there a spike in complaints against non-conforming or “secondary” dwellings; nor is there a notable increase in the number of such dwellings (I’d make an educated guess that there’s a considerable “fall-down” effect about a lot of once-illegal dwellings). In fact, nothing much has changed with respect to housing on our Island in dealing with the 47-year-old system of secondary-dwelling “detente,” as I’ve nicknamed it, that’s existed since the day the Islands Trust was created in 1974—except, of course, for the recently imposed Bylaw Enforcement Notification

system. So what's the real crisis, here? Illegal secondary dwellings house a considerable proportion of our residents, some very longterm Islanders and many younger, able bodied workers essential to our very geriatric population. When up to—or, possibly, more than— 15% of our residents are housed in non-conforming dwellings, bylaw-complaint detente is generally tolerated because so many residents have friends who supply such housing, or do so themselves, or live in such themselves and, in any case, understand the necessity of secondary-dwellings, IT rules notwithstanding. Forty-seven years without much change does not qualify as a “crisis.” Although non-conforming “detente” is not officially recognized by the LTC except by way of the number of bylaw infraction complaints at any given time, no Trustee would swear under oath that he or she hasn't known it exists, or would honestly deny that it's vital for our community to house workers and/or family members who cannot afford to buy a residence here. It's contradictory to portray the longtime housing situation as a circumstance now or soon to be at a critical juncture which will, without address, precipitate a significant change—like a real crisis would— when, at the same time, you're tying yourselves in contortions by reassuring residents that “no demands [are] being made to evict tenants at this time,” or advocating for “moratorium,” “temporary,” “partial,” “with several exceptions,” “give property owners time,” or pleading preoccupation with a barge load of bureaucracy you promise to “carry out in a timely, though fair and effective way,” to say nothing of the more exotic housing projects underway but not expected to be in service for years. Surely, one simply can't be referring to a crisis here. Forgive me but, with as much sympathy as I can muster for you in the difficult task which you've either been confined or confine yourselves to, I cannot accept your timeliness pledge without a very, very large grain of salt. Forty-seven years of continual demand and supply of non-conforming dwellings: that's saying enough. The Petition reveals that some residents do feel a critical juncture has been reached that needs immediate address else harm is done to the signatories and/or their friends, families and neighbours who are threatened with eviction, whether eventual, postponed, temporarily ameliorated... whatever. Again, I dispute the notion of crisis in this regard. I suppose it's a point-of-view thing, but offering the concerned residents burial at sea, a sea of bureaucracy which you admit is a “challenge” in “timing” terms because “all available staff resources are directed at processing affordable housing applications” is, as decent as I'm sure you intend, about as comforting as a night or a week or a month or longer in a tent in a park in winter. The basic problem is, as you admit, timing. Simply put: the housing policies your bureaucracy is trying to carve out of steel cannot replace the service non-conforming dwellings provide in any way that could be called “timely.” Your critics obviously tire of waiting for projects that, as laudable as they are, won't come even halfway to addressing a problem that barely exists: we're not talking about finding homes for tent people who desperately need them (good thing, too, because, at the rate the IT moves, they'd grow old and die before getting any relief); rather, Islanders are mostly trying to keep their fellow Islanders housed where they already are. Even in an hypothetical scenario where half of residents who currently live in non-conforming dwellings would be guaranteed a conforming one of the variety currently acceptable to the Trust—like Denman Green, for example—they'd likely also grow old waiting a decade for development. And then, of course, there's the other half. Nobody is counting on the exotic models to adequately address the housing situation the Trust seems bent on exacerbating. Yes, too true: timing is the challenge—but it needn't be if secondary dwellings were generally permitted. And, just like “detente,” everybody knows it, even if only on the q.t. As a fellow time traveller, I'm unconvinced that the official policy will address the non-conforming dwelling situation. I've been an Islander for 32 years—half my life—been a member of Improvement and

Water Districts; been granted and completed three Commercial Development Permits; developed six residential properties of my own and similarly advised many clients and neighbours; tromped through the woods as forestry consultant, logged and harvested trees I planted myself; consulted and worked on commercial and residential developments; successfully opposed a municipal-style ticketing bylaw proposal —twice; and been a keen observer of housing issues, conforming and otherwise, on our Island up to this very day: I do know a little bit about how things work here. With the best of intent I must say the LTC is bungling the housing issue. You are making too much bureaucratic work and exacerbating feelings in our community that are getting harder every day because the Trust's housing policy remains wrongheaded in many respects, and where it's laudable, too slow and inadequate. Worst of all is the BEN process. I recall the day it was imposed. Things have gone considerably downhill since. You could be spending your time—our time—on better things than burying yourself in “affordable housing applications.” That word, “affordable,” is getting as suspect as “crisis.” Renters of non-conforming dwellings don't have an affordability problem—so long's they don't need to pay exorbitant temporary-use permit fees designed to discourage. Rather, they have a housing policy problem they didn't have until recently. There is no “housing crisis” on Denman Island, but there may well be a land-use policy crisis brewing. The one good thing about overuse or misuse of the term “housing crisis” is that responsible governments in British Columbia happen to be preoccupied right now with real housing crises in the towns and cities around the province; they are developing political rhetoric crafted to show they care. Perhaps this is where Islanders need to go to get productive hearings on this matter. IMHO, it's such a simple thing to solve, given the housing and the renter components already exist. Now that the Agricultural Land Commission and the Attorney General's special portfolio are currently looking at novel solutions to the housing issue, our residents might prove to have interesting insight. I, for one, am heartened that your missive acknowledges the “human realities of the situation.” That will probably go a long way in coordinating resources and polices across the jurisdictional spectrum. The solution—the only solution, I'm convinced—is to allow secondary's dwellings—with important restrictions and conditions— on each and every property on the Island, disqualifications having only to do with geophysical limitations on the ground and peculiar to that particular lot, not to any land-use zoning. Rather zoning would dictate what type of, not if, a secondary dwelling is permitted: they would be generally permitted on any lot where they'd fit. That would be fair and effective. As long's residents aren't being evicted, there's ample time to draft and pass the enabling bylaws — and repeal impediments. Only fair, indiscriminate liberalization of current housing prohibitions will turn this mess around and let the LTC get back to what it should be doing. At your service, Scotty

From: Peter Stockdill [REDACTED]
Sent: Friday, March 19, 2021 2:33 PM
To: northinfo
Subject: Shellfish Aquaculture Application, Henry Bay, Baynes Sound
Attachments: Baynes Sound Henry Bay Aquaculture Expansion.docx

Good afternoon,

I wanted to be sure that you are aware of this application and its implications. I am attaching my report prepared on behalf of the Council of BC Yacht Clubs.

Regards,

Peter Stockdill

Tenure Research

March 19, 2021

To: Transport Canada, Navigation Protection Program
 FLNRO & RD, Crown Lands
 Fisheries and Oceans Canada
 Hon. George Heyman, Minister of Environment and Climate Change Strategy
 Islands Trust
 Association for Denman Island Marine Stewards
 Comox Valley Regional District

From: The Council of BC Yacht Clubs
 Peter Stockdill, Tenure Research

Re: Proposed Expansion of Shellfish Aquaculture Tenure, Henry Bay, Baynes Sound
 LF#1411213 FRN1976 NPP#2009-500455

BACKGROUND



Denman Island residents report that each year since 2004, an average of 3 tons of marine debris has been collected by local residents and volunteers. 90% of the debris originates from the continually expanding shellfish industry.

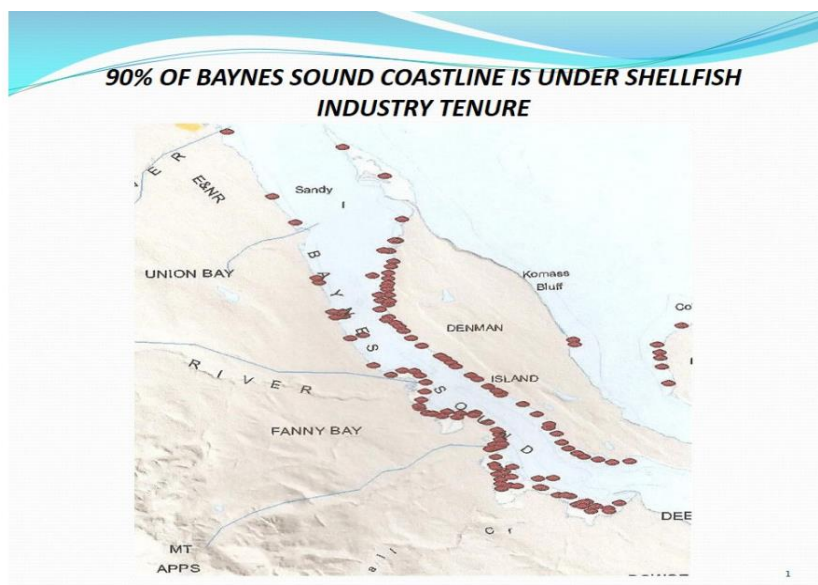
While a large percentage of the debris arrives on the shore of Denman Island, it also spreads north to the beaches of the Jaji7em and Kw'ulh (formerly Sandy Is.) Provincial Marine Park. I also have reports of aquaculture debris on the Comox and Cape Lazo shorelines.



When hundreds of residents around Baynes Sound hear the word **AQUACULTURE** the pictures that come to mind are these. Piles of abandoned aquaculture debris littering the beaches. It is disgraceful that after decades of complaints to all levels of government, nothing improves. Why should residents be burdened with cleaning up the garbage from aquaculture companies? Why should they be expected to deliver this debris to local dumps? If these were businesses on Granville Street, they would not be allowed to litter downtown Vancouver. This is not right!



Baynes Sound has become the most intensive shellfish aquaculture location on the BC coast. In 2018 there were 137 shellfish tenures in Baynes Sound.



The rapid expansion of this industry has led to increasing concern with debris from these tenures as well as environmental impacts in general. This has prompted various levels of government to produce plans in an attempt to address this issue.

In 2002, the Province issued the extensive Baynes Sound Coastal Plan for Shellfish Aquaculture. Compliance and Enforcement recommendations were made but they were not enacted or have proven to be ineffective.

In 2018, Fisheries & Oceans Canada, Aquaculture Management Division issued the BC Shellfish Aquaculture Debris Strategy & Action Plan. This Plan recognized that debris generated from shellfish farms is the leading public complaint. Over 50% of site inspections by DFO identified derelict or unmaintained gear and infrastructure, as well as improperly wrapped or exposed Styrofoam. Although well intentioned, this plan is hampered because of a lack of legislative authority to impose penalties on operators who violate the terms of their DFO licence.

In 2019 Sheila Malcolmson MLA, Special Advisor for Marine Debris Protection and Parliamentary Secretary for Environment was asked by Premier Horgan to find solutions. Input was received from 46 organizations. The report *What We Heard on Marine Debris in B.C.* was issued in February 2020. Appendix 4 below provides a summary. Note that government organizations do not see Aquaculture Debris as a problem but all other parties did. Government also did not see addressing Debris at Source as a solution, we see it as the only solution. The lack of government interest in these areas is of grave concern. This debris problem will not be solved without significant government involvement.

Appendix 4: Summary of issues raised by different parties

The below table provides an at-a-glance summary of the problems, challenges, and potential solutions raised by different parties during direct engagement meetings.

	GOVERNMENT	INDUSTRY	ENGOS*	CITIZEN GROUPS	BOATER GROUPS
PROBLEM					
Abandoned vessels	X	X		X	X
Mooring buoys	X			X	X
Ghost fishing gear	X		X		
Aquaculture debris	X	X	X	X	X
Polystyrene foam	X	X	X	X	X
PROBLEM – OUT OF SCOPE					
Single use plastics			X	X	
Sewage/Microplastics in sewage	X	X		X	
CHALLENGES					
Lack of options/economic challenges for disposal/recycling	X	X	X	X	X
Lack of funding, infrastructure, and workforce	X	X	X	X	
Critiques of regulations and enforcement	X		X	X	
SOLUTIONS					
Planning and inter-jurisdictional cooperation	X		X	X	X
Provide disposal and recycling options	X	X	X	X	X
Province-funded programs	X	X	X	X	X
Vessel turn-in program	X	X			X
Vessel licensing	X			X	X
Private mooring	X			X	X
Addressing marine debris at the source	X		X		X
Education and outreach campaigns	X	X	X	X	X

*(Environmental Non-Governmental Organizations)

THE PROPOSAL

This proposal will expand the tenure size from 5.8 to 16.7ha. The number of rafts will increase from 10 to 28. Shellfish stacks will increase by 2,000 and oyster trays by 16,000. The stacks will be composed of 8 trays each, held together by a total of 30,000m of polypropylene rope (lifespan 2 years). The same rope will attach the stacks to the rafts. Fig 1 shows current rafts. Note the yellow lines. They point to attachment points on the raft. Note also that these sites are exposed to sunlight, not only from above but also reflected upwards from the water below. During summer days in direct sunlight, the temperature within the ropes could reach the point where polypropylene begins to melt.



Figure 1 Current Tenure

The rafts will be secured with 8 concrete anchors. The rode will be composed of 5m of galvanized chain secured with galvanized shackles along with an unspecified length of 25mm nylon 3 strand rope. There is no mention as to whether or not the shackles will be seized.

120 Bouncing Buckets (lifespan 3 years) are proposed. There is no information in the application as to how these buckets will be attached to rafts and what type/size of rope will be used.

The rafts will be spaced 5m apart and each connected with 2 polypropylene ropes. A total of 500m of rope will required. Eight buoys (lifespan 3 years) will be used. No information has been provided as to size or location.

We do not know how much debris is produced by the current tenure but by increasing the size by 300%, it is logical that if approved, the debris produced will increase by a similar amount. This proposal would also add a very large amount of plastic to the marine environment.

A Debris Management Plan is provided.

DISCUSSION

The use of Polypropylene Rope

When I first read the application, I was amazed to find almost exclusive use of polypropylene rope. My wife and I have cruised the coast of B C in a sailboat for over 25 years. When changes in running rigging were necessary, I researched which type of rope would suit the need. We only used poly line for the dinghy painter and our heaving line. In both cases, this was done because poly is light and it floats. I do not see any need for floating lines in this application.

I have provided more detailed information on this rope in Appendix A but here is a summary. Polypropylene is the lowest cost synthetic rope available. It is light and floats. The major disadvantage is that it degrades quickly and weakens when exposed to sunlight. Smaller sized rope such as used in this application is also more affected because it has more exposed surface area in proportion to its volume. This product is also less strong, abrades easily and has a low melting point compared with other ropes. These factors all lead to a short lifespan.

8 trays per stack will be suspended below the raft with poly. This attachment area is most exposed to sunlight and therefore early failure. Fig 2 shows trays.

There is a complete stack of 8 trays and some loose ones. The stack probably broke loose intact because the attachment line from the top of the stack to the raft gave way. The remainder of the line kept the stack intact.

The loose trays may have broken loose under the raft or on the beach.



Figure 2 Aquaculture Debris

The use of 120 Bouncing Buckets is proposed. I understand that these buckets hold oyster seed which is dispersed into the water from the bucket. Fig 3 shows bouncing buckets on the beach that have broken loose from a raft for some reason. At this point, I do not know what size/type of rope will be used to secure these works.¹

¹ Canadian Navigable Waters Act. Definition of works. *Any device, structure or thing.*



Figure 3

Microplastics

The UV degradation of polypropylene leads to mechanical breakdown and gradual increase in smaller and smaller pieces until they become microscopic or microplastics. These particles have been shown to accumulate within the sediments of the bottom of Baynes Sound, especially in Henry Bay. In 2018, Professor Leah Bendell and colleagues at SFU report² finding microplastics in manila and varnish clams in Baynes Sound. They also have reported³ the presence of polypropylene and high density polyethylene indicating that the microplastics originated from the shellfish aquaculture industry.

Dr. Bendell recommends that: “There is no further expansion of this unregulated industry within this sensitive ecosystem at this time.”⁴

Weather

Merriam-Webster defines weather as:

The state of the atmosphere with respect to heat or cold, wetness or dryness, calm or storm, clearness or cloudiness.

A DFO information webpage, recommends that aquaculture operators “*Design and install all infrastructure to withstand all types of weather conditions.*”

Transport Canada takes this a bit further by requiring that: “*The owner is responsible to ensure the works are designed and maintained to withstand local weather conditions.*”

“Weather” is not just wind and storm conditions. It also includes temperature and the amount of sunshine which impact the degradation of polypropylene. With global warming and climate change this will just get worse in the coming years.

² PLOS ONE May 23, 2018

³ PLOS ONE May 22, 2020

⁴ Personal Communication

Debris Management Plan

This plan is vague and short on specific details on how/when the site is inspected and how debris will be managed. It is more of a recitation of hopes and goals than an actual plan.

- There appears to be a misuse of the word “revise”.
- Boat logbooks will be used to record activities. This does not appear to comply with Sec 12.5 of the DFO licence which requires a Facility and Maintenance Log.
- The self-inspection checklist is not provided.

The Plan does not indicate how the 30,000m of polypropylene rope will be handled when it reaches its life expectancy of 2 years.

The applicant should be required to revise this plan.

Infrastructure and Gear Stored on Top of Rafts

Many aquaculture operators store large amounts of gear and equipment on their rafts. Much of this is may be poorly secured. Some of the debris washing ashore comes from this source. Fig 4 and Fig 5 demonstrate this situation.



Figure 4



Figure 5

Some operators may be securing gear on their rafts with aging polypropylene rope. Fig 6 shows the subtle difference between the appearance of new and used polypropylene rope. Note the coil of rope in the center of the picture. It is secured with what appears to be fairly new rope marked by the yellow line. The coil itself shows older rope that shows signs of deterioration⁵ marked by the blue circle.



Figure 6

SUMMARY

Dr. Bendell describes shellfish aquaculture as an “unregulated industry”. It certainly is unregulated but all three agencies responsible do have regulations. The problem is that there is little or no enforcement. Why is this so?

Sheila Malcolmson has pointed out⁶, that governments just do not see aquaculture debris as a problem. On an encouraging note, she also reports that: *“Some industry members welcome tighter regulation and enforcement of marine debris in their industry to level the playing field between those operators who have voluntarily controlled plastic pollution and those who are giving the industry a bad reputation.”*

⁵ A deteriorating polypropylene rope loses strength but using just visual inspection, it is difficult to predict under what load it will break.

⁶ What We Heard on Marine Debris in B.C. 2020

The Council of BC Yacht Clubs does see this situation as a problem. Our members are not permitted to throw their garbage overboard and they see no reason why the aquaculture industry, using public lands, should not be held to the same standard. We also feel that the approach must be to deal with these issues at the source.

Polypropylene rope seems to be almost exclusively used by aquaculture operators likely because it is the least expensive synthetic rope available. Unfortunately, the pictures in this report show a huge amount of this rope in the debris washing ashore. Given the rapid deterioration of this rope when exposed to sunlight, this is not surprising. On the other hand, when one considers rope characteristics, polyester rope demonstrates less degradation due to UVL light, abrasion and heat, with more durability.

The presence of microplastics in the bottom sediments of Baynes Sound and in particular Henry Bay, is a serious concern that we feel much be addressed. The presence of microplastics in aquaculture grown shellfish and potential impact on human health has not been established but this issue needs further investigation.

In 2018, Canada, France, Germany, Italy, UK, and the EU adopted the Ocean Plastics Charter. The Charter's goal is to eliminate and/or recover 100% of plastics by 2030. The Council feels that now is the time for changes in how the Baynes Sound shellfish industry operates.

RECOMMENDATIONS

This work must be designed to withstand local weather conditions and comply with Sec 6 of the Navigable Waters Works Regulations.⁷ Both Transport Canada and Fisheries & Oceans Canada must require that no polypropylene rope is used in the construction of this work.

The Shellfish Aquaculture Debris Strategy & Action Plan was a good start. Unfortunately, this plan has not been successful in reducing aquaculture debris. Fisheries & Oceans Canada should, in concert with provincial and federal partners revise this plan to include stronger enforcement measures. This may require changes in legislation and increased resources, but the need is great and failure is not an option. Fisheries & Oceans should also support further research into the possible impact of microplastics on human health.

Because of the issues raised by this application, Crown Lands should not accept any new or amendment applications at this time. The issues of aquaculture debris and the potential impact of microplastics on human health need to be better understood or resolved before any further expansion of this industry is permitted.

⁷ Relates to collection of debris

APPENDIX A

Characteristics and Uses of Polypropylene Rope

Information below based on a variety of sources including rope manufacturers and distributors.

Polypropylene is a simple chain polymer that has a high degradation rate when exposed to UV light such as in sunlight. The light causes the bonds holding the polymer together to break which weakens the plastic. The degradation shows up as a network of fine cracks and crazes that become deeper and more severe with time of exposure. Ultimately strands become brittle and break. Smaller ropes such as used in this industry are affected more than large ones since they have more exposed surface area in proportion to their volume. Polypropylene is stiff and slippery and is notorious for coming undone because it slips out of knots. Special knots have been developed to cope with this problem. Polypropylene has a fairly low melting point, around 65C. This means that it does not work well in applications where it will encounter any amount of friction. The fibers will either abrade, or melt together, as if they were glued.

