



Executive Committee Agenda

Date: Wednesday, February 7, 2018
Time: 8:45 am
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

	Pages
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
2.2.1 Agenda Context Notes	4 - 4
3. ADOPTION OF MINUTES	
3.1 January 17, 2018	5 - 9
4. FOLLOW UP ACTION LIST AND UPDATES	
4.1 Follow Up Action List	10 - 14
4.2 Director/CAO Updates	
4.3 Local Trust Committee Chair Updates	
5. BYLAWS FOR APPROVAL CONSIDERATION	
5.1 Gabriola LTC Bylaw No. 292 (OCP Amendment)	15 - 31
that the Islands Trust Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 292, cited as "Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017", in accordance with Section 27 of the <i>Islands Trust Act</i> .	
6. TRUST COUNCIL MEETING PREPARATION	
6.1 March Trust Council Schedule: Salt Spring Session	32 - 32
7. EXECUTIVE COMMITTEE PROJECTS	
7.1 Trust Council Initiated	
7.2 Executive Committee Initiated	
7.2.1 FLNRO Staff Meeting - Verbal	

8. NEW BUSINESS

8.1 Trust Area Services

8.1.1 LTC Chairs Report on Local Advocacy Topics

8.1.2 AVICC UBCM resolution 2018 - RFD 33 - 33

that the Executive Committee directs staff to finalize and forward a resolution with backgrounder for consideration at the 2018 Association of Vancouver Island and Coastal Communities and Union of BC Municipalities conventions requesting DFO to conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture that includes consideration of the need for increased monitoring and enforcement.

8.1.3 Invitation to appear before Standing Committee re abandoned vessels 34 - 36

8.1.4 Chair letter re draft Pacific Herring Integrated Fisheries Management Plan - RFD 37 - 43

that Executive Committee direct staff to prepare a Chair's letter regarding the Draft Consolidated 2017/2018 Pacific Herring Integrated Fisheries Management Plan outlining ecosystems values of herring and general concerns about the herring fishery in the Islands Trust area as well as a request for a more transparent and inclusive consultation process in future.

8.1.5 Meeting with Minister Garneau in Victoria, February 8 44 - 44

8.2 Local Planning Services

8.2.1 Rural Status for Islands in CRD - Briefing 45 - 49

8.2.2 First Nations Fee Bylaw Amendments - RFD 50 - 53

1. that the Executive Committee request Staff to draft amendments to Policy 5.6.1 [Application Processing Services] to add the missing "Model Fee Schedule".
2. that the Executive Committee request Staff to draft amendments to Policy 5.6.1 [Application Processing Services] to add First Nations Engagement as a service covered by the relevant application fee and add Additional First Nations Engagement as an Extraordinary Processing Service.
3. that the Executive Committee request Staff to draft amendments to the "Model Fee Schedule" to increase the fee for an Official Community Plan amendment or a Land Use Bylaw amendment by \$450 to cover First Nations Site Visit with an option to allow the local trust committee to refund \$450 if a First Nation Site Visit is not required or undertaken.

8.2.3 Policy for History, Heritage and Conservation Grants - RFD 54 - 61

that the Executive Committee approve Policy 2.1.14 [History, Heritage and Conservation Grants in-aid] and request Staff to prepare a Request for Decision for Trust Council.

that the Executive Committee recommend to Trust Council that the 2018/19 Fiscal Year budget be amended to include a \$5,000 History, Heritage and Conservation Grants in-aid Fund.