Marine supplier; **West Marine** states: *Polypropylene is a light, relatively inexpensive and stretchy fiber. Durability is not its strong suit, so more frequent replacement is needed.*

Chapman Piloting Seamanship & Small Boat Handling states: *Polypropylene rope is least expensive among the synthetics, but it tends to deteriorate rapidly from exposure to the UV component of sunlight.*

10 BEST RATING > 1 WORST RATING						
ROPE PROPERTIES	Polypropylene	Nylon	Polyester	Manila	Sisal	Cotton
Abrasion	5	10	10	8	5	5
Acid Resistant	10	10	10	10	2	1
Durability	7	10	10	7	7	5
Elongation at Break	10	9	2	1	1	2
Floats	10	1	1	1	1	1
Handling	8	10	10	5	5	10
Mould Resistant	10	10	10	2	1	1
Oil & Gas Resistant	10	10	10	5	5	5
Rot Resistance	10	10	10	2	1	1
Shock Load	6	10	7	5	2	1
Sunlight Resistant	3	5	9	10	10	10
Wet Storage	10	10	10	1	1	1
Wet Break Strength	10	10	9	1	1	1
Heat Characteristics	Weakness at 65°C	Weakness at 180°C	Weakness at 180°C	No effect	No effect	No effect

April 8, 2021

To: Transport Canada, Navigation Protection Program
 FLNRO & RD Crown Lands
 Fisheries & Oceans Canada
 Hon. George Heyman, Minister of Environment and Climate Change Strategy
 Islands Trust
 Association for Denman Island Marine Stewards
 Comox Valley Regional District

From: The Council of BC Yacht Clubs
 Peter Stockdill, Tenure Research

Re: **ADDENDUM** to Report dated March 19, 2021
 Proposed Expansion of Shellfish Aquaculture Tenure, Henry Bay, Baynes Sound
 LF#1411213 FRN1976 NPP#2009-500455

Wind storm March 28-29 2021

On the morning of March 28, a gale warning was issued for Georgia Strait with NW winds up to 35knts predicted. Between 1600hrs on March 28 and 0100hrs on March 29, Comox Airport recorded winds between 30 and 39km/hr (16-21knts). The Beaufort Scale considers these wind levels to be just a “Fresh Breeze.” When the front passed, the initial NW winds were higher than those recorded at Comox for a short period. This brief period of higher winds was not identified in the hourly reports from Comox. These stronger winds were noticed by residents of Denman Island as well as myself at Nanoose Bay.

It is not likely that winds in Baynes Sound reached gale force but they did cause aquaculture debris to be set adrift. Residents of Denman Island report finding about a dozen oyster baskets and four oyster pouches on a beach S of Henry Bay the next day.

One of the floating pouches is shown in fig 1. The yellow arrows point the ends of a degraded¹ and broken polypropylene rope. This pouch floated free because of this broken rope. The blue arrows that point to what appears to be newer ropes that are intact. As I will show, these ropes would be under less stress in use than the large broken one. The normal use of these pouches is shown in fig 2. Note the green color polypropylene rope securing the pouches. Each pouch is secured at each end by a knot in the rope. The rope is not in the water but lying on the surface of the pouches and thus exposed to sunshine during daylight hours.

¹ Polypropylene is a simple chain polymer. The UV component of sunlight causes the bonds holding the polymer together to break which weakens the plastic, which then breaks into smaller and smaller pieces.



Figure 1 Oyster Pouch



Figure 2 Floating Oyster Pouches

Note carefully the junction point between the pouches. Even during calm conditions, this location will be in almost constant movement due to passing boats. This movement will cause abrasion of the rope. As previously noted, polypropylene rope has the lowest resistance to abrasion of all synthetic ropes. Sun exposure and a low resistance to abrasion lead to early degradation of the rope, loss of strength and breakage under load.

Have another look at Fig 1 and you will see that the junction between pouches is exactly where the rope pulled apart and allowed this pouch to drift ashore. The ropes indicated by the blue arrows connect the floats to the netted pouch. There will be little or no movement at this location.

Another characteristic of polypropylene rope is that it floats. Note that these pouches are floating on their own. There is no reason why a more durable non-floating rope could be used in this location. If this was done, I suspect that there would be a significant reduction in number of pouches floating free.

The morning of April 4, 2021 was calm. That morning the collection of five oyster pouches shown in Fig 3, were found on a Denman Island beach.



Figure 3

Note the rope end marked by the red arrow. The end is clean with no sign of degradation or wear. It is possible that these oyster pouches drifted ashore simply because a securing knot worked loose and became untied.

In 2019, the Association of Denman Island Marine Stewards (ADIMS) collected 115 of these pouches and 1173 oyster trays from the beaches of Denman Island.

Lifespan of Polypropylene Rope

This applicant estimates the useful lifespan of polypropylene rope to be 2 years. Given the extensive sun exposure and the proposed use of this rope in this operation, this number seems reasonable. I have been reviewing the Debris Management Plan for another application (LF#1414932). In this case, the suggested lifespan of the polypropylene rope used for culture lines and the structural frame is 3 years. Both applicants have recognized that the lifespan of polypropylene rope for aquaculture use is in the range of 24-36 months. Between 24-36 months after installation, all polypropylene rope must be removed, legally disposed of and replaced with new rope.

Polypropylene rope forms a significant portion of the debris collected annually from the beaches of Denman Island. In 2018, ADIMS reports collecting approximately 500lbs of polypropylene rope. This floating rope can also become a hazard to navigation. I personally know of boaters who had polypropylene rope foul their propeller requiring long tows to find a diver to remove the rope. Kayakers report that they find polypropylene rope of various sizes and lengths throughout the Salish Sea.

Buoys

The applicant plans to place 8 buoys on the tenure. The method of anchoring these buoys is not provided. If polypropylene rope is used, the line must be counterweighted to prevent it from floating so that it will not foul propellers of nearby vessels. In addition, this rope must be examined by a diver annually and replaced every 24-36 months. We feel the use of a non-buoyant more durable rope such as nylon is more appropriate.

The applicant estimates the lifespan of these buoys to be 3 years. ADIMS reports finding buoys or parts of buoys on beaches every year. It is therefore logical that all of these buoys are removed, legally disposed of and replaced every 3 years.

Fisheries & Oceans Conditions of Licence Effective April 1, 2021

My prediction is that this version of Conditions of Licence will have little or no impact on the amount of Aquaculture Debris in the ocean and drifting ashore. There is still no interest in containing debris at source and there is no effective enforcement of the Conditions of Licence. There are no specifics on what a Debris Management Plan must contain. There is no requirement to replace equipment when it reaches the end of its projected lifespan.

In response to a person who complained to DFO about debris on the beach in 2019, a DFO officer replied: *I will be sending out an interim notice today to those deepwater/suspended tenures in the area you reported on with direction to follow their CoL and secure all equipment.* Did the officer really think that there would be compliance with just an email?

The officer goes on to say: *a B.C. Government officer and myself are diligently working on 24 active non-compliance files regarding inspections conducted this past summer of the majority of westside Denman tenures and are working hard to compel clean-up on those.*

24 non-compliance files from last summer and someone at DFO thinks that further emails will result in compliance?

The officer concludes by saying: *I note you again ask “when will DFO do its job”? Those 1 or 2 of us that are tasked to this and receive all the ORR reports are working on it I can assure you.* This sounds like a very frustrated officer who knows that he cannot obtain compliance with the tools and staff that he has been given. Clearly, there is no interest in even attempting to reduce the tons of Aquaculture Debris that drifts free every year.

Final Thoughts

On March 23, I received an email from a DFO official commenting on our original report. The official states that DFO cannot ban the use of polypropylene rope because Environment and Climate Change Canada has not listed polypropylene as a toxic substance. This is just more DFO diversion. We have never suggested that polypropylene is toxic. We have however, clearly demonstrated that rope made of polypropylene is having a significant impact on pollution and waste in Baynes Sound. I would suggest that DFO and the other relevant government agencies have a look at the Canadian Environmental Protection Act (CEPA). CEPA has a number of guiding principles, three of which are relevant to this application:

Pollution prevention: CEPA shifts the focus away from managing pollution after it has been created to preventing pollution. Pollution prevention is “the use of processes, practices, materials, products, substances or energy that avoid or minimize the creation of pollutants and waste.

Precautionary principle: Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.

Polluter pays Principle: CEPA 1999 embodies the principle that users and producers of pollutants and wastes should bear the responsibility for their actions. Companies or people that pollute should pay the costs they impose on society.

Why are the government agencies regulating the shellfish aquaculture industry failing to:

- Take actions at the source to prevent or minimize pollution and waste?
- Recognize the possible impact of microplastics on shellfish and human health?
- Require aquaculture operators to pay for the costs that they impose on residents and users of Baynes Sound?

The Council of BC Yacht Clubs believes that approving this application and allowing the continued use of polypropylene rope will increase marine debris in Baynes Sound and beyond. Eliminating the use of polypropylene rope, or replacing it every 2 years, in this and other shellfish aquaculture operations will significantly reduce marine debris. At the same time, we recognize that this action alone will not eliminate it. Stronger enforcement measures with significant penalties are clearly necessary to reduce Aquaculture Debris to an acceptable level.

The residents around Baynes Sound have been facing mountains of aquaculture debris for decades. Fig 4 shows just the first load of debris that has washed ashore on Denman Island since January. These baskets were originally secured with polypropylene rope that has broken. Unfortunately, there is more to collect.



Figure 4

From: [REDACTED]
Sent: Monday, March 22, 2021 11:44 PM
To: deltcwebmail <deltcwebmail@islandstrust.bc.ca>
Subject: Contact Form Submission

Contact: Denman Island Local Trust Committee
Name: Chris McLaughlin
Email: [REDACTED]

If you would like to be contacted using a different method than E-mail, please enter the details:

Write your message: Hi there, I just wanted to reach out and let you know about a current expansion application that is open for comments and discussion until April 9th, 2021. My family has been going to Denman Island for 30+ years and we have been battling the predator netting and aquaculture companies for a long time, much of which was spearheaded by my late Grandma. Currently, Pentlach Seafood Ltd is looking to expand the tenure of oyster rafts and continue their operations of predator netting on the beaches. We have seen the continued poor management of the netting on the beaches for decades. The beach is home to the herring spawns some years, is home to the critical eelgrass habitats, and their operations are threatening the area. I have written an open letter to the government as well as commented on their application (<https://comment.nrs.gov.bc.ca/applications?id=60380080c2e116002207ec28#details>). We live in Komas Ranch, consisting of 20 shareholders in the North West of Denman Island and most families have participated in expressing their objection. In the letter I created some basic maps based on some open source data online and attached many of the photos showing the problematic netting. I am hoping to spread the word to eliminate the expansion in these waters and hopefully remove the dangerous predator netting on the beach for good. It would be much appreciated if you would be able to spread the word a little bit or simply comment your opinions on their application on the link provided above. Thanks for your time, Chris McLaughlin
Letter:https://docs.google.com/document/d/1dR_rcHIHtaIS1CzvHxZKeS23iX2cVUahIoXQ0Cj1KXU/edit?usp=sharing Attached Media:https://drive.google.com/drive/folders/1-Fa4_SRSEjeppK3VjhSUDupqSYxhTbk1?usp=sharing

From: Dixie H-S [REDACTED]
Subject: Reconciliation Action Plan
Date: April 21, 2021 at 9:08:32 PM PDT
To: lbusheikin@islandtrust.bc.ca, David Critchley <dcritchley@islandtrust.bc.ca>, sfast@islandtrust.bc.ca

Laura, David, and Sue Ellen

I have attached a letter regarding the Islands Trust Reconciliation Action Plan.

Gilakas'la

Dixie



Dixie Hunt-Scott

Denman Island, BC V0R 1T0

April 21, 2021

Islands Trust
Denman Island Region

To Laura, David and Sue Ellen

Gilakasdaḡw'la. Nugwa'am Maxmuwidzumga. He'man dligami Dixie. Gayutlan lax T'saxis. Gukwālan lax Denman Island. Kwagut dlu' Tlingit dlu' Ma'amtigila xwan. Kaḡutlan xan Kwak'wale.

I am writing this letter to invite Islands Trust to engage in reconciliation with Indigenous people. Having reviewed the Reconciliation Action Plan, I was pleased to see that Islands Trust is committed to making positive change. This is clearly stated in the following paragraph from the Reconciliation Action Plan:

"The journey of reconciliation is one in which we commit to work within a context and frame work that is inclusive, respectful, and humble. Realizing that for generations processes and policies have brought us to a place in which we recognize the damage, harm, and failure of division, racism, prejudice, and stereotypes, we strive to find ways of coming together. Reconciliation Action Plans are a way of setting the terms of reference for how we will move forward as an organization, and provide the support that is needed for individuals to do their best work."

As an Indigenous person, member of the Kwakiutl First Nation, I am actively engaged in the process of learning Kwak'wala, my traditional language. Like many people of my generation, English was the first language in our home as the Residential School system halted the transmission of our traditional language. Over the last few years, I have embarked on a journey to learn Kwak'wala as well as other traditional practices such as cedar weaving, and traditional use of plants as medicines. My Indigenous language is the foundation of all of our cultural practices.

I was fortunate to participate as a student in Kwak'wala classes at North Island College prior to COVID. Unfortunately, as COVID restrictions were put into place I was unable to participate in the classes that utilized on-line platforms because I live in an area of Denman Island that does not have internet service available. Last September I was invited by the Kumugwe Cultural Society, which represents K'omoks and Kwakwaka'wakw peoples, to participate in their language learning project. I have struggled, and at times, been unable to connect to the virtual learning sessions. I have also had to decline the opportunity to engage in learning traditional weaving because I did not have internet access.

I am reaching out to Islands Trust in the hopes that through the process of reconciliation there may be an opportunity to provide internet access so that I can continue to engage in the learning of my traditional language and cultural practices. At this time, my only access to the internet is to sit in my parked car outside the Old School on Denman Island and tether off my cell phone. This is costly and inefficient particularly during evening sessions.

Gilakas'la

Dixie Hunt-Scott

From: Peter Stockdill <pstockdill@telus.net>
Subject: Oyster Pouches in Baynes Sound
Date: April 30, 2021 at 11:13:46 AM PDT
To: Sue Ellen Fast <sfast@islandstrust.bc.ca>

Good morning Sue Ellen,

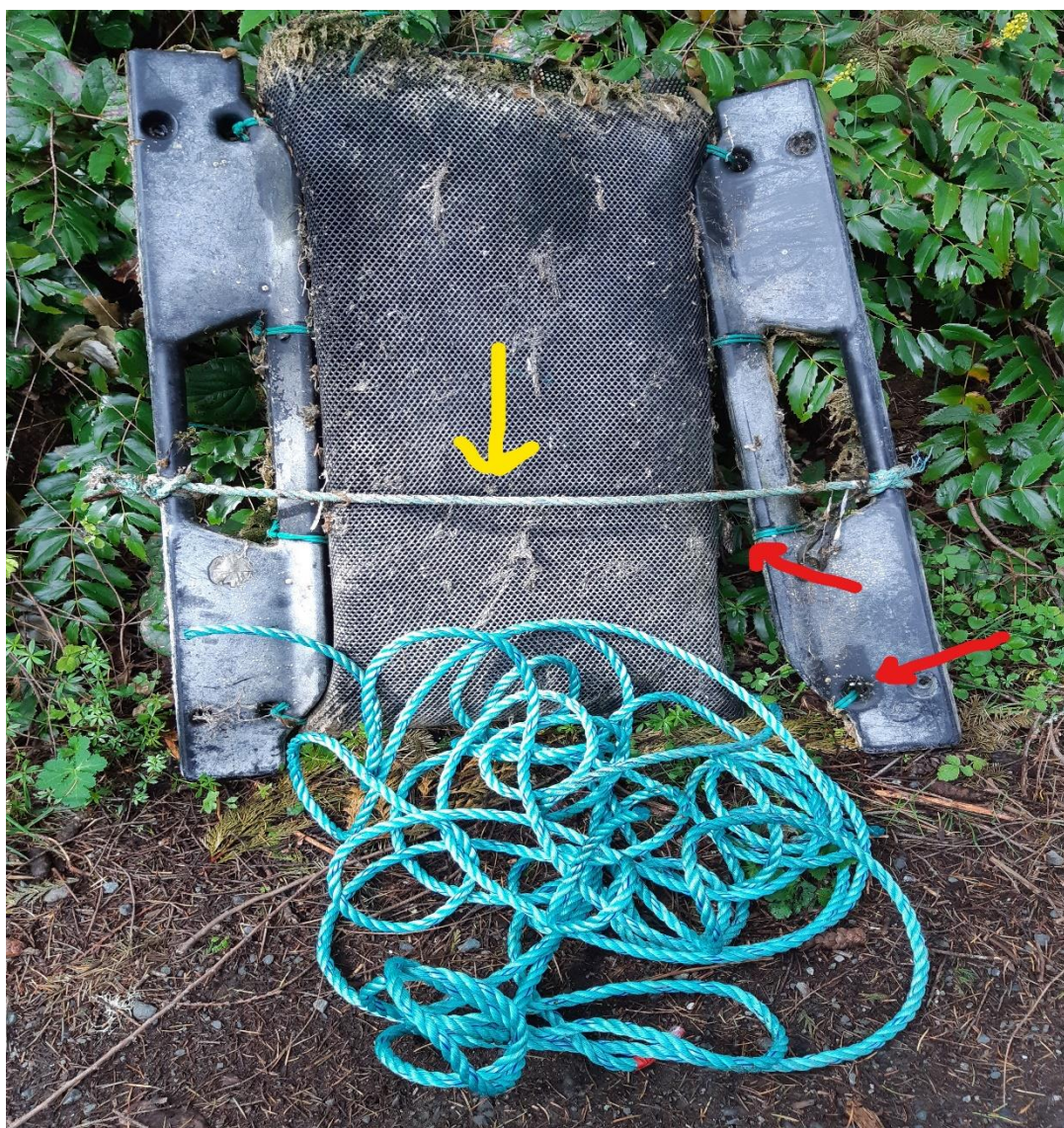
The Navigation Protection Officer with this file asked me for comments on the oyster pouches and the use of polypropylene rope Baynes Sound. I am attaching my comments FYI.

Peter

April 29, 2021

COMMENTS ON OYSTER POUCHES IN BAYNES SOUND

I have discovered this morning that these pouches are locally made with the assistance of VIU at Deep Bay. There are three parts to each pouch. Two floating parts separated by a plastic net. Two sizes of rope are shown below. The larger rope (yellow arrow) is polypropylene and is used to connect this pouch to others on either side. Note that this rope looks different from the rope at the bottom that looks new. The yellow marked rope is degraded and is past its useful lifespan. The smaller rope that is probably also polypropylene secures the parts of the pouch together. The red arrows point to places where these lines have pulled free from the net. Evidence suggests that any of these lines could fail and cause the pouch to float free.



There is no question that many of these ropes are breaking and the pouches are drifting ashore. The picture below is typical after a NW blow.



The picture below shows a pile of these pouches with oyster trays behind all awaiting removal.



RECOMMENDATIONS

My wife and I spent 25 years cruising the BC coast with 2 trips to the central coast and a circumnavigation of Vancouver Island. We travelled in 40ft sailboats with lots of rigging. I am very familiar with the characteristics of the various synthetic ropes. Depending on the use, I have bought nylon rope for anchor and mooring lines and polypropylene line for the dinghy painter and heaving line. I have used large amounts of various polyester line for our running rigging. I hold an Advanced Piloting Certificate from the Canadian Power and Sail Squadrons.

In my view, a significant cause of shellfish aquaculture debris is the widespread use of polypropylene rope. It is not the only cause but it is a very significant one. The reason why polypropylene is not appropriate for use in Baynes Sound is the extensive sun exposure coupled with abrasion caused by wave action and attachments to infrastructure. It also appears that in some cases this rope continues to be used well beyond its lifespan. To reduce rope failure, it might also be possible to improve the design of these pouches where ropes are attached to reduce rope abrasion or a break in the net.

Using these pouches in the intertidal area will increase abrasion and failure of rope. At low tide the pouches will be subjected to the combined impacts of waves and contact with the beach including rocks, shells and barnacles. There will also be increased exposure to sunlight. The picture below shows the current Fanny Bay Oysters, DFO and VIU intertidal research site.



A much better choice of rope would be a single braid polyester. This rope is very resistant to sunlight and abrasion. It is very durable. It will cost a bit more but there will be less debris and it will reduce the need for officials to spend time enforcing regulations. Because polyester is much more durable, it may be possible for operators to use a smaller diameter line as compared with polypropylene.

Using a more durable rope or replacing polypropylene every two years will have a very large impact on debris produced. There are still potential problems such how the ropes are secured to the pouches and the design of the pouches themselves. Knots may be poorly tied and become untied. The answer to these questions will become clearer if policies such as I have suggested were implemented and then carefully monitored.

I would like to thank the people of Denman Island for providing some information and pictures with regard to this issue.

Peter Stockdill, Tenure Research
The Council of BC Yacht Clubs
250 248-9527



DATE OF MEETING: April 20, 2021
TO: Denman Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: Advisory Planning Commission Appointments

RECOMMENDATION

1. That the Denman Island Local Trust Committee request that staff send letters to members of the Advisory Planning Commission whose terms expired on May 1, 2021, inviting their expressions of interest for reappointment to the Advisory Planning Commission and thanking them for their participation.

REPORT SUMMARY

The Denman Island Local Trust Committee (LTC) is asked to consider reappointments for its Denman Island Advisory Planning Commission because the terms expired May 1, 2021.

As of the date of this staff report, the Advisory Planning Commission (APC) currently has seven members. The maximum number of APC members is nine.