8.2.4	Approval Processes for Water Supply Systems on Salt Spring - Briefing	62 - 90
8.3	Administrative Services	
8.3.1	Auditor Appointment - RFD	91 - 93
	that KPMG be appointed auditor for the Islands Trust and the Islands Trust Fund 2017/18 Financial Statements.	
8.4	Executive/Trust Council	
9.	CLOSED MEETING (if applicable)	
	that the meeting be closed to the public subject to Sections 90(1)(c)(g) and (i) of the Community Charter in order to consider matters related to employee relations, litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.	
10.	RISE AND REPORT DECISIONS FROM CLOSED MEETING (if applicable)	
11.	CORRESPONDENCE (for information unless raised for action)	
11.1	David Rapport re SSIWPA	94 - 95
11.2	2018 Saanich Inlet Roundtable Schedule	96 - 96
11.3	Julie Northey re Air pollution and lung disease	97 - 100
11.4	Stakeholder Meeting Invitation - Revitalization of the ALR and ALC	101 - 103
11.5	Island Health re Air quality related concerns due to domestic wood burning	104 - 105
11.6	Minister of Transport re Bill C-64 and Abandoned Boats Program	106 - 108
12.	WORK PROGRAM	
12.1	Review and amendment of current work program	109 - 110
13.	NEXT MEETING	
14.	ADJOURNMENT	

Revised: January 31, 2018

Agenda No.	From	Context Notes
6.1	CAO	The draft schedule for the March Trust Council meeting on Salt Spring Islands is included for discussion by EC, with particular focus upon: provision of time to address issues on Salt Spring post referendum, speaking by Chief Seymour, and an unallocated slot on Wed March 13 in the afternoon.
7.2.1	CAO	Senior staff attended a meeting with FLNRO staff to discuss harmonization of land authorizations and options for increased Islands Trust role in lease administration. Staff will provide a verbal update of the meeting.
11		In accordance with the EC's policy (2.4.vi), correspondence items are for information only, unless raised for action by a member of the EC. In some instances, correspondence to others is included, if it relates to the Executive Committee's business.
12.1		The EC work program is amended before each meeting with suggested priorities proposed by staff. By resolution, the EC can provide direction regarding new items or the order of priorities.

Executive Committee Minutes of Regular Meeting

Date: January 17, 2018

Location: Victoria Boardroom

Members Present: Peter Luckham, Chair
Susan Morrison, Vice Chair
George Grams, Vice Chair
Laura Busheikin, Vice Chair

Regrets:

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlор, Director, Local Planning Services
Clare Frater, Director, Trust Area Services
Robert Barlow (Recorder)

1. CALL TO ORDER

The meeting was called to order at 8:46 a.m. Chair Luckham acknowledged that the meeting was being held in Coast Salish First Nations territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

- 11.3** November 22, 2017 letter from MLA Olsen to Minister of Municipal Affairs and Housing Selina Robinson
- 11.4** December 14, 2017 letter from Minister of Transport Marc Garneau

2.2 Approval of Agenda

By General Consent, the agenda was approved, as amended.

2.2.1 Agenda Context Notes

Provided for information.

3. ADOPTION OF MINUTES

3.1 December 5, 2017 Executive Committee Meeting

By General Consent, the Executive Committee minutes of December 5, 2017, were adopted as presented.

4. FOLLOW UP ACTION LIST AND UPDATES

4.1 Follow Up Action List

Staff provided updates on outstanding items in the Follow Up Action List. The item "...request staff to provide and distribute to Trustees a report on UBCM" is to be deleted.

4.2 Director/CAO Updates

Directors provided updates on their follow up action list items and current activities.

EC-2018-001

It was MOVED and SECONDED,

that the Islands Trust Executive Committee requests that the information about the BC Farm Industry Review Board be distributed to the Local Trust Committees and enquiries are to be directed to the Regional Planning Manager.

CARRIED

4.3 Local Trust Committee Chair Updates

Executive Committee members provided verbal updates on recent activities in their roles as local trust committee chairs.

5. BYLAWS FOR APPROVAL CONSIDERATION

5.1 NP LTC Bylaw No. 213 - RFD

EC-2018-002

It was MOVED and SECONDED,

that the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 213, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 2, 2017" in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

5.2 BIM Bylaw No. 439 - RFD

EC-2018-003

It was MOVED and SECONDED,

that the Islands Trust Executive Committee advise Bowen Island Municipality that Bylaw No. 439, cited as "Bowen Island Municipality Official Community Plan Amendment Bylaw No. 439, 2017" is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

5.3 HO LTC Bylaw No. 155 - RFD

EC-2018-004

It was MOVED and SECONDED,

that the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 155, cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2017" in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

5.4 SSI LTC Bylaw No. 502-503 - RFD

EC-2018-005

It was MOVED and SECONDED,

that the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 502, cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 3, 2017", in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

EC-2018-006

It was MOVED and SECONDED,

that the Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 503, cited as "Salt Spring Island Land Use Bylaw No. 355, 1999, Amendment No. 3, 2017", in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6. TRUST COUNCIL MEETING PREPARATION

6.1 Post December Trust Council

6.1.1 December Trust Council Minutes

Amendment: Strike the sentence "Cindy Shelest joined the meeting at 1:40pm" on page 2

By General Consent, the Executive Committee forward the Islands Trust Council Minutes of Quarterly Meeting, December, 2017, as amended, to the March 2018 Trust Council meeting.

7 EXECUTIVE COMMITTEE PROJECTS

7.1 Trust Council Initiated

No discussion.

7.2 Executive Committee Initiated

No discussion.

8 NEW BUSINESS

8.1 Trust Area Services

8.1.1 LTC Chairs Report on Local Advocacy Topics

The Executive Committee members provided verbal updates on local advocacy topics arising from local trust committee meetings.

**8.1.2 AVICC UBCM resolution selection - RFD
EC-2018-007**

It was MOVED and SECONDED,

that the Executive Committee direct staff to draft a resolution and backgrounder requesting that AVICC/UBCM support the Island Trust's request for DFO to conduct an ecosystem-based study of potential and cumulative impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea.

CARRIED

8.1.3 Policy Statement Amendment Project Update - Briefing

Received for information.

8.2 Local Planning Services

8.2.1 Staff Response to BIM Referral Bylaw No. 433 and 432

Received for Information.

8.2.2 South Pender Historical Society Funding Request – Briefing

Received for Information.

EC-2018-008

It was MOVED and SECONDED,

that the Executive Committee request staff to develop policy in reference to Section 8.2 (f), (g) & (h), of the *Islands Trust Act*, return to the Executive Committee for discussion, and advise the South Pender Island LTC that policy is being developed.

CARRIED

The meeting recessed at 11:08 a.m. and resumed at 11:18 a.m.

8.2.3 OCP Reviews and Amendments

Discussion ensued in regards to the process of OCP reviews.

8.3 Administrative Services

No discussion

8.4 Executive/Trust Council

8.4.1 Meeting with Minister of Municipal Affairs and Housing

Discussion

8.4.2 Attendance at the Salish Sea Conference

Trustees Luckham and Grams will attend the conference on behalf of Trust Council.

8.4.3 AVICC 2018

Trustees Luckham, Busheikin and Morrison will attend on behalf of Trust Council.

It was agreed that Section 11 and 12 be considered ahead of Section 9 and 10.

11 CORRESPONDENCE (for information unless raised for action)

11.1 Town of Oliver re Quagga and Zebra Mussels Prevention

Received for information.

11.2 WCMRC re Unified Command training

Received for information.

11.3 November 22, 2017 letter from MLA Olsen to Minister of Municipal Affairs and Housing Selina Robinson

Received for information.

11.4 December 14, 2017 letter from Minister of Transport Marc Garneau to President Luckham

Received for information.

- 11.5 Government of Canada Funding to Bring High-speed Internet for Canadians in Rural and Remote Communities (Connect to Innovate program)**
Discussion

12 WORK PROGRAM

- 12.1 Review and amendment of current work program**
Received for information.

9 CLOSED MEETING

9.1 Motion to Close the Meeting

EC-2018-009

It was MOVED and SECONDED,

that the meeting be closed to the public subject to Sections 90(1)(c)(g) and (i) of the Community Charter in order to consider matters related to employee relations, litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.

CARRIED

The Executive Committee closed the meeting to the public at 1:30 p.m. and reconvened in open meeting at 1:48 p.m.

- 10 RISE AND REPORT DECISIONS FROM CLOSED MEETING (if applicable)**
No report.

- 13 NEXT MEETING – February 7th in Victoria**

- 14 ADJOURNMENT**
By General Consent, the meeting adjourned at 1:49 p.m.