ANALYSIS

Islands Trust Policy Statement:

A guiding principle of the Islands Trust Policy Statement is that “*open, consultative public participation is vital to effective decision making for the Trust Area.*” Moreover, Commitments of Trust Council include:

- 5.8.1 Trust Council holds that public participation should be part of the decision-making processes of all levels of government.
- 5.8.2 It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.
- 5.8.3 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.

LTCs have a responsibility to ensure that members of the public can participate in planning processes, yet they have the freedom to determine the framework best suited to a particular Local Trust Area.

LTC Bylaw No. 231

The authority to establish advisory planning commissions is granted to LTCs through the *Islands Trust Act* and section 461(2) of the *Local Government Act*.

Advisory planning commission

461 (2) A board may, by bylaw, establish an advisory planning commission for one or more electoral areas or portions of an electoral area to advise the board, or a regional district director representing the electoral area, on all matters referred to the commission by the board or by that director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued under this Part.

Notably, such advisory planning commissions are intended to advise LTCs specifically on land use matters including Official Community Plans, and proposed bylaws or permits that may be issued under Part 14 (e.g. zoning bylaw or development permit). Formal citizen representation on advisory planning commissions adds value and transparency to planning processes. It is important that the APC remains in place should a referral be recommended in the future.

Pursuant to section 461, the LTC has adopted Bylaw No. 231 cited as “Denman Island Local Trust Committee Advisory Planning Commission Bylaw, 2019”, which identifies the planning commission, member composition, terms and roles, and rules for arranging, advertising and conducting commission meetings (Attachment 1).

NEXT STEPS

Should the LTC pass the recommended resolution (page 1), staff will proceed with sending letters to members of the APC inviting their expressions of interest for reappointment.

Submitted By:	Sonja Zupanec, RPP, MCIP Island Planner	April 20, 2021
Concurrence:	Heather Kauer, AICP Regional Planning Manager	April 20, 2021

ATTACHMENTS

1. Bylaw No. 231

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 231

A BYLAW TO ESTABLISH ADVISORY PLANNING COMMISSIONS FOR THE DENMAN ISLAND LOCAL TRUST AREA PURSUANT TO THE *LOCAL GOVERNMENT ACT* AND THE *ISLANDS TRUST ACT*

The Denman Island Trust Committee, being the Local Trust Committee having jurisdiction on and in respect of the Thetis Island Local Trust Area in the Province of British Columbia, pursuant to the *Islands Trust Act*, enacts as follows:

1. Establishment

- a) The Denman Island Local Trust Committee may appoint one or more Advisory Planning Commissions to advise the Local Trust Committee on all matters referred by the Local Trust Committee respecting land use, the preparation and adoption of an Official Community Plan or a proposed bylaw or permit that may be enacted or issued under Part 14 of the *Local Government Act*.

2. Appointment of Members

- a) The Local Trust Committee may, by resolution, appoint up to nine members to an Advisory Planning Commission (APC) to serve a two-year term, and may reappoint those members for a subsequent two-year term.
- b) At least two thirds of APC members must be residents of the Local Trust Area.
- c) The Local Trust Committee may, by resolution, remove a member of an APC at any time.
- d) If a member is removed or resigns from an APC, the Local Trust Committee may, by resolution, appoint a new member to serve the balance of the term of the appointment.

3. Roles

- a) The APC members must, from among the members, elect a Chairperson, a Deputy Chairperson and a Secretary, during the first meeting after their appointment.
- b) The Chairperson will:
 - i) Receive referrals from the Local Trust Committee and, in response, determine when and where meetings will be held;
 - ii) Ensure that meetings are conducted in accordance with the requirements of this Bylaw and the *Local Government Act*;
 - iii) Sign meeting minutes to certify that they are true and correct following approval by the APC.
 - iv) Record a member's declaration of conflict of interest or potential conflict of interest, once a member has declared it;
 - v) In the absence of the Secretary, act in the role of Secretary or appoint another member of the APC to act in the role of Secretary.
- c) The Deputy Chairperson will:

- i) Undertake the duties listed in 3b) above, in the Chairperson's absence.
- d) The Secretary will:
 - i) Assist the Chairperson, as needed, to arrange meetings;
 - ii) Ensure that public notice is posted or public advertisements are placed in advance of APC meetings;
 - iii) Except where the Islands Trust has retained a professional minute taker to support the APC, record and maintain legible minutes of all APC meetings; forward copies of draft minutes to the Islands Trust office; ensure minutes are approved by the APC at a subsequent meeting; and provide copies of adopted minutes to the public upon request;
 - iv) Inform the Local Trust Committee of the resignation of any APC member, within thirty (30) days of the resignation.

4. Referrals

- a) An APC will receive referrals on matters respecting land use, community planning or proposed bylaws and permits under Part 14 of the *Local Government Act*, which are referred directly to the Commission by the Local Trust Committee.
- b) A meeting on any particular referral must be held not more than (40) days after the date of receipt of that referral unless the Local Trust Committee has, by resolution, requested a response by an earlier specified date or authorized the referral to be considered at a later date.
- c) Although the recommendations must be received by the Local Trust Committee, the Local Trust Committee is not bound by the recommendations.

5. Notice of Meeting

- a) The Islands Trust must provide documentation associated with any referral from the Local Trust Committee to all members of the APC.
- b) If the APC has been referred an application, the Islands Trust must ensure that the applicant is notified of the date, time and place of the meeting at which their application will be discussed, at least five (5) calendar days prior to the meeting.
- c) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each member at least five (5) calendar days prior to the meeting.
- d) The Secretary must post the notice of meeting indicating the date, time, and place of any APC meeting at least five (5) calendar days prior to the meeting on a bulletin board that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee meeting.

6. Conduct of Meeting

- a) All deliberations of the APC must take place in a meeting, and all meetings must be held in a public facility and must be open to the public.
- b) A quorum is the lessor of three members or 50% of those appointed.
- c) The Chairperson is to convene the meeting and may adjourn the meeting from time to time.
- d) If the APC is considering an amendment to an Official Community Plan or a bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend the meeting and to be heard.

- e) At the request of any APC member, the Chairperson must invite an elected official, Islands Trust staff, or member of the public present at the meeting to comment on the matters before the Commission.
- f) The APC must not receive development proposals or other applications directly from applicants.
- g) The APC must not consult directly with other government agencies or organizations.
- h) If the Chairperson considers that another person at the meeting is acting improperly and in a manner that is disrupting the deliberations of the APC, the Chairperson may order that person expelled from the meeting.

7. Notice of Recommendation

- a) All APC recommendations shall be recorded as part of the meeting minutes, and may be recorded as resolutions, provided that, where requested by any member, all dissenting opinions are also recorded.
- b) Draft minutes will be forwarded directly to the Islands Trust Office within (7) days of an APC meeting.
- c) Upon receipt of draft minutes, Islands Trust staff will conduct a review and revise the minutes insofar as to ensure that the draft minutes can be published in accordance with the Islands Trust policies and provincial legislation.
- d) If the Local Trustees did not attend an APC meeting, they may request a verbal report from the Chairperson at a subsequent meeting of the Local Trust Committee.

8. Transition

- a) Denman Island Local Trust Committee Bylaw No. 224 cited as "Denman Island Local Trust Committee Advisory Planning Commission Bylaw, 2017", is repealed.

9. Citation

- a) This Bylaw may be cited as "Denman Island Local Trust Committee Advisory Planning Commission Bylaw, 2019".

READ A FIRST TIME THIS 24TH DAY OF APRIL , 2019

READ A SECOND TIME THIS 24TH DAY OF APRIL , 2019

READ A THIRD TIME THIS 24TH DAY OF APRIL , 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

8TH DAY OF MAY , 2019

ADOPTED THIS 6TH DAY OF JUNE , 2019



SECRETARY



CHAIRPERSON



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2021.1	Gamble, Eugene & Shirley	09-Feb-2021	PID: 005-299-161 Addition to SFD. Civic address: 5621 Lacon Road, Denman Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 29-Mar-2021

Notice to KFN sent.

Status Date: 15-Mar-2021

Internal SIPA review.

Status Date: 26-Feb-2021

In review. Planner awaiting survey plan and Arch Branch information.

File Number	Applicant Name	Date Received	Purpose
DE-DVP-2021.2	Pandesign Inc. (Nielsen)	15-Mar-2021	PID: 000-393-941 Minimum lot size variance required. Civic: 1151 Kirk Road, Denman Island, BC.

Planner: Sonja Zupanec

Planning Status

Status Date: 17-Mar-2021

File opened & assigned. Waiting for etransfer.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
DE-RZ-2017.1	Denman Community Land Trust Association Planner: Sonja Zupanec	12-Sep-2017	PID: 009-708-537 Create two lots for affordable housing for seniors. Civic address: 3730 Denman Road, Denman Island, BC
Planning Status			
Status Date: 11-Jan-2021 Draft Q+A document; minor amendments to BL 234 and 239 and draft restrictive covenant to be considered by LTC Jan 19. 2021			
Status Date: 08-Dec-2020 File reassigned.			
Status Date: 03-Nov-2020 Bylaw Nos. 233, 234 are given 1st reading as amended. Bylaw No. 239 (Housing Agreement) given 1st reading.			
File Number	Applicant Name	Date Received	Purpose
DE-RZ-2021.1	Denman Housing Association (Denman Green) Planner: Sonja Zupanec	11-Mar-2021	PIDs: 009-704-523, 000-393-941, 006-660-495. Affordable housing units. Civic address: 1151 Kirk Road, Denman Island, BC.
Planning Status			
Status Date: 12-Mar-2021 File opened & assigned.			



Applications

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.16	Baker, Dorian	30-Sep-2020	PID: 028-819-209 Building various accessory buildings. Civic address: 3980 Park Road, Denman Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 04-Feb-2021

File reassigned.

Status Date: 09-Nov-2020

Waiting for additional information from applicant

Status Date: 09-Oct-2020

File opened and assigned.

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.21	1165860 BC Ltd. - Dianna Bridge	03-Nov-2020	PID: 024-068-560 Building greenhouse. Civic address: 6345 Hinton Road, Denman Island, BC

Planner: Stephen Baugh

Planning Status

Status Date: 04-Feb-2021

File reassigned.

Status Date: 10-Dec-2020

Request for further information

Status Date: 25-Nov-2020

Under planner review



Applications

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.22	1165860 BC Ltd. - Dianna Bridge	12-Nov-2020	PID: 017-449-995 Building a pool. Civic address: 6351 Hinton Road, Denman Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 04-Feb-2021

File reassigned.

Status Date: 10-Dec-2020

Waiting for additional information from applicant

Status Date: 25-Nov-2020

Under planner review

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2020.3	Etienne Design - Jessica Booth	16-Mar-2020	PID: 030-773-890 New SFD, workshop with guest accommodation, garage & boat house. Civic address 5465 Lacon Road, Denman Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 12-Apr-2021

Notice to K'ómoks First Nation sent.

Status Date: 02-Feb-2021

No change in status.

Status Date: 16-Nov-2020

Copy of modified covenant CA7481577 received.



Applications

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2021.4	Eugene & Shirley Gamble	17-Feb-2021	PID: 005-299-161 Adding kitchen & den to house. Civic address: 5621 Lacon Road, Denman Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 29-Mar-2021

Notice to KFN sent.

Status Date: 26-Feb-2021

In review. DVP approval required before SUP issuance.

Status Date: 17-Feb-2021

Opening SUP file at same time as DVP. Combination fee is the same as the DVP, so no extra charge for the SUP.

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2021.5	Dippo, Benjamin	15-Mar-2021	PID: 006-639-089 Building a power house then house and outbuildings. Civic address: 3960 Park Road, Denman Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 25-Mar-2021

Information requested from applicant

Status Date: 16-Mar-2021

File opened & assigned. Waiting for Etransfer.

Status Date: 16-Mar-2021

Etransfer received



Applications

Siting and use Permit

File Number	Applicant Name	Date Received	Purpose
DE-SUP-2021.6	Oak & Arrow Construction (Angus Hayman) Planner: Ian Cox	19-Mar-2021	PID: 024-825-221 Building a workshop. Civic: 5200 Creekside Road, Denman Island, BC.
Planning Status			
Status Date: 08-Apr-2021 Information referral sent to KFN.			
Status Date: 19-Mar-2021 File opened & assigned. Waiting for etransfer.			

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2020.2	Denman Community Land Trust Association (Harlene Holm) Planner: Sonja Zupanec	30-Sep-2020	PID: 031-102-026 2 lot subdivision. Civic address: 3730 Denman Road, Denman Island, BC.
Planning Status			
Status Date: 08-Dec-2020 File reassigned.			
Status Date: 09-Nov-2020 Referral report sent to MOTI.			
Status Date: 02-Oct-2020 Application received. Planner reviewing.			

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
DE-SUB-2021.1	Pandesign Inc. (Nielsen) Planner: Sonja Zupanec	15-Mar-2021	PID: 000-393-941 2 lot subdivision. Civic: 1151 Kirk Road, Denman Island, BC.
Planning Status			
Status Date: 17-Mar-2021			
File opened & assigned. Waiting for Etransfer.			

Islands Trust
LTC EXP SUMMARY REPORT F2021
Invoices posted to Month ending February 2021

615 Denman	Invoices posted to Month ending February 2021	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-615	LTC "Trustee Expenses"	289.00	230.58	58.42
LTC Local				
65200-615	LTC - Local Exp - LTC Meeting Expenses	3,906.00	2,028.19	1,877.81
65210-615	LTC - Local Exp - APC Meeting Expenses	405.00	283.05	121.95
65220-615	LTC - Local Exp - Communications	250.00	829.78	-579.78
65230-615	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>4,855.00</u>	<u>3,141.02</u>	<u>1,713.98</u>
Projects				
73001-615-4112	Denman Ferry Signage	1,000.00	0.00	1,000.00
TOTAL Project Expenses		<u>1,000.00</u>	<u>0.00</u>	<u>1,000.00</u>

Denman Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy/Standing Resolution
1.	June 26, 2018	DE-2018-056	Proactive enforcement of Short-term Vacation Rentals	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: "That Bylaw Enforcement staff undertake proactive enforcement of Short-term Vacation Rentals on Denman Island".
2.	June 26, 2018	DE-2018-066	Processing of non-medical cannabis retail license applications	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal. • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - o Name of the applicant and a description of the proposal in general terms; - o The location of the proposed establishment and the subject site; - o The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered; - o The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and - o How public comments may be submitted to the Local Trust Committee.
3.	October 9, 2018	DE-2018-096	Application processing	It was MOVED and SECONDED, that the Denman Local Trust Committee direct staff to give priority to processing applications for affordable housing projects until further direction by the Denman Island Local Trust Committee.
4.	November 20, 2018	DE-2018-100	Bylaw enforcement on	It was MOVED and SECONDED,

			unlawful STVRs	that the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee direct Bylaw Enforcement to use the following priority in dealing with unlawful short-term vacation rentals (STVRs): 1. Unlawful STVRs that have been the subject of substantiated complaints; 2. Unlawful STVRs that are operated by persons who normally do not reside on Denman Island; 3. Unlawful STVRs operated by persons who do not reside on the same property as the STVR; 4. Unlawful STVRs operated by persons who reside on the same property as the STVR.
5.	November 20, 2018	DE-2018-104	Cannabis License applications	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: that the Denman Island Local Trust Committee requests that Notices of Intention to Apply for a Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust, and included in the next Local Trust Committee regular meeting agenda package.
6.	February 7, 2019	DE-2019-012	First Nations Reconciliation	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: 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 Nations governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; 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.
7.	June 6, 2019 *Amended January 19, 2021	DE-2019-056 DE-2021-015	Bylaw enforcement against unlawful dwellings	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution: 'The Denman Island Local Trust Committee directs Bylaw Compliance and Enforcement staff to temporarily withhold enforcement against unlawful dwellings upon receipt of a written complaint, unless any of the following conditions apply: a) The complaint is received from at least two sources, one being the owner, occupant or title holder of a neighbouring property; b) It appears that there is more than one unlawful dwelling on a lot; c) An unlawful dwelling appears to be larger than 90 square meters; or d) An unlawful dwelling appears to be located within a Development Permit Area; and nothing in this enforcement policy should be interpreted as giving permission to violate the Denman Island Land Use Bylaw and the Local Trust Committee may change this policy or give direction to expand enforcement activities at any time.' This Standing Resolution will be reviewed in one year's time. *Amended by DE-2021-015

8.	May 19, 2020	DE-2020-022	Residential densities See Staff Report dated May 19th for background	It was MOVED and SECONDED, that the Denman Island Local Trust Committee adopt the following standing resolution with respect to the available residential densities resulting from Section E.1, policy 11 and Appendix D, ‘Residential Density Bank’ of the Denman Island Official Community Plan: Whereas the Local Trust Committee sets out the current available residential densities in this density register and that the register be updated from time to time to show additions and withdrawals as they occur: a. The Denman Official Community Plan ‘Residential Density Bank’ in Appendix D has last added or transferred to the bank on <u>January 31, 2017</u> and has a cumulative total of residential densities of <u>14</u>; b. The Denman Official Community Plan Housing Policy 11 in Section E.1 allows for a residential density increase of approximately <u>5 percent</u> beyond that permitted by existing zoning at the time of adoption of the Official Community Plan on May 15, 2009 to accommodate zoning amendments for special needs and affordable housing, secondary dwelling units approved by the Denman Island Local Trust Committee under Temporary Use Permit and site specific zoning amendment applications under Policy 29 of Section E.1. The baseline density that was permitted by zoning at the time of adoption of the Official Community Plan was 994 densities based on the Subdivision Potential Map 2010; 1026 total densities less 32 from Parks, Institutional and Conservation designations where residential use is not permitted. Five percent of 994 is <u>49 densities</u>. Since adoption of the Official Community Plan on May 15, 2009 the following densities have been utilized: <table><tr><th>Authorizing Bylaw/Temporary Use Permit</th><th>Date Utilized</th><th>Number of Residential Densities Utilized</th><th>Cumulative Total of Residential Densities Remaining</th></tr><tr><td colspan="3">Baseline Density at time of adoption of the Denman OCP on May, 2009</td><td>49</td></tr><tr><td>BL 199 (Official Community Plan)</td><td>August 15, 2011</td><td>14</td><td>35</td></tr><tr><td>BL 200 (Land Use Bylaw)</td><td></td><td></td><td></td></tr></table>	Authorizing Bylaw/Temporary Use Permit	Date Utilized	Number of Residential Densities Utilized	Cumulative Total of Residential Densities Remaining	Baseline Density at time of adoption of the Denman OCP on May, 2009			49	BL 199 (Official Community Plan)	August 15, 2011	14	35	BL 200 (Land Use Bylaw)			
Authorizing Bylaw/Temporary Use Permit	Date Utilized	Number of Residential Densities Utilized	Cumulative Total of Residential Densities Remaining																	
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BL 199 (Official Community Plan)	August 15, 2011	14	35																	
BL 200 (Land Use Bylaw)																				

				BL 204 (Land Use Bylaw) September 24, 2013 1 34	
				DE-TUP-2016.2 March 31, 2017 1 33	
9.	March 16, 2021	DE-IC-2021.002	Bylaw Enforcement	It was MOVED and SECONDED, that the Denman Island Local Trust Committee enact the following Standing Resolution: that the Denman Island Local Trust Committee confirm that the following Enforcement Policy has been and continues in effect: While there is a public health emergency declared for COVID-19, Enforcement activities have been deferred for all unlawful dwellings; there will be no evictions, or demands for eviction; And that site inspections for the purpose of gathering information and communication with property owners will continue; And that the Denman Island Local Trust Committee may change this policy at any time and may give direction to resume enforcement activities.	

Top Priorities Report

Denman Island

1. *Denman Island Farm Plan Implementation*

Responsible

Dates

Incorporate Bylaw 223 considerations (agriculture, intensive agriculture, feedlot definitions)

Sonja Zupanec

2. *Denman LUB Review*

Responsible

Dates

Housing - review of secondary suites regulations - further opportunities to support housing options - limit on gross floor area of a dwelling (and/or use of floor area ratio to measure density) - amend Land Use Bylaw definition of "occasional" in relation to the use of an accessory building to clarify that it refers to a cumulative use of not more than 45 days/year regardless of who is staying there - review of travel trailer regulations Home occupations - Temporary Use Permits for Short Term Vacation Rentals in limited circumstances - Temporary Use Permits for home occupations (to be considered: retreats, camps and courses; seasonal mobile food and beverage operations; others) - Clarify visitor accommodation regulations regarding kitchen facilities and 45-day limit		Rec'd: 19-Jan-2021
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Denman Island LUB/OCP review backgrounder and discussion paper

Housing

Why review housing regulations?

The LTC carried out a [review of housing options](#) in the 2011 – 2014 term, which amended the Land Use Bylaw to allow secondary suites in all residential zones except R1, and secondary cottages/cabins subject to a temporary use permit, also in all residential zones except R1. At the time of adoption, the LTC resolved to review this amendment in five years.

In 2018 the Islands Trust completed the [Northern Region Housing Needs Assessment](#), which stated that Denman Island, at that time, needed up to 80 affordable housing units, and would need potentially 165 units over the next 25 years. The Report recommended that “each island review their OCP to ensure that there are supportive policies for the development of safe, secure, appropriate, and affordable rental housing.” The report also identified a need for affordable home ownership. This document verified and expanded upon what numerous other studies have shown.

In the current term, there have been multiple indications of community interest and need for a review of housing regulations—media coverage, Town Hall comments, a demonstration outside a meeting, letters to editors, and a petition. As well, the urgency of the housing situation across the Trust Area was demonstrated in the Islands Trust Policy Statement public consultation results.

The Islands Trust’s Role in Housing

The Islands Trust is not a provider of housing.

Affordable and attainable housing can be provided by:

- Non-profit community groups
- For-profit developers
- Individual property owners
- Partnerships between people in need of housing and individual property owners

The Islands Trust’s role is:

- Providing data through creating and regularly updating a housing needs assessment
- Ensuring land use regulations support a variety of housing options that are environmentally sustainable (this includes consideration of impact on carbon emissions and climate change adaptation, groundwater, forest and other ecosystems, species at risk and more), appropriate for the community in scale and scope, and consistent with reconciliation goals and values.
- Use land use planning tools to ensure all housing intended as “affordable, attainable, seniors, and/or special needs” is actually used for that purpose in the short and long term
- Advocacy to other levels of government

Goals of a regulatory review

- 1) Amend regulations to provide more opportunities for a variety of housing options across the affordability spectrum, in a way that respects the Trust mandate, is informed by UNDRIP and DRIPA, and will remain effective over the long-term

- 2) Amend regulations to minimize the overall environmental impacts of all housing on the island in recognition that limits must be placed on all types of housing, not just affordable housing, and that this should be done in a way that supports equity.
- 3) Engage the community in a way that will increase understanding of the benefits of providing housing for a spectrum of people, and encourage individuals and community groups to get involved in providing housing.

Possible In Scope Topics

1. Secondary suites and dwellings

- Review effectiveness of the amendments from 2014
 - Should secondary dwellings and suites be allowed on more lots, ie R1 lots?
 - If so, should there be a minimum lot size?
 - Should TUPS still be required for secondary dwellings? In all cases, or only in some?
 - Do the current regulations on size, distance from main dwelling, and required rainwater catchment for secondary dwellings need adjustment?
 - If TUPs will still be required, how to remove barriers or perceived barriers to their use? (Education such as an info-session, simplify permitting processes, other?)
- Consider other approaches
 - Can rental housing zone be used to allow secondary dwellings, such that they must be used for rental housing? Is this beneficial?
 - Can housing agreements be used for privately-owned housing to ensure use as affordable housing?
 - Should portable homes (RVs, tiny homes on wheels) be treated differently than permanent buildings?
- Are there areas where greater density would be supported (ie in and/or around the village/downtown area) and if so how should this be done?

2. New approaches to housing flexibility (possibilities for multi-household or extended household situations)

- Consider the distributed square footage model, [currently being implemented on Mayne Island](#)
- Consider a floor area ratio approach to density (currently being studied by Regional Planning Committee)
- Consider the use of building stratas to support land sharing without subdividing (will be studied by RPC)
- Consider allowing “houseplexes” with multiple suites

3. Minimize impacts of all housing on the island to better protect the environment while promoting equity

- Maximum square footage for all dwellings (consider South Pender example), dependant on lot size
- Decrease lot coverage on larger lots and/or lots in sensitive ecosystems
- Require water catchment for all dwellings where data provides evidence of potential water shortages

4. Create more opportunities and/or greater regulatory clarity for multi-household affordable housing projects

- Increase percentage allowance for going beyond build-out (OCP Policy E1 11) to align with housing needs as identified in Denman Island Housing Needs Assessment
- Support use of water catchment as viable alternative to groundwater for multi-unit developments
- Review OCP and LUB provisions for multi-household projects to ensure they are transparent, do not place unnecessary barriers, reflect community priorities, and reflect current knowledge of climate and reconciliation issues.

5. Review regulations on use of travel trailers and RVs as dwellings

- Are current screening requirements necessary and/or just?
- Should this remain a permissible use in all zones and on all lot sizes?

6. Depending on timing, consider new ITPS policies on housing.

7. Technical/housekeeping amendments to correct confusion or inaccuracies

- Amend Land Use Bylaw definition of "occasional" in relation to the use of an accessory building to clarify that it refers to a cumulative use of not more than 45 days/year regardless of who is staying there
- Other technical/housekeeping amendment needs may become evident

Ensure all work is informed by our reconciliation goals

- Begin with First Nation consultation
- Provide honoraria for First Nations to enable participation
- Include policies and regulations for cultural heritage protection
- Ensure all community affordable housing projects include First Nations people with relationships to Denman Island as potential tenants

Out of scope

- Forums, conferences, etc
- Public education about tenancy laws, etc
- Advocacy
- Amendments that would increase density in ways that could lead to future subdivision, or construction of STVRs or guest cottages rather than long-term affordable housing

Home occupations

Goals

- Provide more options for viable home occupations while being sensitive to community and environmental considerations
- Provide greater clarity on ambiguous regulations

In scope

- Temporary Use Permits for Short Term Vacation Rentals
- Examine models and lessons learned from other islands
- Consider potential impact on use of secondary units for rental housing, elder housing, and other community housing needs

- Limit consideration to situations where there is a full time resident in the main dwelling
- If this proceeds, consider maximum size of unit, distance from main dwelling, minimum lot size and/or which zones are appropriate, proof that aquifer will not be negatively impacted, sewage disposal, max # of bedrooms and/or max number of occupants, minimum or maximum stay, and year round vs seasonal use

Technical/housekeeping amendments

- Clarify when a vacation accommodation unit which is part of the main dwelling, with a set of cooking facilities, could also be a secondary dwelling unit (and thus would no longer be legally available for vacation rental); review these regulations to ensure community goals are being met
- Review visitor accommodation regulations to clarify that legal B&Bs can operate more than 45 days/year
- Other technical/housekeeping amendment needs may become evident

Temporary Use Permits for home occupations

- Consider: occasional retreats, camps and courses; seasonal mobile food and beverage operations; festivals and events
- Consider location; impact on aquifer; sewage; noise and traffic impacts; possible impacts of increased activity on human neighbourhoods and on wildlife; impact on economic resilience of the downtown/village core
- Consider examples and lessons learned from other islands or jurisdictions

Getting this Done

Decisions

- Split into two projects, do as one targeted OCP/LUB review, or narrow it down into one smaller project that could get done more easily and quickly
- Include anything else?
- Cannabis production, shoreline protection, Coastal Douglas Fir forest protection...?
- Timing:
 - wait till after Denman Green housing application is done to minimize confusion about LTC housing activities?
 - Wait till Farm Plan Implementation Review is done?
 - Wait till ITPS review is done?
- Best tactic(s) for securing resources (see below)?
- How much and what type of community consultation?
 - Create a special APC? One for each main topic? Or engage regular APC?
 - Housing discussion may be polarizing and may involve reviewing historically valued policies around density—should the LTC create options for a thorough community conversation about this, and if so how? Or will this slow things down with no positive result?
 - Would contracting a public engagement specialist help with this?

Budget

May need to include

- Planner time for project planning, reports, regulation analysis, bylaw drafting
- Planner time for Indigenous consultation and public consultation

- Articles, posters, inserts
- Meeting costs (advertising, hall rental, minutes, facilitation)
- APC costs
- Legal review

Finding Resources

Who will do this?

- Hire consultant or contract planner to implement the whole project, or
- Hire consultant to plan and implement public consultation; staff planner (Northern team) does planning work, or
- Staff planner (Northern team) manages and implements the whole project, or
- Regional Planning Team manages and implements the whole project

How to finance?

- budget request for this fiscal year submitted to Regional Planning Director this summer, for project beginning in fall, or
- budget request for 2022/2023 fiscal year, to begin Spring 2022, or
- special tax requisition for 2022/2023 fiscal year, to begin Spring 2022
- Ask Mike Richards to look for grants



Projects Report

Denman Island

1. *Protected Area Network*

Responsible

Date Received

Undertake planning for a Protected Area Network on Denman Island

15-Mar-2011

2. *Alternative Energy*

Responsible

Date Received

Consider regulations governing wind towers and Ocean Loop Geo-Exchange Systems.
Monitor recommendation from Trust Council.

15-Aug-2011

3. *Dwelling Floor Area Regulation*

Responsible

Date Received

Consider regulations to limit the gross floor area of a dwelling

25-Oct-2011

4. *Climate Change*

Responsible

Date Received

Consider climate change adaptation and mitigation measures

25-Oct-2011

5. *Development Procedures Review*

Responsible

Date Received

Review and update Development Procedure Bylaw No. 71

11-Dec-2012

6. *Alternative Dispute Resolution*

Responsible

Date Received

To be considered as part of the enforcement tool kit, possibly in cooperation with the
Hornby Island Local Trust Committee

26-May-2015



Projects Report

Denman Island

7. *Denman Village Plan*

Responsible

Date Received

Undertake a Denman Downtown Village Neighbourhood Plan; the plan might include reduction in greenhouse gas emissions; encouragement of a healthy, sustainable economy; addressing of water and septic concerns; and consideration of Denman Community Design Charrette Final Report Jan 2018 recommendations.

26-May-2015

8. *Travel trailers*

Responsible

Date Received

LUB amendments and enforcement policies regarding the use of travel trailers

07-Mar-2017

9. *Occasional use of accessory buildings*

Responsible

Date Received

Amend LUB definition of the term occasional in relation to the use of an accessory building to clarify that it refers to a cumulative use of not more than 45 days per year regardless of who is staying there

07-Mar-2017

10. *Greenshores Workshop*

Responsible

Date Received

01-May-2018

11. *Incorporate the Regional Conservation Plan into land use planning.*

Responsible

Date Received

To foster preservation and protection of the Denman Island Ecosystems (based on the Islands Trust Conservancy Report, dated July 17, 2018)

07-Aug-2018

Projects Report

Denman Island

12. *Facilitating affordable, attainable and seniors housing.*

Responsible

Date Received

Secondary suites review and consideration of further opportunities to support housing options. Consideration of DCLTA and Northern Housing Needs Assessment report recommendations.

20-Nov-2018

13. *Coastal Douglas-fir protection*

Responsible

Date Received

Implementation of the report, Protection of the Coastal Douglas-fir and Associated Ecosystems: An Island Trust Tool Kit (2018).

07-Feb-2019

14. *naming and recognition/traditional place name for Denman Island on Local Trust Committee meeting agendas*

Responsible

Date Received

Reference Staff Report dated November 7, 2019

07-Nov-2019

15. *Temporary Use Permits*

Responsible

Date Received

To support the development of Temporary Use Permits for short-term vacation rentals and other uses.

09-Oct-2018

1.1 TRUTH PRECEDES RECONCILIATION

We all have to recognize that we are part of a heritage and ongoing reality of colonialism. Whether we have benefited from it or whether we have been victimized by it, we have to understand how we have been impacted by this dominant system. Oftentimes, we have been influenced to such an extent that we often don't even know that we're discriminating or being discriminated against. We must question what we've been taught and explore the possibilities of how things should be in the future.¹

- Senator Murray Sinclair, Chief Commissioner of the Truth and Reconciliation Commission of Canada (TRC)

No Acknowledgment of Place

When contemplating Policy Statement amendments through the lens of Reconciliation, it is important to acknowledge that First Nations have been excluded from legislative debates, policy and planning dialogues and cooperative partnerships throughout most of the history of the Islands Trust. The area in which the Islands Trust has existed as a jurisdictional body since 1974 is located within the treaty and territorial areas of the BOKEĆEN, Cowichan Tribes, Halalt, Xwémalhkwa, K'ómoks, Klahoose, Ts'uubaa-asatx, Lək'wəŋən (SXIMELEŁ, Songhees, T'Sou-ke), Lyackson, MÁLEXEŁ, Penelakut, Qualicum, Scia'new, səliłwətaʔt, SEMYOME, shíshálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, SÁÁUTW, Stz'uminus, Tla'amin, scəwəθən məsteyəxʷ, We Wai Kai, Wei Wai Kum, WJOŁEŁP, WSIKEM, and xʷməθkʷəyəm (the First Nations). Yet, there is no evidence in Hansard Reports, policy papers, or academic reviews that First Nations were ever part of the dialogue on the formation or boundaries of the Islands Trust Area.

Missing from the Trust Object

The Object of the Trust has never specifically named Indigenous Peoples or First Nations as agencies to cooperate or coordinate with, despite the fact that the Trust makes land use decisions within First Nations' treaty and territorial lands and waters:

It is the object of the trust to preserve and protect, in co-operation with municipalities and the Government of the Province, the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the Province generally. (Islands Trust Act, 1974)

The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia. (Islands Trust Act, 2018)

Objectives of the Islands Trust Council would be to request First Nations be added to the object of the Trust after the words “for the benefit of the residents of the Trust Area, Indigenous Peoples, and of British Columbia generally, in cooperation with First Nations governments, municipalities...”.

Missing from History

The history of the Islands Trust Area and the colonization of the Gulf Islands is one of violence and erasure. It is important to understand that the history of the Islands Trust Area did not begin at the time of colonization in the 1880s; neither did it begin at the formation of the Islands Trust in 1974. The historical legislative policies and conceptualization of the Gulf Islands never acknowledged or recognized that the area had been home to Indigenous Peoples since time immemorial. The beauty and “unique amenities” of the Gulf Islands are the very reasons why the area was home to Indigenous Peoples for thousands of years, and are reflected in the telling of

¹ Globe and Mail: *For Senator Murray Sinclair, leadership is defined by humility*, Jan 24, 2021

First Nations' creation stories, relationship to the lands and waters, and stewardship of those lands and waters for future generations.

It should be underscored that the Islands Trust Area was, and still is, the location of permanent village sites with homes, longhouses, cultivated gathering areas for harvesting, clam gardens, and cultural sites. This occupation, over thousands of years, lay the foundations for the unique environment and amenities of the islands as we know them today. The Salish Sea Basin had one of the highest pre-contact population densities in North America, and has the earliest physical evidence of human seafaring and island occupation in the Americas. At this time, there are approximately 28,000 Coast Salish peoples living in and around the Islands Trust Area and 56,000 in the Coast Salish transboundary region. The climate and resources located in the Islands Trust Area were ideal for large village sites, evidenced by extensive scientific reviews of middens and archaeological sites in the area and oral history told by Cultural Knowledge Holders and Elders.

In a recent First Nations engagement meeting with Islands Trust staff, an Elder mentioned how longhouses on islands were burned to the ground and how the posts in the ground were cut to erase all evidence that the longhouse had even existed. The concept that these lands and waters had not been occupied and were free for the taking arose as residential schools were being built and the reserve system was enacted to segregate First Nations peoples away from their homelands so that they could be settled by non-Indigenous populations. From 1974 to current day times, there has been very little historical reference or acknowledgement of the longstanding presence of First Nations in the lands and waters of the Islands Trust Area.

Terra Nullius

For the settler communities who were colonizing the Islands Trust Area, the mentality of the day was one of “taming” the lands, and claiming lands through philosophical frameworks of Doctrine of Discovery² and terra nullius³. Beginning in 1875, the area was subject to *The Gradual Civilization Act*. The *Act* supported the concepts of private land ownership through the forced removal of First Peoples from the islands to reserves, away from locations deemed desirable for European settlement. As well, the *Act* ensured Indigenous Peoples did not have voting rights or citizenship rights to their own lands and waters. Further oppressive legislation restricted Indigenous Peoples to the reserve, did not allow them to gather in groups larger than three people, and denied them the ability to buy or hold land or hire legal representation. *The Gradual Civilization Act* was just one of the many oppressive legislative tools that facilitated the genocide of Indigenous Peoples, their homelands, their language, culture, and governance and family structures in the formation of Canada and the Islands Trust Area.

Residential Schools

The Islands Trust Area was the location of the Kuper Island Indian Residential School from 1889 to 1975, a place where cultural genocide occurred with the forced removal of children as young as five years old from the surrounding communities of Beecher Bay, Burrard, Chehalis, Chemainus / Chemainus Bay, Chilliwack, Clemclem / Clemclemluts, Cole Bay, Comeaken / Comiaken, Comox, Cowichan, Equimalt, Galiano, Khenipsen / Ghenipsen, Halelt / Halalt, Katzie, Koksilah, Kuleets, Kwaw Kwaw A Plit, Ladysmith, Langley, Lyackson, Malahat, Musqueam, Nanoose, Patricia Bay, Pauquachin, Penelakut, Qualicum, Quamichan, Saanich, Siccamen, Skawahlook / Skawollock, Skwah, Somenos, Songhees, Sooke, Squamish, Tsartlip, and Tsawout⁴.

² UNDRIP para. 4: all doctrines, policies and practices based on advocating superiority of peoples or individuals on the basis of national origin or racial, religious, ethnic or cultural differences

³ Oxford Reference: land that is unoccupied or uninhabited for legal purposes. The application of English law to overseas possessions distinguished between settled colonies

⁴ National Centre for Truth and Reconciliation

The school earned the name “Alcatraz” for its remote location on the small island. Right from its founding by the Catholic Church, the scale of suffering at Kuper Island was beyond the pale . . . Even school officials described Kuper Island as “ruinous” and “insanitary (sic),” with the school’s notoriously poor conditions exacerbating outbreaks of typhus, smallpox and tuberculosis.

- National Centre for Truth and Reconciliation

10,000 Years of Knowing

At the time of the formation of the Islands Trust in 1974, the government of the day recognized the importance of the unique “amenities” of the lands and waters. There was understanding that the environment of the area was fragile and could be greatly impacted by development and resource extraction or overuse. However, it was not acknowledged or understood that this unique environment was the result of thousands of years of active cultivation and stewardship by Indigenous Peoples. Hence, the government failed to consider Indigenous Knowledge of the lands and waters of the Salish Sea, the “10,000 years of knowing” (a term stated by Chief Leah George-Wilson of the Tsleil-waututh Nation), in the formation of policies and legislation that directly impacted First Peoples’ homelands in the Islands Trust Area.

Throughout its forty-seven years of preserving and protecting the Trust Area the Islands Trust has consistently failed to recognize or acknowledge resource gathering areas, spiritual places, medicinal plant areas, and culturally significant species. The Islands Trust has managed the Islands Trust Area with a disconnected, single-species view of the ecological landscape versus a relational, interconnected acknowledgement of what truly makes the Islands Trust Area unique. Indigenous ways of knowing are not only important to reconciliation efforts, but also to the effective stewardship of these lands and waters.

Double Standards

Despite the fact that, in the formation of the Islands Trust, it was recognized that rapid population growth and development could greatly impact the communities that had established themselves on the islands and that quality of life should be sustainable and minimize negative effects⁵; it was never considered that the areas in question had been subject to the forced removal of Indigenous children to the horrors of residential school and the forced removal of their parents to reserves far from the growing populations of settlers. Efforts to protect the well-being of constituents in Trust Area communities were not equally exerted to protect the well-being of the First Peoples who were no longer residents of the islands due to their forced removal.

Failure to Protect Cultural Heritage

Cultural heritage sites and features, and ancestral loved ones, remain throughout these islands from which First Nations have been forcibly removed. This cultural heritage, and the ancestral loved ones, have been desecrated, destroyed, and impacted as settler communities built on top of First Nation village sites, and extracted resources from culturally significant areas. With the enactment of the *Islands Trust Act* in 1974, the Islands Trust became the planning body that determined the impacts to cultural heritage sites and ancestral loved ones via its land and water use decisions. From its earliest version the *Islands Trust Act* acknowledged the importance of preserving and protecting cultural heritage. In 1974, it stated under s. 3(2)(d) that the Islands Trust was to “locate and identify archaeological and historical sites within the trust area” and under s. 3(2)(a) “make recommendations . . . for the preservation and protection of the trust area and its unique amenities and environment”. The Gabriola Island Community plan of 1978 acknowledged the “fragile nature of the environment” and the “special natural and archaeological areas” of the island.

⁵ BC Round Table on Environmental and Economy, and the Commission on Resources and Environment 1990-1994

It is therefore surprising to find no evidence to suggest that Islands Trust Council, or local trust committees, ever undertook to locate and identify the archaeological areas, or to preserve and protect the ancestral loved ones' resting places and cultural heritage such as fish weirs, clam gardens, artifacts, burial cairns, petroglyphs, or middens that exist extensively on all islands within the Islands Trust Area. However, in 1984, the Islands Trust did document and identify the settler heritage buildings in the Islands Trust Area in an extensive publication.⁶

In 1992, the Islands Trust encapsulated the views of the public in a *Summary Report on the Islands Trust Public Forums: These Islands of Ours . . . Framing Our Common Future*. At the public forums, people listed "history and archaeological heritage" and "archaeological record" as key attributes they valued about the Trust Area. In 1994, the Islands Trust received more opportunities to cooperate and enter into new relationships with First Nations with treaty and territorial rights and title in the Islands Trust Area. Amendments were made to the *Islands Trust Act* that allowed the Islands Trust to enter into agreements with First Nations governments. In the 1994 legislative debates⁷, legislators sought to clarify section 20(1)(b): the opportunity for the Islands Trust to enter into agreements with First Nations. Debate included the ability for the Islands Trust to enter into "a separate or bilateral set of negotiations" with First Nations to build "a very good working relationship" related to "conflicts over aspects that are considered to be heritage" and statements that "this is not just a question of the preservation of site-specific artifacts" but to provide the Trust with "a significant amount of empowerment". Debate further centred around the importance of First Nations heritage for the future, and how the preservation of sites in Haida Gwaii was an example of successful agreements. Unfortunately, despite this growing public consciousness and increased authority to preserve and protect First Nations' cultural heritage and establish stronger, more collaborative relationships with First Nations in the Trust Area, the Trust continued its pattern of inaction.