Peter Luckham, Chair

Certified Correct

Robert Barlow, Recorder

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Activity	Responsibility	Target Date	Status
16-Aug-2017	Explore what changes are needed and provide advice about amendments to Policy 2.2.1 (RFDs).	Russ Hotsenpiller	05-Sep-2018	On Going
12-Sep-2017	Discuss with the province and report to Trust Council at the December Trust Council meeting on a process to identify potential governance and/or operational change that could be adopted in order to improve the delivery and integration of all the types of services that are delivered to the Islands Trust Area.	Russ Hotsenpiller	05-Dec-2017	On Going
12-Sep-2017	Initiate a review of current Council Committees in terms of mandate, organization, resourcing and function and consider the advisability of other or additional committees to best carry forward the work of the Islands Trust.	Russ Hotsenpiller Clare Frater David Marlor	05-Dec-2017	On Going
11-Oct-2017	that the Executive Committee direct staff to engage with the Salt Spring Island Local Trust Committee, other service providers and community to coordinate a framework to address service delivery and governance issues for Salt Spring Island. ...CAO to draft a note to TPC and trustee Grams to deliver the message at next meeting.	Russ Hotsenpiller	01-Nov-2017	On Going
22-Nov-2017	Consider arranging a special EC meeting to discuss SSI next steps by March.	Russ Hotsenpiller	31-Jan-2018	On Going

Director, Local Planning Services

Activity	Activity	Responsibility	Target Date	Status
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**Follow Up Action Report**

15-Feb-2017	Undertake a review of applications across the islands trust for potential inclusion in a future annual report.	David Marlor	01-Mar-2017	On Going
07-Jun-2017	Follow up with LTCs to ensure that an effective process is in place so that referral resolutions are coming through to Executive Committee.	David Marlor Clare Frater	20-Jun-2017	Done
02-Nov-2012	<u>Rural Status for Southern LTC Grant Eligibility</u> Ask staff to review and report back on options for legislative change.	David Marlor	05-Sep-2018	On Going
22-Nov-2017	that the Executive Committee request staff to report back on options for First Nations referral costs applied to applications.	David Marlor	31-Jan-2018	On Going
17-Jan-2018	that the Islands Trust Executive Committee requests that the information about the BC Farm Industry Review Board be distributed to the Local Trust Committees and enquiries are to be directed to the Regional Planning Manager.	David Marlor	07-Feb-2018	On Going
17-Jan-2018	Director of LPS to notify appropriate LPS staff of approval of bylaws NP LTC Bylaw No. 213; BIM Bylaw No. 439; HO LTC Bylaw No. 155; and SSI LTC Bylaw No. 502-503.	David Marlor	18-Jan-2018	Done
17-Jan-2018	that the Executive Committee request staff to develop policy in reference to Section 8.2 (f), (g) & (h), of the Islands Trust Act, return to the Executive Committee for discussion, and advise the South Pender Island LTC that policy is being developed.	David Marlor	28-Feb-2018	On Going

Director, Trust Area Services

Activity	Activity	Responsibility	Target Date	Status
21-Jun-2017	With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Introduction, Part I, Part II and Schedule 1.	Clare Frater	31-Oct-2018	On Going

Follow Up Action Report

19-Jul-2017	Supporting regional applications for abandoned boats funding - RFD 1) Research which organizations or government agencies plan to apply for funding to remove abandoned boats through the Transport Canada Abandoned Boats program. 2) Prepare a brief summary of powers and responsibilities of various agencies with regard to issues relating to abandoned vessels, barges and docks and boat licensing.	Clare Frater Karen Hurley	16-Aug-2017	On Going
07-Jun-2017	Return to EC with renewed herring roe fishery advocacy advice.	Clare Frater	22-Nov-2017	On Going
13-Sep-2016	Explore the potential for expanding its advocacy role to other levels of government for increased funding for affordable housing in the Islands Trust Area.	Clare Frater		On Going
30-Aug-2017	Develop an inventory of abandoned boats, barges and docks for the Islands Trust Area.	Clare Frater	08-Nov-2017	On Going
22-Nov-2017	that the Executive Committee direct staff to send an annual e-mail to Trust Area First Nations advising them of options for staying informed on Trust activities and methods for communicating with Trust Council. ...revise the draft to reflect a friendlier tone and have the email be sent directly from the Chair.	Clare Frater	23-Feb-2018	Done