In 1994, the Islands Trust was also granted new legislative authority through amendments to *Bill 21 Heritage Conservation Statutes Amendment Act, 1994*, changes to the *Islands Trust Act*, and changes to the *Municipal Act*. Amendments to the *Islands Trust Act* included new powers to engage in "activities to gain knowledge about the history and heritage of the trust area and to increase public awareness, understanding and appreciation of the history and heritage" and to "conserve heritage property". Heritage property under the *Municipal Act* was defined as "property that in the opinion of a body or person authorized to exercise a power under this Act in relation to the property has sufficient heritage value or heritage character to justify its conservation, or is a protected heritage property". Protected heritage property is defined as "protected under section 6(2) of the *Heritage Conservation Act*".

The *Heritage Conservation Act* states that heritage property is protected and it is illegal to "damage, excavate, dig in or alter, or remove any heritage object from, a site that contains artifacts, features, materials or other physical evidence of human habitation or use before 1846". The Islands Trust Area is within a historically rich and culturally abundant place of significant heritage value and properties. As noted above, the role and responsibility of the Trust was to recognize and protect the cultural heritage and historical significance of the area, which included the heritage of Indigenous Peoples. Land use decisions, bylaws, and official community plans should have been reflective of these new legislative powers to ensure the preservation and protection of significant sites such as Poets Cove, Grace Islet, and Harbour House to name just a few. The devastating impacts of the removal of ancestral loved ones from their resting places to institutions such as the Royal BC Museum, Simon Fraser University, University of British Columbia, and the Museum of Civilization contributed to cultural genocide within the Islands Trust Area.

⁶ Islands Heritage Buildings: A Selection of Heritage Buildings in the Islands Trust Area 1984

⁷ Legislative Session: 3rd Session, 35th Parliament, Volume 17, No. 2 June 29, 1994

Continued Legacy of Inaction

The history of the Islands Trust has unfortunately been one of complacent disregard for the history of Indigenous Peoples in the Trust Area and a lack of will to protect the collective heritage of the area for Indigenous Peoples, British Columbians, and Canada as a whole. Throughout the entire Trust Area, the destruction of archaeological sites, gravesites, cultural areas, and villages continues to this day. The history of cumulative impacts and destruction to the culture and historical understanding of area has been devastating to First Nations communities and their well-being, and has contributed to a general lack of trust in the role of Islands Trust. Despite the clear mandate to preserve and protect against development pressures in this fragile area, the Islands Trust has facilitated development on village sites that had existed for thousands of years, leading to the destruction of those areas and the unearthing of ancestral loved ones. This is especially tragic given that Indigenous Peoples were forcibly removed from the area and stripped of their ability to preserve and protect their own heritage through land use decision-making.

The formation of the Islands Trust in 1974 made it uniquely positioned to ensure the preservation and conservation of historical sites and archaeological areas for future generations of Indigenous Peoples and all British Columbians. As noted in legislative debates from 1974 to 1994, this had always been part of the rationale for the formation of the Islands Trust. Nonetheless, the Islands Trust has generally seemed to lack the will to compel other ministries and government agencies to prioritize the heritage of Indigenous Peoples, despite having the authority to do so, and despite being granted additional powers to work cooperatively with First Nations through amendments to the *Heritage Conservation Act* in 1994.

The Islands Trust did enter into protocol agreements with some First Nations after 1994; however, those agreements did not lead to additional protections or land use decision policies to protect the heritage of Nations or create collaborative relationships at a government-to-government level. The looting of ancestral remains and cultural artifacts has long been a known practice in the area, outlined in media articles in local newspapers, in meetings held with island communities, and in community conversations going back before the formation of the Islands Trust. Unfortunately, Islands Trust enforcement policies were not coordinated with other ministries or First Nations to address the looting of cultural artifacts or sites, and advocacy efforts have not been successful at curbing these unlawful activities that lead to the erasure of cultural heritage and desecration.

We end this section on the history and legacy of the Islands Trust Area with a quote from Chief Roland Wilson, West Moberly First Nation:

You can show Canada and the world that the only way to escape our colonial history of neglect and betrayal is to act boldly and honourably in the decisions that lie before us today.

BRIEFING

To: Executive Committee **For the Meeting of:** February 24, 2021
From: Lisa Wilcox, SIPA **Date Prepared:** February 18, 2021
SUBJECT: Islands Trust Reconciliation Report 2019 - 2021

PURPOSE: The Islands Trust Council has made reconciliation a priority and undertaken to strive to align initiatives and policies with guidelines set out in the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA), the Truth and Reconciliation (TRC) Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), and the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice.

To align reporting and provide updates on the reconciliation goals the Islands Trust is undertaking staff compiled the attached Reconciliation Report 2019-2021 to be provided to Trust Council, March 2021 session for information purposes. Since the reporting period of 2018 to 2019 was not reported in a similar format, this first report covers multiple years ending with the 2020/2021 fiscal.

In future annual reporting will align the Islands Trust reconciliation goals with similar annual reporting required under Section 5 of DRIPA and help summarize, and inform the Reconciliation Action Plan 2018-2022, local trust committee projects and priorities, and other committee resolutions related to reconciliation and First Nations engagement.

FOLLOW-UP: Staff will follow up with any local trust committees or committee on projects, priorities, or resolutions to help address progress outstanding to support and assist with this work.

ATTACHMENT(S):

1. Reconciliation Report 2019-2021

Prepared By: Lisa Wilcox, Senior Intergovernmental Policy Advisor, Trust Area Services

Reviewed By/Date: Russ Hotsenpiller, CAO, February 18, 2021



RECONCILIATION REPORT

Islands Trust / 2019 to 2021



ACKNOWLEDGEMENT

The Islands Trust acknowledges that the Islands Trust Areas is located within the treaty and territorial lands and waters of the BOKÉĆEN, Cowichan Tribes, Halalt, Homalco, K'ómoks, Klahoose, Ts'uubaa-asatx, Lək'wəŋən (SXIMEŁŁŁ, Songhees, T'Sou-ke), Lyackson, MÁLEXŁŁ, Penelakut, Qualicum, Scia'new, səliłwətaʔt, SEMYOME, shishálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, SʔÁUTW, Stz'uminus, Tla'amin, scəwəθən məsteyəxʷ, We Wai Kai, Wei Wai Kum, WJOŁŁŁP, WSIKEM, and xʷməθkʷəy̓əm.

A NEW WAY FORWARD

Trust Council began fundamental work to advance reconciliation within the Islands Trust Area and within the Islands Trust organization beginning with the January 2019 special meeting of newly elected trustees. At the January 2019 special meeting, Trust Council began outlining the strategic plans of the organization and the goals for the four-year term. To mark a new way forward toward reconciliation Hereditary Chief Bill Williams/találsamkin Siyám (Skwxwú7mesh) and Hereditary Chief Ian Campbell/Xàlek/Sekyú Siyám (xʷməθkʷəy̓əm/Skwxwú7mesh) spoke to Trust Council at this special meeting encouraging them to approach their term as a journey of reflection and action toward reconciliation. They spoke of the relationship to the land and waters, paddling in the canoe together, and the responsibility that comes when working collaboratively and in mutually respectful ways.

“Reconciliation requires that a new vision, based on a commitment to mutual respect, be developed.”

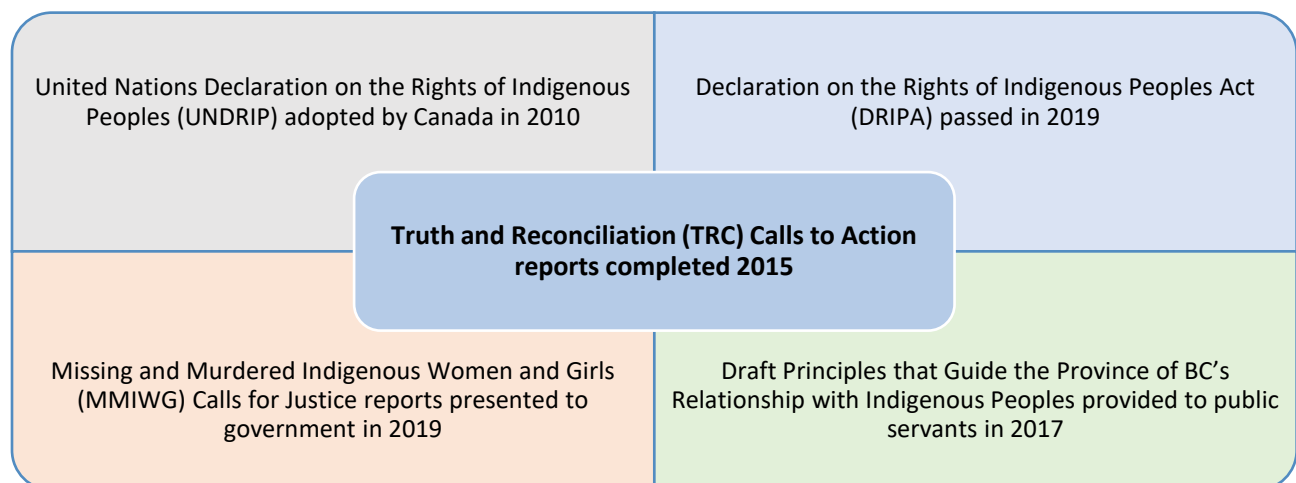
— Senator Murray Sinclair, Chair of the Truth and Reconciliation Commission of Canada





Foundation Documents: Reconciliation work undertaken by the Islands Trust is guided by the foundation documents tabled and adopted through commissions, testimony, and resolutions of the federal and provincial governments, Indigenous, Métis, and Inuit. Foundation documents include the Truth and Reconciliation (TRC) Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA), and the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice (hereafter called the “foundation documents”).

Staff as provincial employees are also guided by the Draft Principles that Guide the Province of BC’s Relationship with Indigenous Peoples (hereafter called “the principles”) and planning staff are also guided by the Canadian Institute of Planning policy statement “Planning Practice and Reconciliation” (“CIP planning principles”).



The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) states:



The rights recognized herein constitute the minimum standards for the survival, dignity and well-being of the Indigenous peoples of the world.

Article 43



MISSING AND MURDERED INDIGENOUS WOMEN AND GIRLS (MMIWG) CALLS FOR JUSTICE

On June 17, 2020, Union of BC Municipalities (UBCM) encouraged members to bring the Calls for Justice to their respective councils or boards for review, prioritization and consideration of endorsement in collaboration with local Indigenous communities.

On July 5, 2020, the Executive Committee requested a staff report with options regarding Missing and Murdered Indigenous Women and Girls Calls for Justice for the September 30, 2020, Executive Committee meeting. Senior Intergovernmental Policy Advisor (SIPA) provided a briefing to Executive Committee on the Calls for Justice on August 5, 2020, and subsequently Executive Committee passed the following recommendations on September 30, 2020.

RECOMMENDATIONS:

1. That the Executive Committee request that all staff be required to take training related to cultural safety in keeping with Missing and Murdered Indigenous Women and Girls Calls for Justice.
2. That the Executive Committee request that staff plan education on the Missing and Murdered Indigenous Women and Girls Calls for Justice for trustees and senior staff.
3. That the Executive Committee request that the Trust Programs Committee consider the Missing and Murdered Indigenous Women and Girls Calls for Justice when developing draft amendments to the Policy Statement.
4. That the Executive Committee request staff to include information about the Missing and Murdered Indigenous Women and Girls Calls for Justice and cultural safety in staff and trustee orientation materials.
5. That the Executive Committee request that staff draft amendments to the Communications Policy and the Advocacy Policy to address the Missing and Murdered Indigenous Women and Girls Calls for Justice.
6. That the Executive Committee request the Chair to write to the Union of British Columbia Municipalities Executive to report on actions taken by Islands Trust in response to the UBCM recommendation to its members that they consider the Missing and Murdered Indigenous Women and Girls Calls for Justice.

DECLARATION ON THE RIGHT OF INDIGENOUS PEOPLES ACT (DRIPA)

In November 2019 the provincial government passed legislation to implement UNDRIP as a framework for reconciliation. The *Declaration on the Rights of Indigenous Peoples Act* (DRIPA) will guide this work. Islands Trust will begin the process of reviewing policies and processes to align with DRIPA and will provide reporting on this work on an annual basis.



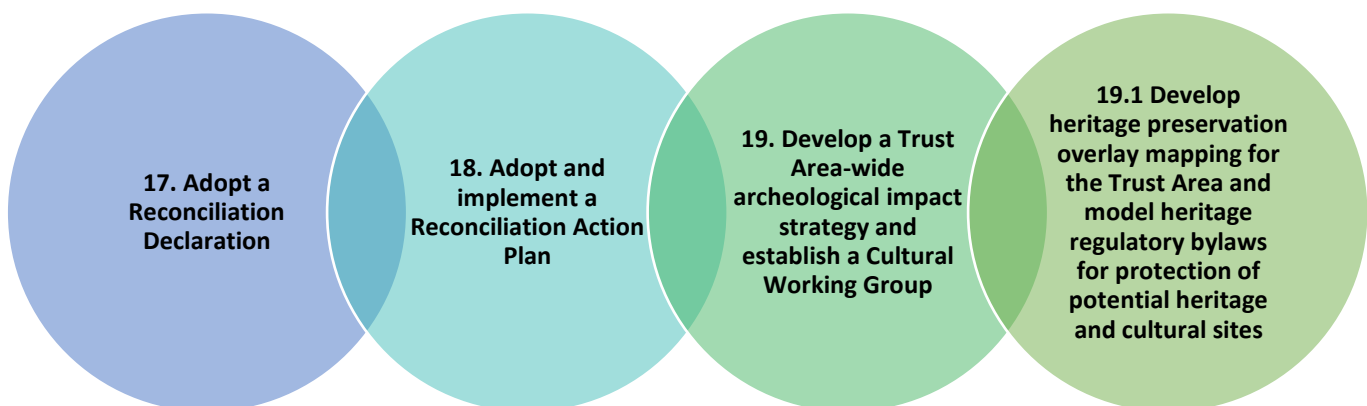
STRATEGIC PLAN ELEMENTS

Trust Council adopted the Islands Trust Strategic Plan 2018-2022 to represent the priorities of Trust Council and the Islands Trust and to provide a framework to guide decision-making and allocate resources. Statement of Trust Council 2018-2022 states:

The object clause in the *Islands Trust Act* provides our mandate to ‘preserve and protect’ the Trust Area and the Policy Statement remains a primary guide in our goal setting and decision-making. We acknowledge however, that the Policy Statement does not fully contemplate much of what we face. First Nations must be acknowledged . . . we will strive to ensure that we enact the guiding principles of Reconciliation creating mutually respectful and collaborative relationships with First Nations.



Under Community and Communication, the objective set out in the Strategic Plan is to “strengthen relations with First Nations”. The strategic elements to accomplish that include:





17. Adopt a
Reconciliation
Declaration

17. Reconciliation Declaration: In March 2019 on Gabriola, Trust Council unanimously passed the Islands Trust Reconciliation Declaration to acknowledge, commit, and strive to the principles of reconciliation.

The Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and honours the rich history, stewardship, and cultural heritage that embody this place we all call home.

The Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

The Islands Trust Council will strive to create opportunities for knowledge-sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea.
Adopted: Gabriola Island March 14, 2019

Reconciliation Standing Resolutions (item 2 of Reconciliation Action Plan – Standardization of Reconciliation Standing Resolutions): Local trust committees also committed to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples with the passing of a Reconciliation Standing Resolution to guide the respectful relationship with First Nations governments at the local island level. The Local Trust Committees of Galiano, Denman, Hornby, Salt Spring, North Pender, South Pender, Mayne, Thetis, Gambier, Gabriola, Lasqueti, and Ballenas-Winchelsea all passed the Reconciliation Standing Resolution; Saturna Local Trust Committee and Bowen Island Municipality did not pass the Standing Resolution.

That the Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area:

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 (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), 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;*

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;

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.



18. Adopt and implement a Reconciliation Action Plan

18. Reconciliation Action Plan

At the June 2019 Trust Council meeting on Galiano, Councillor Ken Thomas (Penelakut Tribe) and Jim Chisholm, Band Manager for Penelakut spoke to the historical connections to the lands and waters of the Salish Sea, the collaborative relationship that could exist with commitment from trustees, and acknowledgement of the historical wrongs that continue to impact First Nations to this day. Trust Council then undertook to unanimously adopt an Islands Trust Reconciliation Action Plan 2018-2022 that outlined steps to meet the Truth and Reconciliation (TRC) Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

In the adoption of a Reconciliation Action Plan Islands Trust Council sought to fulfil the TRC Call to Action #43 and #44. Trust Council acknowledged that the journey of truth and reconciliation is a long-term relationship building and healing process that would be undertaken by the organization as a whole, and will require government-to-government engagement, and interagency cooperation into the future.

TRC Call to Action #43: We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

TRC Call to Action #44: We call upon the Government of Canada to develop a national action plan, strategies, and other concrete measures to achieve the goals of the United Nations Declaration on the Rights of Indigenous Peoples.

1. Education/Training – Cultural Competency, Cultural Safety – 2-year plan – see the section on Organizational Change through Training.

2. Standardization of Reconciliation Standing Resolutions – see section on Reconciliation Standing Resolution.

3. Policy and Procedures – 4-year plan – ongoing.

- New processes put in place to review staff reports to ensure they are supporting the work of reconciliation and concerns of First Nations;
- New processes in place to review building permits and providing applicants with information on archaeological data and chance find protocols;
- Review of engagement processes for Official Community Plans and bylaw changes;
- Budget reviews to ensure engagement and capacity funding is in place for projects and initiatives;

4. Cultural, Naming and Recognition Work – 4-year plan

- Islands Trust through its engagement with First Nations will develop a collaborative process to implement cultural, naming and recognition within the Islands Trust Area, including:
 - Signage;
 - Covenant area pathways and signage;
 - Placenames;
 - Plaques and wayfinding;
 - Use of language and language revitalization.



5. Liaison and Engagement with First Nations and Others – see the section on First Nations Engagement and Interagency engagement.
6. Communications and Messaging – see the section on Communications and Media.
7. Cultural Working Group – see the section on Organizational Change through Training and item 19.

19. Develop a Trust Area-wide archeological impact strategy and establish a Cultural Working Group

19. Develop a Trust Area-wide Archeological Impact Strategy and Establish a Cultural Working Group - ongoing

Cultural Working Group – over 30 sessions where held over a two year period to engage staff and trustees with Cultural Knowledge Holders, and in training that focused on protocol, Indigenous Law, and cultural understanding. This focused understanding lead to greater understanding of the impacts to cultural heritage, and ancestral loved ones.

Members of the Cultural Working Group engaged with SIPA to develop new understanding of their roles as planners, and staff; this focused immersive training empowers staff to build stronger relationships with First Nations, evaluate applications more inclusively, and develop their understanding of cultural safety.

Archaeological Impact Strategy – over the past two years staff have examined the current planning and application process and how that impacts archaeological sites. The following strategies have been put in place as interim measures until 19.1 can be implemented:

- Desktop review of archaeological data to review registered and potential sites on all applications;
- Provide applicants with the Islands Trust Chance Find Protocol for all applicants with potential sites on a property;
- Provide applicants with notification of proximity to potential and registered sites on a property;
- Provide applicants with data on archaeological sites on their properties if requested;
- Provide contacts of Cultural Knowledge Holders or contacts at Archaeological Branch if requested;
- Provide planners and staff with knowledge about impacts to and legal requirements to protect archaeological sites;
- Developed relationships with staff at the Archaeological Branch to liaison and describe the role of the Islands Trust and the Islands Trust reconciliation initiatives;
- Develop relationships Capital Regional District staff to liaison and describe the role of the Islands Trust and the Islands Trust reconciliation initiatives;
- Work with societies and conservation groups to assist them in understanding the importance of cultural heritage and archaeological awareness.

Special Recognition – Trustee Grant Scott liaised with the SIPA and the Archaeological Branch to repatriate an ancestral loved one from an islander's home, and worked to ensure that the ancestral loved one will be cared for by the K'òmoks First Nation. The ancestral loved one had been disinterred over 45 years ago.

19.1 Develop heritage preservation overlay mapping for the Trust Area and model heritage regulatory bylaws for protection of potential heritage and cultural sites

19.1 Develop heritage preservation overlay mapping for the Trust Area and model heritage regulatory bylaws for protection of potential heritage and cultural sites

The Islands Trust Area is a sensitive ecosystem with significant historical places and cultural heritage throughout the islands and waters. All islands have archaeological sites and cultural heritage places that date back over 10,000 years. Ensuring the preservation

and protection of the cultural heritage and heritage values that exist on the islands is a priority for the Islands Trust. The Islands Trust in 2021 will be undertaking an initiative in collaboration with First Nations and Cultural Knowledge Holders and archaeologists to understanding how to preserve and protect the significant cultural and historical places within the Islands Trust Area.

The Islands Trust Strategic Plan outlines that staff and trustees will develop a heritage preservation overlay mapping initiative that will inform model heritage regulatory bylaws to ensure the protection of potential heritage, and cultural sites. The Islands Trust staff and trustees look forward to engaging with community and First Nations to ensure that we preserve and protect the heritage and cultural values on the islands now and in the future.

Heritage Preservation Overlay



UNDRIP ARTICLES

29 1. Indigenous peoples have the right to the conservation and protection of the environment and the productive capacity of their lands or territories and resources. States shall establish and implement assistance programs for indigenous peoples for such conservation and protection, without discrimination.

31 1. Indigenous peoples have the right to maintain, control, protect and develop their cultural heritage, traditional knowledge and traditional cultural expressions, as well as the manifestations of their sciences, technologies and cultures, including human and genetic resources, seeds, medicines, knowledge of the properties of fauna and flora, oral traditions, literatures, designs, sports and traditional games and visual and performing arts. They also have the right to maintain, control, protect and develop their intellectual property over such cultural heritage, traditional knowledge, and traditional cultural expressions. 2. In conjunction with indigenous peoples, States shall take effective measures to recognize and protect the exercise of these rights.



ORGANIZATIONAL CHANGE THROUGH TRAINING

1. Education/Training – Cultural Competency, Cultural Safety – 2-year plan Reconciliation Action Plan

Training is a foundational step within an organization, training in reconciliation leads to greater understanding and knowledge and the Truth and Reconciliation Commission stated in Calls to Action #57 that education in reconciliation is the responsibility of all governments. Public servants and elected trustees cannot fulfil their roles without an understanding of the history and legacy of the Islands Trust Area and the genocide that occurred to Indigenous Peoples.

57. We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.

TRC Calls to Action

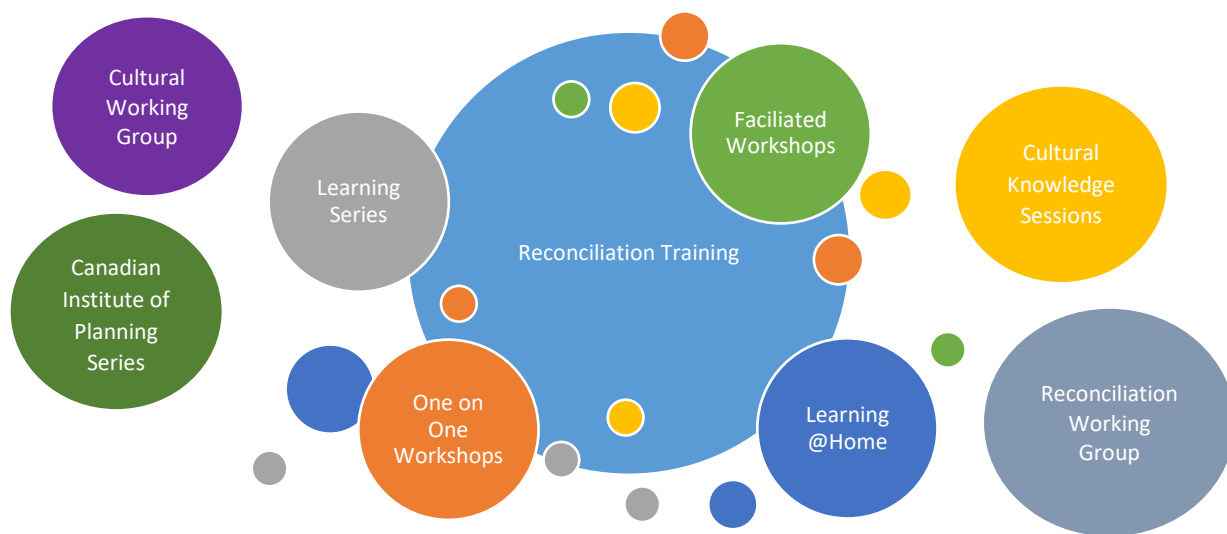
Executive Committee and the Chief Administrative Officer approved the development of training modules for trustees and staff, and Trust Council set learning about Indigenous Law and First Nations Engagement as a Learning Series priority. The Islands Trust sought to provide training to staff and elected officials based on the guiding principles of the foundation documents, the principles, and the CIP planning principles. The Islands Trust also sought guidance and review of the training modules from Hereditary Chief Bill Williams (Sḵwxwú7mesh), residential school survivors Bill Adsit (Tahltan) and Hereditary Chief Eugene Harry (MÁLEXEŁ), and Holocaust descendant Rima Wilkes (Professor UBC Sociology).

The Islands Trust commitment to reconciliation training is a commitment to all Islands Trust staff, the Islands Trust community, and represents a commitment to the reconciliation journey all Canadians must undertake.

Successful learning¹ means we can be challenging the learned beliefs and premises that exist within people, organizations, and environments. The culture that an organization creates to lead in the learning environment means approaching the whole organization and the whole person. Education in reconciliation as outlined by the TRC Calls to Action #57 will require leadership, organizational transformation, openness to learning, shifting the landscape of learning, and understanding of the physical design of training modules.

¹ Methodology source: Harvard University Leaders of Learning Professor Richard Elmore, Educational Leadership/Harvard Graduate School of Education

Within the Islands Trust, training success means shifting the common identity and set of beliefs of the organization. Within the Islands Trust Area systemic challenges exist that create a false narrative of Indigenous Peoples history, presence, social structure, kinship ties, First Nations jurisdiction, governance, reserve system, and the oppressive legislation that lead to genocide. Although the Islands Trust values to preserve and protect are an organizational strength; how those values are expressed and operationalized within the organization must be challenged through training as set out by the TRC Calls to Action #57. The Trust Council and Chief Administrative Officer undertook this work and the Senior Intergovernmental Policy Advisor produced, and delivered all training, and vetted all outside training, webinars, podcasts, documentaries, or information material. To create lasting change over time training modules are provided to trustees and staff using various methods.



The following principles were used to create successful learning experiences and support organizational change.

Principle One²: Pathways Principle – how do you change over time, how do you learn and develop? Pathways Principles means creating varied opportunities to learn with both mandatory and voluntary experiential ways to engage. The Pathways Principle allows for visual, auditory, reading, and questioning learners learning styles to be met ensuring that a one-size fits all approach is avoided.

Principle Two: Context – modeling behaviour and learning potentialities based on the physical, social, and relational factors in the environment. SIPA provides modeling behaviour based on Indigenous protocol, and cultural teachings as well as introducing staff and trustees to learning sessions on the land with Cultural Knowledge Holders, and Indigenous leaders, and community members. Learning modules

² Methodology source: Harvard University Leaders of Learning Professor Richard Elmore, Educational Leadership/Harvard Graduate School of Education

speak to the place in which we live, the relationship to the land and waters, Indigenous ways of knowing, and the social and economic lived experience within the Islands Trust Area as it relates to the treaty and territorial lands and waters of First Nations.

Principle Three: Dimensions of the Learner – looking at the whole learner. Teaching from a place of understanding the whole learner means accepting we are on a journey, and that many people are at different stages of learning when they come to work or are elected to the Islands Trust. Learning may need to be adjusted or tailored to different learners and learning may need to happen over time. There is no expectation that all learners will reach the same place at the same time through one learning module or methodology. The goal is to ensure that each person that is trained within the Islands Trust structure moves forward on their journey to help and touch others with their learning.

One on One Workshops (item 1.1 of Reconciliation Action Plan): meeting with staff and trustees on a one on one basis allows learners to talk about their gaps in understanding, bias, stereotypes, and lived experiences in a safe and supported workshop.

Facilitated Workshops (item 1.2 of Reconciliation Action Plan): half-day sessions held at each office location or on island with trustees.

Learning Series: Reconciliation Orientation (item 1.3 and item 1.9 of Reconciliation Action Plan) – presentation and meetings, with orientation material.

Learning Series: Residential School History and Legacy (item 1.4 of Reconciliation Action Plan) – mandatory training and presentation with speaker. Presentation is selected material from the Truth and Reconciliation Commission Six-volume Reports. Presented to trustees in December 2019 in Victoria Bill Adsit (Tahltan) residential school survivor speaker. Presented to staff in January 2020 by electronic zoom meeting (due to COVID-19 restrictions) Hereditary Chief Eugene Harry (MÁLEXE) residential school survivor speaker.

Learning Series: First Nations Acknowledgements (item 1.7 of Reconciliation Action Plan) – electronic meeting to practice language, names, and phrasing, with handout.

Learning Series: Indigenous Law, UNDRIP, Rights and Title (item 1.13 of Reconciliation Action Plan) – planning staff participated in an electronic meeting to learn and ask questions on concepts and legal principles that are fundamental to their work, with booklet.

LEARNING @HOME

Is a voluntary individually directed learning experience. If you want to learn more about a certain topic covered in the Learning @Home series or have a question about a particular topic that sparks your interest please send me a note by email, or chat on Jabber. Many of the Learning @Home topics have come from staff members or trustees seeking out knowledge on reconciliation, First Peoples, or history and then forwarding that to me. I am grateful for this sharing and that this individual learning staff has undertaken has helped expand learning and that we are all learning together in new ways at the Islands Trust.



Learning Series: Indigenous Law, UNDRIP, Rights and Title (item 1.13 of Reconciliation Action Plan) – trustees meet on Bowen Island for a presentation and questions on this important topic, with booklet.

Cultural Knowledge Holder Workshops (item 1.8 of Reconciliation Action Plan) - staff and trustees attended on island sessions with Harold Joe, Cultural Knowledge Holder (Cowichan Tribes) on understanding cultural heritage, history and legacy of impacts to cultural heritage, respecting the land and waters, and cultural understanding. Some sessions were attended by Capital Regional District staff and officials, conservancy societies, and islanders. Sessions also included staff from the Islands Trust Conservancy and partner conservancy society members.

Reconciliation Working Group - Trust Programs Committee created working groups one on reconciliation. The Reconciliation Working Group included Trustee Colbourne, Trustee Fenton, Trustee Peterson, and Trustee McConchie, and the SIPA (nine meetings held).

Cultural Working Group (item 1.8 of Reconciliation Action Plan) - Creation of a cultural working group with the intention of focusing on knowledge and understanding around engagement, protocol, cultural understanding, and working with First Nations. Six staff members and eight trustees form the cultural working group. Members of the cultural working group received more focused training, and participated in cultural knowledge holder sessions.

Learning @Home: Land and Territorials Acknowledgements (item 1.7 of Reconciliation Action Plan) – one hour electronic meeting with staff to understand the importance of land and territorial acknowledgements, to practice language, names, and phrasing, with handout.

Learning @Home National Indigenous Peoples Day and National Indigenous History Month (item 1.11 of Reconciliation Action Plan) – one topic per week (4 total in this series) including creation stories, documentaries, podcasts.

Learning @Home Reconciliation and Truth (item 1.7 of Reconciliation Action Plan) – documentaries and questions.

Indigenous Approaches to Planning – Canadian Institute of Planning (item 1.10 of Reconciliation Action Plan) series went for one week with webinars on land use, methodology, Indigenous ways of knowing, cultural knowledge, legal understanding as it relates to planning, and engaging with First Nations – notes were provided to all planners summarizing the sessions.

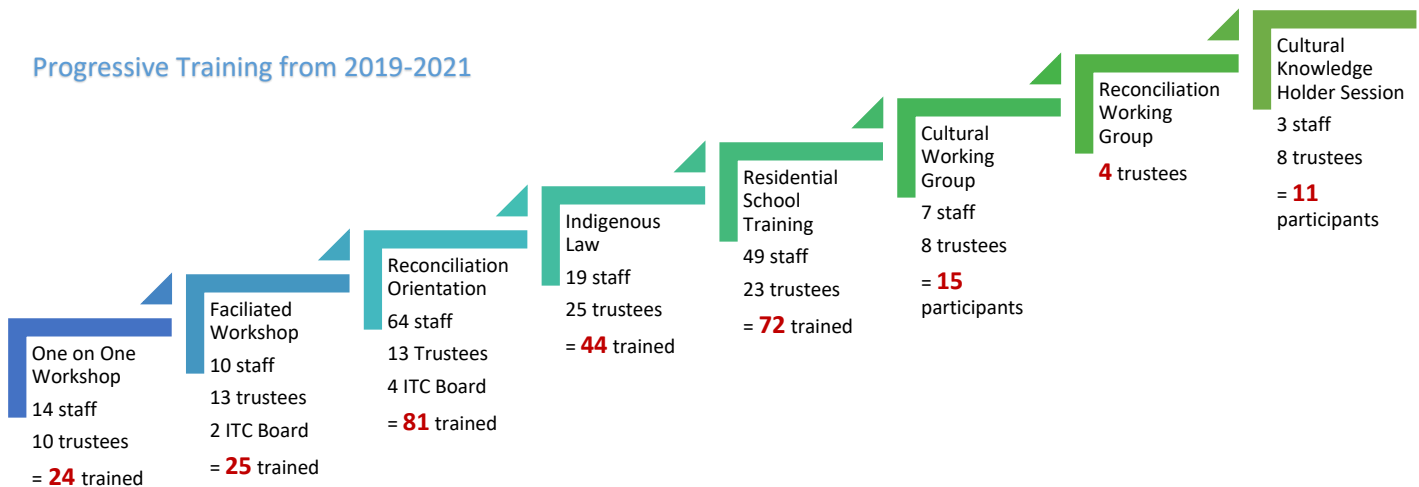
External Training Sessions (item 1.12 of Reconciliation Action Plan) – SIPA presented the Islands Trust reconciliation process at UBC Sociology (two sessions), Royal Road University (one session), and Royal Road University Environmental Planning (one session).

Training Participation:

Over the past two years, training outcomes have created positive change within the organization. Islands Trust has also trained fourteen staff who have moved on to other ministries, local governments, or other positions outside the organization.

Percentage of trustees participating in training = 96%. Percentage of staff participating in training = 98%

Progressive Training from 2019-2021



Over the coming year orientation material and mandatory training processes will be put in place to assist staff and trustees in understanding and training. Looking forward, engaging with Cultural Knowledge Holders and specific topic speakers will be an ongoing goal.

FIRST NATIONS ENGAGEMENT

5. Liaison and Engagement with First Nations and Others / Reconciliation Action Plan

Over the last two years the Islands Trust and Islands Trust Conservancy met and attended meetings with the following First Nations and Treaty Alliances/Councils; as well as Cultural Knowledge Holders:

First Nations Governments:

BOĶĖĶĖN (Pauquachin) First Nation
Cowichan Tribes
Halalt First Nation
K'ómoks (Comox) First Nation
MÁLEXEL (Malahat) Nation
Penelakut Tribe
shíshálh (Sechelt) First Nation
Snuneymuxw (Nanaimo) First Nation
Skwxwú7mesh (Squamish) Nation
Tla'amin (Sliammon) Nation
səlilwətaʔ (Tsleil-waututh) Nation

Community Members:

Hereditary Chief Bill Williams (Skwxwú7mesh)
Harold Joe (Cowichan Tribes)
Elder August Sylvester (Penelakut)
Eugene Harry (MÁLEXEL)

Treaty and Tribal Alliances:

Cowichan Tribal Alliance
Cowichan Tribes
Stz'uminus (Chemainus) First Nation
Halalt First Nation
Penelakut Tribe
Lyackson First Nation
Naut'sa mawt Tribal Council (NmTC)
Halalt First Nation
Xwémalkwu/ʔop qaymıxʷ (Homalco)
toq qaymıxʷ (Klahoose) First Nation
K'ómoks (Comox) First Nation
MÁLEXEL (Malahat) Nation
təʔamen qaymıxʷ (Tla'amin) Nation
Snaw-naw-as (Nanoose) First Nation
Stz'uminus (Chemainus) First Nation
scəwəθən məsteyəxʷ (Tsawwassen)
səlilwətaʔ (Tsleil-waututh) Nation
T'Sou-ke Nation
W̱SÁNEĆ Leadership Council Society
W̱JOŁŁP (Tsartlip) First Nation
W̱ SIŁEM (Tseycum) First Nation
S̱ÁUTW̱ (Tsawout) First Nation

Islands Trust also corresponded and/or sent referrals to scəwəθən məsteyəxʷ (Tsawwassen), We Wai Kai (Cape Mudge), Wei Wai Kum (Campbell River), W̱ JOŁŁP (Tsartlip), W̱ SIŁEM (Tseycum), and xʷməθkʷəy̓əm (Musqueam), Ts'uubaa-asatx (Lake Cowichan), Lək'wəŋən (SXIMEŁŁŁ (Esquimalt), Songhees, T'Sou-ke), Scia'new (Beecher Bay), SEMYOME (Semiahmoo), S̱ÁUTW̱ (Tsawout), Stz'uminus (Chemainus), and Qualicum.

Specific Meetings and Engagement	
Cowichan Tribes	- Senior staff meeting to talk about advocacy and relationship building - Meeting on Policy Statement and Islands 2050
K'ómoks First Nation	- Senior staff, Ministry of Municipal Affair, Ministry of Indigenous Relations and Reconciliation, elected officials from local governments on jurisdiction and decision making within K'ómoks territory - Elected officials from local governments, Chair Peter Luckham attending to learn about K'ómoks cultural heritage permitting, DRIPA, and relationship building

shíshálh First Nation	Engagement on the Policy Statement and Islands 2050
MÁLEXEL First Nation	- Engagement on the Policy Statement and Islands 2050 - Engagement on Ganges Village Plan
Penelakut Tribe	- Engagement on working together and building relationships - Engagement on Policy Statement and Islands 2050 - Meeting with senior staff on applications that impact Penelakut Tribe cultural areas - Meeting with senior staff on management plans related to Islands Trust Conservancy - Dialogue on preservation and protection of cultural areas and heritage
Tla'amin Nation	- Engagement on the Policy Statement and Islands 2050 - Engagement on land use decision making on Lasqueti and waters of the Salish Sea
Snuneymuxw First Nation	- Engagement on applications that impact Snuneymuxw First Nation treaty and territory - Engagement on reviving protocol agreement - Engagement on building relationships and working together to preserve cultural heritage - Engagement on Policy Statement and Islands 2050
səlilwətaʔ Nation	Engagement on Policy Statement and Islands 2050
Sḵwxwú7mesh Nation	- Bowen signage and naming and recognition - Sandy Beach and Islands Trust Conservancy management plans - Engagement on Keats Island Shoreline Protection project - Engagement on Policy Statement and Islands 2050
Halalt First Nation	- Engagement on Policy Statement and Islands 2050 - Engagement on Ganges Village plan
BOŖEĆEN First Nation	Dialogue with Islands Trust Conservancy on covenant areas, cultural areas, and mapping
Naut'sa mawt Tribal Council	Chair and Chief Administrative Officer with senior staff attended a meeting to build relationships with the Naut'sa mawt Tribal Council
Cowichan Tribal Alliance	Engagement on Ganges Village Plan
ŪSÁNEĆ Leadership Council	- Engagement on Policy Statement and Islands 2050 - Engagement with Islands Trust Conservancy and covenant areas
First Nations Leadership Council	Dialogue on advocacy and climate emergency

INTERAGENCY COOPERATION

Over the last two years Islands Trust trustees and senior staff have held meetings to strengthen interagency cooperation and to speak about the work and mandate of the Islands Trust. As well, Islands Trust senior staff are working closely with Ministry partners to update and align agreements and processes to ensure they are reflective of DRIPA, and the reconciliation goals of the Islands Trust.

Specific Meetings and Engagement	
Ministry of Indigenous Relations and Reconciliation (MIRR)	- Chair and senior staff met with the Minister to speak about the reconciliation work the Islands Trust was undertaking - Senior staff worked closely together to guide Islands Trust on how to engage on the Policy Statement and Islands 2050 - MIRR facilitated meetings with some First Nations and local governments which Islands Trust attended
Ministry of Forests, Lands, and Natural Resources Operations	- Senior staff met with the Deputy Minister on relationship building, cooperation, and policy alignment - Senior staff dialogue on updating agreements and working together - Engagement on crown land consultation and engagement processes
Ministry of Transport and Infrastructure (MoTI)	Senior staff met with MoTI staff to talk about interagency cooperation, understanding, consultation, and reconciliation
Archaeological Branch	- Senior staff met with senior staff of the Archaeological Branch to discuss processes and understanding, the role of the Islands Trust and working together - Dialogue about protection of cultural heritage and Islands Trust and Archaeological Branch contacts - CAO wrote the Archaeological Branch to advocate for strengthening the relationship
Ministry of Municipal Affairs	- Dialogue about the Policy Statement and Islands 2050 - Collaborative dialogue about engagement correspondence on specific projects
Capital Regional District	Mayne Island LTC engaged with CRD staff and officials and conservancy partners to ensure cultural protection and preservation of Cotton Park, on Mayne Island

POLICY STATEMENT AMENDMENT/ISLANDS 2050

In 2017, the Islands Trust began engaging with First Nations government on the plans to amend the Islands Trust Policy Statement. Correspondence was sent to First Nations to introduce the Policy Statement Amendment process. In 2018, Islands Trust corresponded with First Nations to introduce the

Islands 2050 project and the hope to engage on a meaningful level to collaborative begin the process of amending the Policy Statement.

At the end of 2018 and the beginning of 2019, the Islands Trust trustees and senior staff began the engagement process. Meetings were held with various First Nations and with Treaty Alliances or Councils. In 2019, all communities and organizations were impacted by COVID-19. Islands Trust staff undertook to change the engagement process to adjust to the new reality of remote working/community safety/access to technology.

Capacity Funding - From 2019 to 2021, the Islands Trust provided capacity funding to First Nation governments and First Nation treaty associations to review and engage on the Policy Statement amendment process. The Islands Trust also began dialogue with other ministries and agencies to collaboratively work together to fulfil the co-collaborative Object of the Trust and support the work of reconciliation in the Trust Area. To date meetings have been held with Ministry of Indigenous Relations and Reconciliation. First Nations and Treaty Alliances will be able to access capacity funding until the end of March 2021.