Follow Up Action Report

22-Nov-2017	that Executive Committee request: 1. That the Chair write to Minister of Fisheries and Oceans requesting that, as a priority, the department undertake an ecosystem-based study of potential and cumulative impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea. 2. That Local Planning Services and Trust Area Services staff collaborate on the preparation of a briefing for local trust committees about the land-use planning implications of the DFO 2017 Integrated Geoduck Management Framework. 3. That Trust Area Services staff continue to monitor policy developments related to geoduck aquaculture in the Salish Sea.	Clare Frater	31-Jan-2018	Done
05-Dec-2017	that the Executive Committee request Trust Area Services to report on the merits and options for advocacy on behalf of First Nations with regard to issues surrounding Order in Council 467 and 406 and the apparent limitations on First Nations right and title.	Clare Frater	27-Feb-2018	On Going
05-Dec-2017	that the Executive Committee request staff to draft a response from the Chair to the Environment Standards Branch letter regarding Agricultural Waste Control Regulation by January 15	Clare Frater	26-Dec-2017	Done
05-Dec-2017	that Trust Council ask the Executive Committee to consider a joint letter with San Juan County asking Transport Canada to provide a stand-by rescue tug in Sidney that could be available at Turn Point.	Clare Frater	17-Jan-2018	On Going
13-Dec-2017	that the Executive Committee request the Chair to write to the provincial consultation about professional reliance in the natural resource sector.	Clare Frater	19-Jan-2018	Done

Follow Up Action Report

17-Jan-2018	that the Executive Committee direct staff to draft a resolution and backgrounder requesting that AVICC/UBCM support the Island Trust's request for DFO to conduct an ecosystem-based study of potential and cumulative impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea.	Clare Frater Karen Hurley	07-Feb-2018	Done
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Legislative Services Manager

Activity	Activity	Responsibility	Target Date	Status
15-Feb-2017	Amend Policy 2.2.ii and Policy 7.4.2 to require advance submission of speaker/delegation material intended for presentations at a Trust Council or Council Committee meeting so that all policies are consistent.	Carmen Thiel Clare Frater Emma Restall	16-Mar-2018	On Going



REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: GB 6500-20
GB Bylaw 292
(Housing Options Review
Project)

DATE OF MEETING: January 17, 2018
TO: Islands Trust Executive Committee
FROM: Sonja Zupanec, Island Planner
SUBJECT: Gabriola Island Local Trust Committee – Bylaw No. 292 (OCP Bylaw Amendment)

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 292, cited as "Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017", in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

The Gabriola Island Local Trust Committee (LTC) has referred Bylaw No. 292 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational: The key aspect of Bylaw No. 292 is that it will update the Gabriola Official Community Plan (OCP) Bylaw No. 166 by replacing the term “accessory cottage” with “secondary suite”, and permit this housing type in various configurations on appropriately zoned lots 2.0 hectares or larger. Several definitions that are inconsistent or duplicated in the Gabriola Island Land Use Bylaw (LUB) are also proposed to be removed from the OCP.

Financial: Not applicable.

Policy: Bylaw No. 292 is consistent with the Gabriola Island Official Community Plan and Islands Trust Policy Statement.

Implementation/Communications: If approved by the Executive Committee, Bylaw 292 will be forwarded to the Minister of Municipal Affairs and Housing for approval.

PURPOSE

The purpose of this Request for Decision is to provide the Executive Committee with a summary of the proposed amendment to Gabriola Island Local Trust Committee Bylaw No. 292, cited as "Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017" and request approval of this bylaw.

Gabriola Island Local Trust Committee Bylaw No. 292, (Attachment 6) replaces all references to “accessory cottages” for lots 2.0 hectares or larger with “secondary suites” to enable a broader range of build out configurations in the LUB (Proposed Bylaw 293).

BACKGROUND

Gabriola Island Local Trust Committee Bylaw No. 292

The Gabriola Island Local Trust Committee (LTC) initiated Phase 1 of a ‘Housing Options Review Project’ in late 2016. The scope of the project included:

- Review of secondary suites for residential lots in lieu of accessory cottages and on (Agricultural Land Reserve) ALR land.
- Review of temporary dwelling regulations.
- Review subdivision proof of water requirements.
- Review of role of staff and LTC in supporting community led housing initiatives.
- Review opportunities with the Regional District of Nanaimo to foster affordable housing initiatives.
- Develop a community survey on Phase 1 topics and communication strategy on housing options and opportunities.

Bylaw No. 292 was given three readings and found to be “not contrary to or at variance with the Islands Trust Policy Statement”.

Issues Relating To Provincial Interest:

Bylaw No. 292 addresses increasing market housing options in a rural context. According to the recently update website, the Ministry of Municipal Affairs and Housing is looking to support local governments, not-for-profit organizations and residents to build vibrant and healthy communities that are well governed, livable, safe, economically resilient, and socially and environmentally responsible.

Issues Relating To Resources and Enforcement:

N/A

Issues Relating To First Nation Interest:

N/A

Public Comments to Executive Committee

Public comments were solicited through a community survey, three community information meetings and a public hearing. The LTC responded to public and Advisory Planning Commission input by making amendments to proposed Bylaw No. 292 throughout the legislative review process.

Staff Comments

Staff is recommending approval of Bylaw No. 292 as it is deemed to be consistent with the *Islands Trust Act* and *Local Government Act* and the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Open and transparent governance

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*
- Islands Trust Policy Statement Directive Policies
- 1.3.i Policy Statement Implementation Policy

ALTERNATIVE

1. Determine that the bylaw is contrary to the Islands Trust Policy Statement:

THAT the Executive Committee request that staff advise the Gabriola Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 292, cited as "Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017", is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Gabriola Island Local Trust Committee on the steps needed to address the specified issues.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	January 4, 2018
Concurrence:	David Marlor, MCIP, RPP Director of Local Planning Services	January 24, 2018

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 292



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gabriola Island Local Trust Committee

Bylaw No.: GB-292

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 14-Dec-2017

- ☒ Bylaw Submission Checklist attached
- ☒ Policy Statement Checklist attached*
* not required for administrative bylaws
- ☒ Summary of Bylaw Intent Attached

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

Deadline for Executive Committee decision (one month after receipt by Secretary as determined pursuant to the Interpretation Act*): _____

Date bylaw will appear on Executive Committee agenda: _____

- *a month means "a period calculated from a day in one month to a day numerically corresponding to that day in the following month, less one day"*
- *In the calculation of time expressed as clear days, weeks, months or years, or as "at least" or "not less than" a number of days, weeks, months, or years, the first and last*

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: GB-292

Trust Area: Gabriola Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: GB-292
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 13-Jul-2017

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web: 17-Feb-2017

Resolutions:

Resolution Waiving Public Hearing: No
Resolution Authorizing Public Hearing: Yes
Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 31-Oct-2017

File complete and ready for Public review: Yes

Public Hearings:

Location: Gabriola Arts & Heritage Centre, 476 South Road
Proofread By: ,

Legal Paper: Gabriola Sounder
First Publish Date: 31-Oct-2017

Second Publish Date: 07-Nov-2017

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:
Second Reading Date: 12-Oct-2017

Delivery Notices:
Date Public Hearing Held: 16-Nov-2017
Third Reading Date: 14-Dec-2017