Capacity Funding	
Cowichan Tribes	• Capacity funding received and comments on amendments received
Tla'amin First Nation	• Capacity funding received and comments on amendments received
WSÁNEĆ Leadership Council	• Capacity funding received, meetings, and amendments expected by end of March 2021
Naut'sa mawt Tribal Council	• Capacity funding offered
səlilwətaʔt (Tsleil-waututh) Nation	• Capacity funding offered
K'òmoks First Nation	• Capacity funding offered
Snuneymuxw First Nation	• Capacity funding offered
MÁLEXEŁ First Nation	• Capacity funding offered
Penelakut First Nation	• Capacity funding offered
shíshálh First Nation	• Capacity funding offered

After March 2021, Islands Trust staff will continue engaging with First Nations governments and Treaty Alliances as we undertake the amendment process; we will be engaging to ensure that comments received in meetings and during the capacity funding process are reflective of reconciliation language, core concerns, and expectations.

Staff will be undertaking to remove offensive and disrespectful language from the Policy Statement and will be working with First Nations Knowledge Holders, and governments, as well as with interagency partners to ensure that the Policy Statement aligns with the goals of DRIPA and the foundation documents.

Staff will continue to engage with First Nations governments and interagency partners until the Policy Statement is submitted to the Minister of Municipal Affairs.

WORKING WITH COMMUNITY

Community engagement and support on reconciliation engagement occurred throughout 2019 and 2021 with conservancy groups and societies, constituents, and island organizations. Islands Trust Senior Intergovernmental Policy Advisor provided educational resources, and understanding to various societies, and conservancy groups, and liaised with individual constituents on reconciliation and the work of the Islands Trust.

Direct engagement with community was postponed due to COVID-19 including the Dust n Bones documentary presentation on Denman, Hornby, Gabriola, and Salt Spring Island. The Dust n Bones documentary presentation was made possible through the Islands Trust History and Heritage Grant. The Senior Intergovernmental Policy Advisor supported the grant application to UBCM Reconciliation Pilot Project to facilitate reconciliation work on Galiano Island. One event was attended by over 100 Galiano islanders to hear from Elder August Sylvester (Penelakut Tribe) and Harold Joe (Cowichan Tribe) and host a screening of Dust n Bones before COVID-19 restrictions were put in place.

COMMUNICATIONS/MEDIA ENGAGEMENT

Since 2018, the SIPA has reviewed news releases and communications material to ensure that language and tone aligns with the Islands Trust goals of reconciliation. On March 19, 2019, the Islands Trust began incorporating language and territorial place in news releases. In 2019, fifteen news releases have incorporated First Nations language and acknowledgement of territorial or treaty place. In 2020, all twenty-five news releases included First Nations language and acknowledgement of territorial or treaty place.

As the Islands Trust moves forward communications language and tone will be reflective of the foundation documents and specific Truth and Reconciliation Calls to Action such as:

#47: We call upon federal, provincial, territorial, and municipal governments to repudiate concepts used to justify European sovereignty over Indigenous peoples and lands, such as the Doctrine of Discovery and terra nullius, and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.

TRC Calls to Action

UNDRIP Article 8 (e) Indigenous peoples and individuals have the right not to be subjected to . . . any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

UNDRIP Article 15 (2) States shall take effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

LOCAL TRUST COMMITTEE PRIORITIES AND PROJECTS

Local Trust Committees have been setting priorities and protects, and the work of reconciliation is happening and part of the overall work LTCs are undertaking.

Ballenas-Winchelsea

1st Priority	Description: Advocacy for the protection and appropriate use of Crown islets. Activity: To work with Nanoose First Nation, provincial agencies and other agencies to facilitate appropriate public use of the islands. - Coordinate a boat tour of the BW islands and islets inviting FN representatives, MABR members and Regional District Electoral Area representative.	19-May-2015
2nd Priority Medium Level	Description: Nanoose First Nation Relationship Building. Activity: - Coordinate BW meeting rotation at Nanoose FN meeting facility	26-Jul-2011

Denman

07-Nov-2019	Description: naming and recognition/traditional place name for Denman Island on Local Trust Committee meeting agendas Activity: Reference Staff Report dated November 7, 2019	
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Gabriola

1st Priority	Description: Housing Options and Impacts Review Project Activity: Develop an Engagement and Communication Strategy; Strengthen relationships with Snuneymuxw First Nation and incorporate First Nation perspectives into policy/regulatory options; Explore opportunities to foster affordable, rental, special needs and seniors housing and associated services; Develop a strategy to address all housing continuum gaps; Ensure policy/regulatory changes are consistent with the Object of the Islands Trust, the ITPS, with focus on water protection/conservation and ecological footprints.	22-Nov-2018
27-Jan-2011	Description: First Nations cultural references Activity: Consider First Nations cultural references in land use planning; Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping.	



22-Jan-2015	Description:	Snuneymuxw Protocol Agreement
	Activity:	Implementation of Snuneymuxw First Nation Protocol Agreement

02-Apr-2015	Description:	Snuneymuxw Relationship Building
	Activity:	Strengthen relationship with Snuneymuxw First Nation

Galiano

Reconciliation Standing resolution passed and community engagement ongoing.

Gambier

Engaging with Squamish and Tsleil-waututh First Nation on the following priorities:

3rd Priority High Level	Description:	Keats Island Shoreline Protection Project - Phase 3	31-Jan-2019
	Activity:	Review of OCP and LUB to implement shoreline protection measures. Establish Shoreline DPA and updates marine structure regulations.	
4th Priority High Level	Description:	OCP Advocacy Policies - Implementation & Support	24-Oct-2013
	Activity:	Supporting the advocacy policies of the Gambier, Keats, and Associated Islands OCPs, and Islands Trust Strategic Plan (e.g. woodlots, industrial facilities, Howe Sound)	

Hornby

1st Priority	Description:	Comprehensive OCP Review	06-Nov-2020
	Activity:	The Hornby Island Local Trust Committee would like a Comprehensive Official Community Plan amendment to be prioritized by the Regional Planning team. Topic areas of focus: First Nations, Short Term Vacation Rentals, Housing, and the Riparian Areas DPA.	



Lasqueti

24-Sep-2018	Description:
	Community to Community Forum
	Activity:
	Establish relationships with First Nations with interests in the Lasqueti Local Trust Area.

Mayne

	Description:	
	Land Use Bylaw Technical Amendments	
	Activity:	
1st	Draft Bylaw with technical amendments prepared for June 29, 2020 LTC agenda.	23-Sep-2019 31-Mar-2021
Priority	Through First reading at June 29 meeting, referrals sent, public hearing is being scheduled for September 2020.	
Medium	Second reading July 27th.	
Level	Public Hearing postponed.	
	Additional amendments proposed at Sept. 28, 2020 meeting.	
	Public Hearing to held prior to October 26, 2020 meeting.	
	Bylaw referred to Executive Committee. Bylaw returned for referral to First Nations.	
	Bylaw returned to EC and approved.	

North Pender

Ongoing reconciliation focus with passing of the Reconciliation Standing Resolution and engagement with community and Nations.

Saltspring

	Description:	
	Water Sustainability - coordinate multiple jurisdictions in planning for water sustainability and watershed protection	
	Activity:	
1st	Jan. 19, 2021 - LTC request \$75,500 special tax requisition for 2021/22 SSIWPA;	07-Jun-2012 30-Dec-2022
Priority	recommend amend 2021/22 budget to allocate up to \$80,000 from surplus funds to spend on a SSIWPA strategic plan and Weston Lake Watershed Assessment	
Medium	Consultation - SSIWPA supports ongoing well and lake monitoring post pilot monitoring stage.	
Level	Analysis - Master project charter update for consideration. Proposal to consider sub project charter.	
	Legislative - Draft bylaw amendments for LUB proof of water requirements at time of subdivision submitted to FLNRORD staff for preliminary review.	



3rd Priority High Level	Description: Ganges Village Planning Activity: Dec. 15, 2020 - verbal update Nov. 10 2020 - Project Charter, Public Engagement Framework, and Task Force Terms of Reference adopted. Endorsed applying for C2C funding.	08-Jun-2020 31-Mar-2022
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06-Oct-2020	Description: OCP Amendments Activity: • First Nations Heritage and Cultural Site Protection (Jan. 2015) • Piers Island Bill 27 OCP Update (Dec. 2015) • Marine Environment Protection (Foreshore Audit) (June 2016) • Official Community Plan Review (Nov. 2017) • Development of a Music Strategy (June 2020) • Waste Transfer Stations (Waste Management Plan) (July 2020)	
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Saturna

1st Priority High Level	Description: First Nations Relationship Building Activity: Review of OCP to include references to First Nations. Project Charter endorsed July 18, 2019 Letter Sent to First Nations as per Project Charter Public Hearing scheduled for January 2021	16-Sep-2016
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South Pender

01-Nov-2019	Description: First Nations Language Activity: Consider OCP amendment to include a more fulsome historical accounting of First Nations	
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Thetis

3rd Priority	Description: Relationship Building with First Nations Activity: Potential topics to explore: Bylaw referrals; Land & marine use on & around Lyackson Island; Shared Narrative of Place; Co-governance/co-management; follow up from Associated OCP/LUB review: land use considerations for clam gardens; explore private docks as a permitted use; potential impacts of ocean geothermal loops; switchback fencing in setback to the sea.	27-Feb-2018
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07-Sep-2011	Description:	Associated Islands OCP and LUB
	Activity:	Develop new OCP and LUB to replace CVRD Bylaw 110, and to include other islands with no zoning. Scope does not include Valdes Island, but includes establishing a Memo of Understanding with the Stzuminus Nation for a stakeholder process regarding Bute and Dunsmuir Islands.

11-Feb-2020	Description:	Plan to Improve Community Engagement Policy and Practice and to include First Nations
	Activity:	Reference: 'Proposal for a Thetis Island Official Community Plan Engagement Strategy' discussed at February 11, 2020 LTC meeting.

RESOLUTIONS

Trust Council - 2020

2020-006	Carried	4.2.1 Statement of Solidarity - Briefing	11-Mar-2020
Resolution: It was Moved by Trustee Busheikin and Seconded by Trustee Wolverton, That Trust Council assert the following: Statement of the Islands Trust: The Islands Trust area is a community in which Indigenous People were forcibly removed and disenfranchised from their village sites and gathering places, and the history of that legacy continues to this day, not only in the Trust area but throughout British Columbia and Canada. We ask that the Federal and Provincial Governments take steps to uphold the guiding principles of the United Nations Declaration on the Rights of Indigenous Peoples signed by the Government of Canada in 2010, and the Declaration on the Rights of Indigenous Peoples Act adopted by the Government of British Columbia in 2020. We ask the Governments to engage and work together to maintain and strengthen the relationship with Indigenous Peoples and we ask the Governments to look to the guiding principles of the Truth and Reconciliation Calls to Action 2012 and the Calls for Justice tabled by the National Inquiry into Missing and Murdered Indigenous Women and Girls in 2019 as a way forward. The Islands Trust remains committed to strive toward relationships that are respectful of human rights, and human dignity, and the work of reconciliation, and acknowledges that Indigenous, Metis, and Inuit have lived on these lands since time immemorial. Trustees Critchley, Brent, Maude, Langerels, Kaile, Thorn, Middleton and Wright Opposed			
2020-068	Carried	4.2.1 Prioritizing of the 2018-2022 Continuous Learning Plan - RFD	15-Sep-2020
Resolution: It was Moved by Trustee Rogers and Seconded by Trustee Langerels, THAT Islands Trust Council approve the delivery of a prioritized Continuous Learning Plan with respect to the report of Sept 15. Discussion included combining items 1 & 5 as suggested by SIPA Wilcox.			
2020-073	Carried	6.2.2 History, Heritage and Conservation Grants-in-Aid Policy - RFD	16-Sep-2020
Resolution: It was Moved by Trustee Rogers and Seconded by Trustee Morrison, THAT Trust Council amend Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated March 13, 2018 with the revised Policy 2.1.14 History, Heritage and Conservation Grants In-Aid dated September 15, 2020 which is inclusive of First Nations history, heritage, objects and sites.			

2020-078	Carried	6.2.7 Changing Islands Trust Tagline - RFD	16-Sep-2020
Resolution: It was Moved by Trustee Rogers and Seconded by Trustee Colbourne, That motion TC-2020-077 be tabled until tomorrow and seek advice from Senior Intergovernmental Policy Advisor Wilcox around the use of the term Salish Sea.			
2020-077	Rescinded	6.2.7 Changing Islands Trust Tagline - RFD	16-Sep-2020
Resolution: It was Moved by Trustee Fast and Seconded by Trustee Fenton, THAT Trust Council direct staff to replace the tagline 'Preserving Island Communities, Culture and Environment' with 'Preserving and Protecting Over 450 Islands in the Salish Sea'. THIS MOTION WAS TABLED UNTIL LATER IN THE MEETING - not rescinded			
2020-089	Defeated	10.1 Disturbance of Cultural Heritage Sites and Ecosystems / Trustee Colbourne - RFD	16-Sep-2020
Resolution: It was Moved by Trustee Colbourne and Seconded by Trustee Peterson, THAT Islands Trust Council formally ask the Province of British Columbia to replace references to 'development' with 'disturbance' in legislation and processes related to local governments and municipalities. DEFEATED			
2020-105	Defeated	7.1.5 Policy Statement Amendment Project Update - Briefing	02-Dec-2020
Resolution: It was Moved by Trustee Wright and Seconded by Trustee Brent, That Trust Council defines the words 'unique amenities' to be inclusive of the environment and the cultural heritage of Indigenous Peoples within the Islands Trust Areas, and that these aspects are prioritized and protected. (this resolution was postponed to the March 2021 meeting as shown by the next resolutions)			
2020-114	Carried	9.2.4 Amendment to Strategic Plan for Heritage Preservation Overlay Mapping - RFD	02-Dec-2020
Resolution: It was Moved by Trustee Rogers and Seconded by Trustee Wolverton, That Trust Council amend the 2018-2022 Strategic Plan by adding new strategy '19.1 Develop heritage preservation overlay mapping for the Trust Area and model heritage regulatory bylaws for protection of potential heritage and cultural sites.' During debate, it was clarified that the resolution refers to First Nations heritage preservation.			

Trust Council - 2019

2019-017	Carried	4.3 Continuous Learning Plan - RFD	12-Mar-2019
Resolution: That Trust Council refer the Continuous Learning Plan to Executive Committee with the following recommendations from Trust Council for additions to the list for review, suggestions and refinement at next Trust Council; 1. Water Licensing Branch session, 2. Climate change related topics including enforcement, bylaw sharing associated with climate change, 3. Housing agreements and how they work, 4. First Nations relationship building, 5. Indigenous Law, 6. How we measure Preserve and Protect, 7. Engagement tools associated from IAP2, 8. Agency liaison such as Agricultural Land Commission, 9. Freedom of Information and Protection of Privacy Act (FOIPPA) session, 10. Business type training including Microsoft products.			



2019-039	Carried	12.4 Reconciliation Declaration - RFD	14-Mar-2019
Resolution: 1. That Trust Council make the following declaration regarding reconciliation: The Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and honours the rich history, stewardship, and cultural heritage that embody this place we all call home. The Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process. The Islands Trust Council will strive to create opportunities for knowledge-sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea. 2. That the Islands Trust Council request the Chair to write to First Nations in the Islands Trust Area to provide Trust Council's declaration regarding reconciliation.			

2019-040	Carried	12.6 Herring roe fishery advocacy (Trustees Busheikin & Critchley) - RFD	14-Mar-2019
Resolution: That Trust Council write a letter to Minister Wilkinson, Minister of Fisheries, Oceans and the Canadian Coast Guard, asking for a moratorium on the herring fishery in the Salish Sea until an ecosystem based management plan is in place that considers the current and future effects of climate change and the potential impacts on predator species, in particular, Chinook Salmon and Southern Resident Killer Whales; and that Bowen Island Municipality and First Nations in the Trust Area be invited to participate as signatories to this letter.			

Executive Committee - 2020

2020-030	Carried	6.1.12.4 Gulf Island Frontlines - The Way Forward in a time of Reconciliation - requesting support for a resolution	26-Feb-2020
Resolution: That Executive Committee request staff include the solidarity statement, as presented by Senior Intergovernmental Policy Advisor Wilcox at today's meeting, in the Trust Council agenda package.			

2020-032	Carried	7.1.2.2 History and Heritage Grant Application - RFD	26-Feb-2020
Resolution: That Executive Committee authorize a grant of \$4,500 to Drama Camp Productions in support of the application to host screenings of the movie Dust n Bones and reconciliation discussions on Hornby, Denman and Gabriola Islands, subject to support of local trustees and affected local trust committees.			

2020-037	Carried	6.2 History and Heritage Grant - change to islands	10-Mar-2020
Resolution: That Executive Committee direct staff redirect funding approved by resolution EC-2020-032 from its February 26th business meeting for Hornby Island under the History and Heritage grant application, be allocated to an event on Salt Spring Island.			

2020-081	Carried	7.1.3.2 Crown Land Referrals and Reconciliation - Briefing	08-Jul-2020
Resolution: that the Executive Committee request a meeting with the Minister with specific concerns around Crown land issues and First Nations reconciliation, and the role of cooperation with Provincial agencies in building relationships and trust with First Nations in the Islands Trust area.			

2020-084	Carried	9.5 UBCM - The Compass dated June 17, 2020	08-Jul-2020
Resolution: that the Executive Committee request a staff report with options regarding Missing and Murdered Indigenous Women and Girls Calls for Justice for the August 5, 2020, Executive Committee meeting.			

2020-095	Carried	8.2.2.1 Missing and Murdered Indigenous Woman and Girls Calls for Justice - Briefing	05-Aug-2020
Resolution: The Executive Committee request staff to provide a Learning at Home series on the one year anniversary on the Calls for Justice report.			

2020-104	Carried	7.1.3.1 Islands Trust Sign for Bowen Island - RFD	02-Sep-2020
Resolution: That the Executive Committee approves the design of the Islands Trust sign for Bowen Island, as presented on September 2, 2020.			
2020-117	Carried	7.1.1.1 Executive Committee Budget Request for FY2021/22 - RFD	30-Sep-2020
Resolution: That the Executive Committee request staff to draft an amendment to the Strategic Plan regarding development of heritage overlay mapping and development of model bylaws.			
2020-143	Carried	7.2.4.3 MMIWG Calls for Justice Recommendations - RFD	21-Oct-2020
Resolution: That the Executive Committee request that staff plan education on the Murdered and Missing Indigenous Women and Girls Calls for Justice for trustees and senior staff.			
2020-142	Carried	7.2.4.3 MMIWG Calls for Justice Recommendations - RFD	21-Oct-2020
Resolution: That the Executive Committee request that all staff be required to take training related to cultural safety in keeping with Murdered and Missing Indigenous Women and Girls Calls for Justice.			
2020-145	Carried	7.2.4.3 MMIWG Calls for Justice Recommendations - RFD	21-Oct-2020
Resolution: That the Executive Committee request staff to include information about the Murdered and Missing Indigenous Women and Girls Calls for Justice and cultural safety in staff and trustee orientation materials.			
2020-147	Carried	7.2.4.3 MMIWG Calls for Justice Recommendations - RFD	21-Oct-2020
Resolution: That the Executive Committee request the Chair to write to the Union of British Columbia Municipalities Executive to report on actions taken by Islands Trust in response to the UBCM recommendation to its members that they consider the Missing and Murdered Indigenous Women and Girls Calls for Justice.			
2020-146	Carried	7.2.4.3 MMIWG Calls for Justice Recommendations - RFD	21-Oct-2020
Resolution: That the Executive Committee request that staff draft amendments to the Communications Policy and the Advocacy Policy to address the Murdered and Missing Indigenous Women and Girls Calls for Justice.			
2020-153	Carried	5.1 Mayne Island LTC Bylaw No. 180 (LUB Amendment)	18-Nov-2020
Resolution: That Executive Committee return the Mayne Island Local Trust Committee Bylaw No. 180, cited as 'Mayne Island Land Use Bylaw No. 146, 2008, Amendment No.1, 2020' for referral to First Nations inconsideration of Trust Council's reconciliation policies.			

Trust Programs Committee - 2020

2020-009	Carried	8.1 Cultural Heritage Resources	10-Feb-2020
Resolution: That Trust Programs Committee request that Local Planning Committee consider options for protecting cultural heritage resources, in the short term, due to the extended timeline of the Policy Statement Amendment Project.			