Referrals: Bylaw GB-292

Agency	Sent	Received
Ministry of Agriculture Integrated Land Management Bureau: Hatfield, Jill Comment: Approval Recommended for Reasons Outlined: Statement is consistent with ALC policy and LUB indicated approval from the ALC may be required	15-May-2017	23-May-2017
Stz'uminus First Nation 12611A Trans Canada Hwy: Akey, Chenoa Comment: No response	03-Mar-2017	
Semiahmoo First Nation 16049 Beach Rd: Coordinator, Referrals Comment: No response	03-Mar-2017	
Cowichan Tribes Chief and Council: Charlie, Candace Comment: no comments or concerns	03-Mar-2017	03-Mar-2017
Lake Cowichan First Nation Chief and Council: Livingstone, Carol Comment: no comment	03-Mar-2017	23-Oct-2017
Snuneymuxw First Nation 668 Centre Street: Good, Chris Comment: No response	03-Mar-2017	
Hulquminum Treaty Group 200-200 Cowichan Way: Anderson, Al Comment: no comment	03-Mar-2017	03-Mar-2017
Halalt First Nation 7973 Chemainus Rd: Chief, & Council Comment: Halalt First Nation defers to other First Nations	03-Mar-2017	30-Oct-2017
Penelakut Tribe Chief and Council: James, Denise Comment: No response	03-Mar-2017	
Lyackson First Nation 7973A Chemainus Road: Aidnell, Linda Comment: no response	03-Mar-2017	
Thetis Island Local Trust Committee Northern Office: Susan, Morrison Comment: Interests Unaffected	21-Feb-2017	18-Apr-2017
Island Health 3rd Floor, 6475 Metral Drive: Lucko, Jill Comment: Approval recommended subject to conditions	21-Feb-2017	03-Apr-2017

**Referrals: Bylaw GB-292**

Agency	Sent	Received
Islands Trust, Bylaw Enforcement 200 - 1627 Fort Street: Drew, Miles Comment:	21-Feb-2017	
BC Assessment Authority Policy, Audit and Legal Services: McIntyre, Cathie Comment: no response	21-Feb-2017	
Nanaimo Regional District 6300 Hammond Bay Road: Schaefer, Jerry Comment: - The RDN limits to 90 sq. m. for secondary suites in accessory buildings applies to the total floor area of the building; - in the RDN, it is very difficult (if not effectively impossible) to build a secondary suite in a two-storey accessory building; - because of the differing height restrictions for accessory buildings as compared to the principal use building in some zones, the RD addresses height restrictions for accessory buildings containing suites independently.	21-Feb-2017	02-May-2017
Ministry of Transportation and Infrastructure Vancouver Island District Office: Pearson, Michael Comment:	21-Feb-2017	
Gabriola Chamber of Commerce #6 - 480 North Rd.,: Hennigar, Tammie Comment: Approval recommended subject to condition	21-Feb-2017	21-Apr-2017
Gabriola Housing Society none: Hetherington-Peirce, Nancy Comment: Approval recommended subject to conditions	21-Feb-2017	21-Apr-2017
People for a Healthy Community 675 North Road: Fowler, Brenda Comment: no response	21-Feb-2017	
Island Futures none: Yates, Susan Comment: no response	21-Feb-2017	
School District 68 395 Wakesiah Avenue: Blain, John Comment: no response	21-Feb-2017	
Agricultural Land Commission Rm. 133 4940 Canada Way: Bednard, Gordon Comment:	21-Feb-2017	

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: GB 6500-20

File Name: Housing Options Review

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT		No.	DIRECTIVE POLICY
BL 292	BL 293	3.1	Ecosystems
N/A	N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
		3.2	Forest Ecosystems
N/A	N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
		3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
		3.4	Coastal and Marine Ecosystems
N/A	N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT		No.	DIRECTIVE POLICY
BL 292	BL 293	4.1	Agricultural Land
N/A	N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse effects on agricultural land.
CONSISTENT		No.	DIRECTIVE POLICY
N/A	N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
✓	✓	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
		4.2	Forests
N/A	N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to

			minimize the fragmentation of forests.
N/A	N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT		No.	DIRECTIVE POLICY
BL 292	BL 293	4.3	Wildlife and Vegetation
		4.4	Freshwater Resources
✓	✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
		4.5	Coastal Areas and Marine Shorelands
N/A	N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
		4.6	Soils and Other Resources
✓	✓	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT		No.	DIRECTIVE POLICY
BL 292	BL 293	5.1	Aesthetic Qualities
N/A	N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
		5.2	Growth and Development
✓	✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
		5.3	Transportation and Utilities
N/A	N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and

			regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
		5.4	Disposal of Waste
N/A	N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT		No.	DIRECTIVE POLICY
BL 292	BL 293	5.5	Recreation
N/A	N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
		5.6	Cultural and Natural Heritage
N/A	N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
		5.7	Economic Opportunities
✓	✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
		5.8	Health and Well-being
✓	✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

Executive Committee

Policy Checklist

Checklist Key:

Consistent	The bylaw is consistent with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Contrary	The bylaw is inconsistent (contrary or at variance) with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv
Not-Applicable	The policy is not applicable with the Islands Trust Policy Manual Chapter 2, Section 4, Subsection iv .