2020-015	Carried	6.2 Integration of UNDRIP into Policy Statement	22-May-2020
Resolution: that Trust Programs Committee forward the Trust Policy Statement analysis documents, including the 2011 report, and the briefing slides presentation, plus the UNDRIP report, to Trust Council for information.			
2020-017	Defeated	6.2 Integration of UNDRIP into Policy Statement	22-May-2020
Resolution: that Trust Programs Committee create three working groups around sections three, four, & five of the existing Trust Policy Statement and reconciliation.			
2020-016	Carried	6.2 Integration of UNDRIP into Policy Statement	22-May-2020
Resolution: that Trust Programs Committee request staff to provide an interim briefing on First Nation engagement of the Policy Statement Review.			
2020-018	Carried	6.2 Integration of UNDRIP into Policy Statement	22-May-2020
Resolution: that Trust Programs Committee create three working groups around the following lenses: reconciliation, climate change, and affordable housing, within the Trust Policy Statement. The three working groups are as follows: Reconciliation: Trustees Colbourne, Fenton, McConchie, and Peterson. Climate Change: Trustees Fenton, Langereis, and Morrison. Affordable Housing: Trustees Colbourne, Critchley, Luckham and Rogers.			
2020-029	Carried	6.2 Policy Statement Amendment Project Working Groups	23-Jun-2020
Resolution: that Trust Programs Committee approve the guidelines, as amended, for the Policy Statement Amendment Project Working Groups established in the areas of Reconciliation, Climate Change and Affordable Housing.			
2020-031	Rescinded	5.1 Policy Statement Amendment Project Update - Briefing	13-Aug-2020
Resolution: That the Trust Programs Committee forward this question for consideration by Trust Council: 'What legislative gaps exist for the Islands Trust to carry out its mandate and commitments to reconciliation?			
2020-033	Carried	5.2 History, Heritage and Conservation Grants-in-Aid Policy - RFD	13-Aug-2020
Resolution: That the Trust Programs Committee forward the Request for Decision regarding the History, Heritage and Conservation Grants-In-Aid policy to Trust Council, as amended.			
2020-065	Carried	7.1 Ministry of Transportation and Infrastructure (MOTI) Road Standards - Briefing	05-Nov-2020
Resolution: that Trust Programs Committee request staff to investigate options for a joint review with the Ministry of Transportation and Infrastructure of road standards, incorporating the Climate Change Declaration and the Reconciliation Declaration, and report back to Trust Programs Committee			
2020-067	Carried	that Trust Programs Committee recommend to Executive Committee that they undertake an extension to the climate change speaker series with an Indigenous perspective.	05-Nov-2020
Resolution: that Trust Programs Committee recommend to Executive Committee that they undertake an extension to the climate change speaker series with an Indigenous perspective.			

Trust Programs Committee - 2019

2019-012	Carried	8.3.1 Saturnina Foundation Funding Request for Support for First Nations	30-Jan-2019
Resolution: That the Executive Committee authorize a grant of \$500 to the Saturnina Foundation in support of the application to hold an event with First Nations on Saturna Island celebrating the new Sencoten Dictionary.			
2019-028	Carried	6.4.5 Reconciliation Declaration - RFD	27-Feb-2019
Resolution: That the Executive Committee support Chief Administrative Officer Hotsenpiller in the recommendation that the Indigenous Peoples binders received at January Trust Council not be disseminated but used as a reference tool at this time.			
2019-035	Carried	3.3.8 Potential Protocol Agreement Halalt First Nation dated March 8, 2019	12-Mar-2019
Resolution: That the Executive Committee request staff work with Halalt First Nations staff to bring forward a draft protocol agreement for consideration.			
2019-036	Carried	4.1 Vice Chair Rogers to attend Squamish Nation Leadership Forum for Chair Luckham	12-Mar-2019
Resolution: That Vice Chair Rogers be appointed Islands Trust Council representative on behalf of the Chair for meeting with Squamish Nation on April 8th.			
2019-052	Carried	7.1.2.2 2018/19 Annual Report - RFD	17-Apr-2019
Resolution: That the Executive Committee request staff amend the format and outline of contents for the 2018/19 Annual Report to add a section on First Nations and Reconciliation and that the format and outline of contents be approved as amended.			
2019-062	Carried	6.4.2 Reconciliation Action Plan - RFD	08-May-2019
Resolution: That the Executive Committee endorse the draft Islands Trust Reconciliation Action Plan and refer the plan to Trust Programs Committee, Local Planning Committee and Islands Trust Conservancy Board for review and comment.			
2019-106	Carried	11.6 Letter from FNLC to the Islands Trust Council regarding the Climate Change Emergency Declaration	03-Jul-2019
Resolution: That the Letter from First Nations Leadership Council to the Islands Trust Council regarding the Climate Change Emergency Declaration be referred to staff for recommendation for a response and be drafted under the signature of the Chair.			
2019-114	Carried	7.1.2.2 Expressions of interest for participation in a Cultural Working Group - RFD	24-Jul-2019
Resolution: That the Executive Committee direct staff to request expressions of interest from staff and trustees for participation in a Cultural Working Group, as outlined in the Reconciliation Action Plan 2019-2022 Item 7, and return to the Executive Committee with recommendations on membership and reporting requirements.			
2019-145	Carried	7.1.2.1 Cultural Working Group membership - RFD	04-Sep-2019
Resolution: That the Executive Committee approve the creation of a Wa lhtiá,éĀi (Culture) Working Group and that the group be comprised of the 15 people who responded to a request for an expression of interest as well as the Chair of Trust Council and the Chief Administrative Officer as ad hoc participants.			



2019-155 Carried Bowen Island Municipal Council 02-Oct-2019

Resolution:

that staff be requested to draft a letter to BIM Council encouraging them to engage with First Nations consistent with the Islands Trust reconciliation declaration.



the Heron



A newsletter from the Islands Trust Conservancy, protecting islands in the Salish Sea | islandstrustconservancy.ca

SPRING 2021

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Islands Trust Conservancy Manager Kate Emmings with son Dylan. PHOTO: KEITH ERICKSON

Kate Emmings reflects on 14 years and what's next for the team

Reaffirming her commitment as Manager, Islands Trust Conservancy

Courage, wisdom, and heart. Qualities that one might look for in a colleague, in a friend, and in our case, in a leader. Kate Emmings has held the post of Acting Islands Trust Conservancy Manager since July 2018, and as of January 2021 she has accepted the role on a permanent basis.

“Kate has always had the respect of the Islands Trust Conservancy Board through her open and nuanced understanding of our vision for the organization,” said Board Chair Kate-Louise Stamford.

When asked what gives her the greatest job satisfaction, Emmings said, “I like problem solving. Helping people

who struggle with complex systems to do what they want to do — to make it simpler for them to protect nature.”

“It’s good to work in an organization where you can have a hand in a little bit of everything and that quick visibility to what you have accomplished. We’re not so big that we can’t talk to people on the ground.”

Are there challenges that spark a sense of urgency for her? “We’re on the threshold of still having enough wild spaces surrounding our urban centres to be able to care for them responsibly, or making the one wrong step that could destroy them forever.”

“It’s an interesting time, where climate change and adaptation strategies are prominent, the interconnection of land conservation and reconciliation has become so vital, and we have the chance to engage in those more complex conversations and get meaningful work done.” Her enthusiasm is noticeable. “I am not afraid of hard conversations — I love them. That’s the way to move things forward.” 🌿

Acknowledgement

Islands Trust Conservancy acknowledges that we work within the treaty lands and territories of the BOKÉCÉN, Cowichan Tribes, Halalt, K’ómoks, Lək’wəḡən (SXIMELEL, Songhees, T’Sou-ke), Lyackson, MÁLEXEL, ʔop qaymıxʷ, Penelakut, Qualicum, scəwáθən məsteyəxʷ, Scia’new, səlilwətaʔt, SEMYOME, shíshálh, Snaw-naw-as, Skwxwú7mesh, Snuneymuxw, STÁUTW, Stz’uminus, ʔəʔamən qaymıxʷ, toq qaymıxʷ, Ts’uubaa-asatx, We Wai Kai, Wei Wai Kum, WJOLELP, WSIKEM and xʷməθkʷəy̓əm.



Canoe detail. PHOTO: LISA WILCOX

The remarkable legacy of Sara Steil

A force for conservation on the Pender islands

Sara Steil undoubtedly had a vision. The paths she forged on her life's journey all lead to caring for marine life and the land that she held dear — the Pender islands. We can never underestimate the power of one person to create a legacy, and Sara did just that.

It is small wonder that she received an Islands Trust Special 2019 Community Stewardship Award for Lifetime Achievement. She contributed extensively to land use decision-making through numerous North Pender Island Local Trust Committee public processes, the official community plan, and land use bylaw development, and was a founding member of the Pender Islands Trust Protection Society. Sara was also an active member of the Pender Islands Conservancy Association, and worked passionately to preserve and protect the marine environment by contributing to the Pleasure Craft Pollution Prevention Program and conducting inventories on forage fish beaches to confirm spawning habitat.

We can never underestimate the power of one person to create a legacy, and Sara did just that.

In 2009 Sara and her husband Richard (Dick) protected their 1.4-hectare property on North Pender through the Natural Area Protection Tax Exemption Program (NAPTEP) by placing a conservation covenant on their land title. Forevermore the Steils' Woods Covenant protects wild strawberry and western trilliums amid forests of tall firs, cedars, and maples, and protects part of a wetland that is home to amphibians and visiting Great Blue Herons.



A shining example of the impact one person can make: Sara Steil with her dog Shelby. PHOTO SUBMITTED

Whether through policy-making, public education, or through protecting her own piece of land, Sara has helped to shape how land and marine life is valued on the Pender islands. Through her commitment to the “preserve and protect” mandate of Islands Trust Conservancy, her vision will have an impact that will be felt by future generations.

She will be remembered. 🌿

Carla Funk, Fundraising Specialist
cfunk@islandstrust.bc.ca



Protect the land and save on taxes:

A conservation covenant registered through NAPTEP means you receive an annual property tax exemption of 65% on the protected portion of the land. Visit islandstrustconservancy.ca/naptep

Sharp-tailed Snake

Species at Risk Spotlight

The name of this endangered species, “Sharp-tailed Snake” (scientific name *Contia tenuis*), might conjure up images of a fearsome creature, but these peaceful, non-venomous snakes are not so scary. They are only about the size of a large earthworm!

Sharp-tailed Snakes are named after the unique point at the tip of their tail. Secretive and slow moving, these little brown snakes spend most of their time keeping warm under rocks, leaf litter, decaying logs, or loose bark, and venturing out when conditions are just right to hunt for slugs and earthworms. Sharp-tailed Snakes are most active during the spring and fall.

Most of this snake’s prime habitat of south-facing, rocky Douglas-fir/Arbutus woodland is unprotected and threatened by development and other human impacts. As one of only five reptiles native to coastal British Columbia, the Sharp-tailed Snake is an important part of the biodiversity of our region.

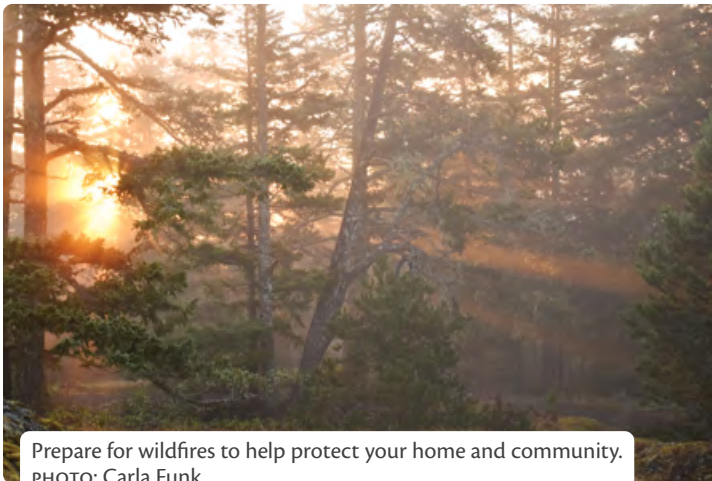


The Sharp-tailed Snake is extremely rare in Canada, existing in a handful of isolated populations on southern Vancouver Island, the southern Gulf Islands, and Pemberton. PHOTO: CHRISTIAN ENGELSTOFT

There are many things, big and small, that you can do to protect Sharp-tailed Snakes:

- Protect habitat by limiting roads and other development, particularly in open, sunny woodlands
- Avoid disturbing piles of rock or decaying logs and tree stumps where snakes live
- Embrace slugs (the snake’s primary prey), earthworms, and insects 🌿

Fire preparedness and forest stewardship essentials



Prepare for wildfires to help protect your home and community. PHOTO: Carla Funk

Regular, low-severity wildfires are a natural and important part of healthy forest ecosystems in our region. Yet, the risk of fire has increased in recent years due to climate change, fire suppression, and landscape development. With wildfire season approaching, we encourage you to take wildfire preparedness measures compatible with forest stewardship.

The following actions can help protect your home and community:

- **Advocate for the protection of mature and old-growth forests**, nature’s fire break. A shady canopy of large trees and lush understory maintain a cool, moist microclimate that resists fire
- **Fireproof your home.** Start with easy fixes, like moving your firewood pile further away from your home, clearing debris build-up from your roof and under your deck or stairs, and ensuring that exterior doors are properly fitted
- **Create a 10-metre fire-resistant buffer around your home.** Clear out accumulations of dead leaves and small branches; remove flammable invasive plants like Scotch broom and English holly; garden with fire-resistant native plants like bigleaf maple and salal

If you are planning work in a covenant area, please be sure to contact us to discuss your plans. 🌿

To learn more about Sharp-tailed Snakes and what you can do to protect their habitat, or with questions about Fire Preparedness, contact Covenant Management and Outreach Specialist Jemma Green: jgreen@islandstrust.bc.ca.

Tender care for Trincomali — a story in photos

Trincomali Nature Sanctuary was created in 2001 through a collaboration between Islands Trust Conservancy, The Land Conservancy of British Columbia (TLC), Habitat Acquisition Trust (HAT), and the federal government. Islands Trust Conservancy's primary concern for this site from the beginning was protection of the seabird colonies.

Trincomali's cliffs are home to sensitive bird nesting habitat for several species at risk.

Invasive Scotch broom is a serious threat to biodiversity as it displaces native plant communities that birds, butterflies, and other animals rely on for habitat. We want to remove invasive species such as this to maintain the ecological integrity of the land. As the bird colonies are sensitive to movement and sound, we ensure that any management work is done outside the bird nesting season. 🌿



HAT volunteer Simon Bluck



HAT volunteer Denis Raimbault

Aerial shot taken of entire work party — note that the dark green colour against the light green is the target invasive species Scotch broom. PHOTO: MILEN KOOTNIKOFF | MIKO PHOTO, COURTESY OF HABITAT ACQUISITION TRUST



30 Nature Reserves in 30 years!

Celebrating the preserve and protect mandate 1990–2020

In its 30th year, Islands Trust Conservancy is celebrating that Sandy Beach on Lhek'tines/Keats Island will become its 30th nature reserve. Sandy Beach includes 3.4 hectares (8.4 acres) of Coastal Douglas-fir forest and over 250 metres of beachfront.

The Skwxwú7mesh (Squamish) people have a long interconnected history with Lhek'tines (also known as Keats Island). The island is laden with place names and areas of cultural significance, and is treasured by islanders for its beauty and important ecological values. This nature reserve assures that the southwest section of Keats will never face development.

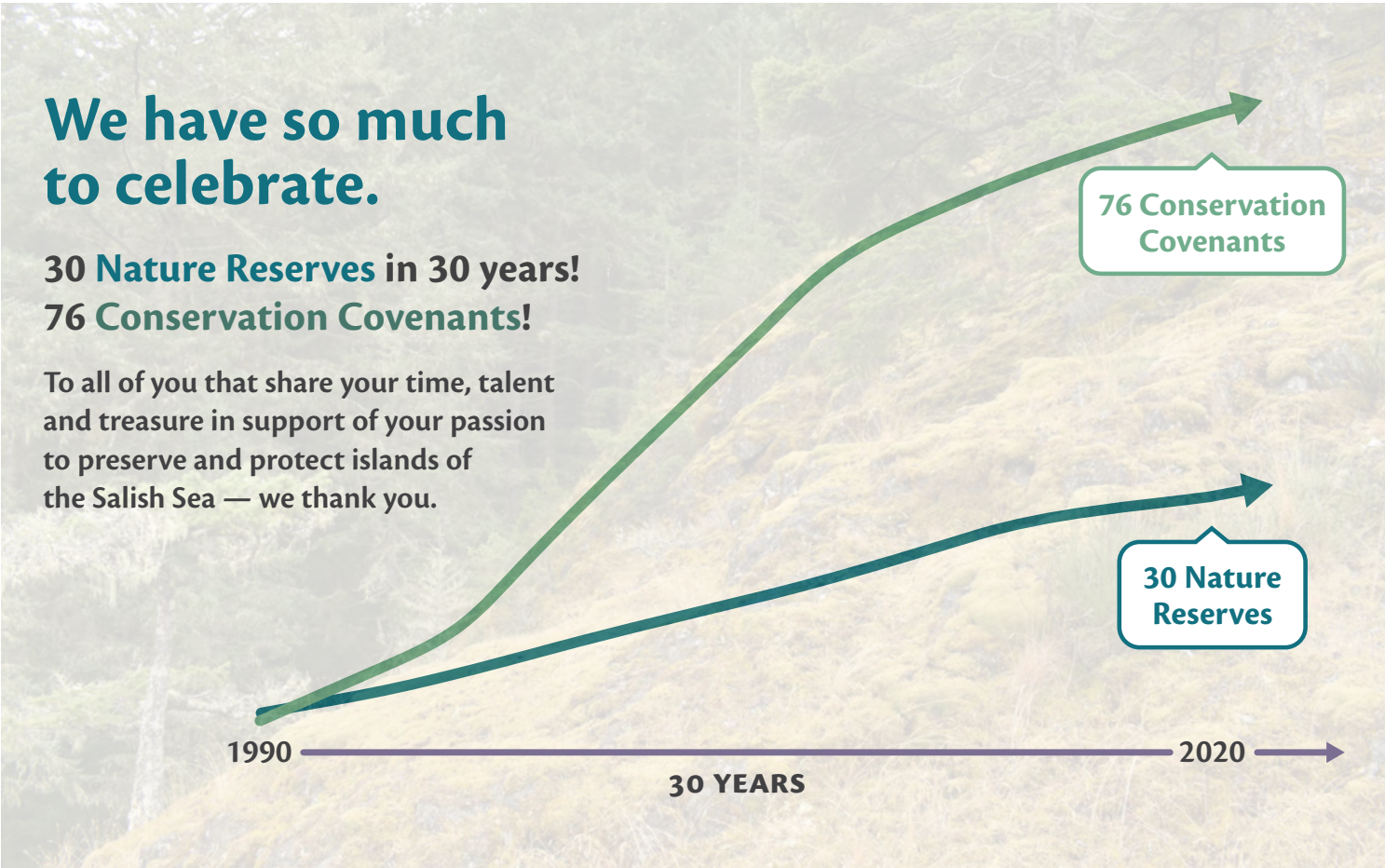
Who would have imagined that in 30 years so much would be accomplished? We are grateful to all those that have made this possible by caring for the land both now and through the millennia.

The Islands Trust Conservancy cares for 76 conservation covenants, restricting development. Most were donated by people who love nature. Partners, donors, and volunteers have come together to help create, manage, and maintain 30 nature reserves.

We are grateful to all those that have made this possible

Together, we're on our way to ensuring that more of these special, fragile places are protected for future generations. We know we can't do it alone.

Thank you for all that you have done to help us on this journey. 🌿



Celebrating 30 years of conservation

2020 ●

30th nature reserve created, on Keats Island!

2018 ●

Renamed Islands Trust Conservancy.
10-year Regional Conservation Plan launched

2015 ●

NAPTEP available throughout Islands
Trust Area (Bowen last to sign on)

2008 ●

Over 15% of Islands Trust Area land
protected by public and non-profit
conservation organizations.
1000 ha protected

2003 ●

500 ha protected; NAPTEP (Natural Area
Protection Tax Exemption Program)
piloted on Gambier Island

1997 ●

100 ha protected

1990 ●

April 1: Islands Trust Act is amended,
establishing Islands Trust Fund.
May 17: first Trust Fund Board meeting

● 2019

Reconciliation Declaration acknowledges that the
islands and the waters that encompass the Salish
Sea have been home to Indigenous Peoples since
time immemorial

● 2016

100 places protected!

● 2010

Fairy Fen Nature Reserve on Bowen Island
becomes 20th nature reserve in 20 years.
Total of 60 conservation covenants

● 2005

Five Year Regional Conservation Plan.
Opportunity Fund established to support land
purchases for nature reserves or conservation
covenants. 50 places protected

● 2000

15 conservation covenants and 8 nature reserves
created on 10 islands

● 1992

First conservation covenant, on Salt Spring
Island. First nature reserves, on Denman and
Salt Spring Islands

S’ul-hween X’pey/Elder Cedar: a sign by any other name

To say that Eliot White-Hill (Coast Salish name: Kwulasultun) has had a successful past year is an understatement, but he remains humble and curious, possibly taking after his grandmother — linguist, midwife, healer, and Elder, Dr. Ellen White (Kwulasulwut). It was she that named the S’ul-hween X’pey Nature Reserve in Hul’q’umi’num’ (meaning: “Elder Cedar”) in 2008, and it is in her honour that Eliot approaches creating a new sign to welcome visitors.

“My whole journey into art stems from her,” he said. “She has [passed away] but in a lot of ways, she’s still teaching me. I’ve read all these anthropological texts, old colonial documents — which can teach you a lot — but to understand this place, you need to hear the stories of our people.”

“I’m going to revisit those texts to understand what is special about Gabriola, this specific part of Gabriola, and I want to



S’ul-hween X’pey (Elder Cedar) Nature Reserve. PHOTO: K. MAYES

speak to our Elders to learn not just about that history but also about the specific language used to describe it. Can we have fun with the language? Include the names of plants and animals in Hul’q’umi’num’? That’s what I’d like to explore.” 🌿

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