Executive Committee Legislative Role Policy (2.4)

Consistent	i	Bylaw is consistent with the object of the Trust
Consistent	ii	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement
Consistent	iii	Bylaw does not expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw
Consistent	iv	Bylaw is not enacted without legal authority, including inconsistency with the relevant OCP (based on legal advice)

Checklist Key:

Requires Resources	Staff resources required to assist with administration.
No Resources Required	No staff resources required.

The Bylaw has been Examined Against Best Management Practices for Delivery of Local Planning Services as found in Section 5.9 of the Islands Trust Policy Manual

No Resources Required	B.5	Bylaw is consistent with the object of the Trust
No Resources Required	B10	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 14-Dec-2017

Reading:

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 292

A BYLAW TO AMEND GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, 1997

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017”.

2. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997”, Schedule “A” is amended as follows:

2.1 Section 2. – General Land Use and Residential Development, Section 2.0 General Land Use, General Land Use Policies, Clause j) is amended by deleting the word “permit” and replacing it with the word “support”.

2.2 Section 2. – General Land Use and Residential Development, Section 2.1 Residential Land Use, General Residential Policies, Clause g) is deleted in its entirety and replaced with:

“g) On parcels 2.0 hectares (4.94 acres) or larger, one secondary suite shall be permitted per parcel, accessory to a principal single family dwelling.”

2.3 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Background is deleted in its entirety and replaced with:

“Background: A community plan is intended to contain a statement concerning the provision of affordable housing in the community. Currently on Gabriola, the allowance of secondary suites on parcels 2.0 hectares or larger, is considered a means of addressing the islands’ need for diversity in housing options and affordability.”

2.4 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Objectives is amended by deleting the words “Single-dwelling” and replacing with “Single-family”.

2.5 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Policies is amended by deleting the words “Single-dwelling” and replacing with “Single-family”.

2.6 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Policies’, Clause a) is deleted in its entirety and replaced with:

“a) Provision for a secondary suite on a parcel 2.0 hectares or larger (as per policy 2.1 g) shall be recognized as a means of providing for affordable housing in a rural, low density context.”

2.7 Section 2. – General Land Use and Residential Development, Section 2.7 Home Occupational Use, Home Occupational Policies, Clause b, Item i, is deleted in its entirety and replaced with:

“i the use is accessory to a dwelling unit on a parcel;”

2.8 Appendix 1 - Definitions is amended by deleting the following terms and the associated definitions:

“accessory”	“Accessory cottage”	“bed and breakfast accommodation”
“family”	“boarder”	“building”
“dwelling unit”	“home occupation”	“horticulture”
“industry”	“principal”	“public park”
“public utility”	“residence”	“school”
“single-dwelling”	“structure”	“tourist accommodation”
“tourist accommodation unit”		

2.9 Appendix 1 – Definitions is amended by deleting the word “means” from the beginning of each definition.

READ A FIRST TIME THIS 13TH DAY OF JULY , 2017

READ A SECOND TIME THIS 12TH DAY OF OCTOBER , 2017

PUBLIC HEARING HELD THIS 16TH DAY OF NOVEMBER , 2017

READ A THIRD TIME THIS 14TH DAY OF DECEMBER , 2017

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ , 201X

ADOPTED THIS _____ DAY OF _____ , 201X

Chair

Secretary

First Nation Engagement

Referral of: GB BL 292 and 293

First Nation: SNUNEYMUXW FIRST NATION

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Hard copy Package sent to Attn: Chief</i>	<i>BM</i>
<i>October 19, 2017</i>	<i>Called and spoke to Chris Good, Lands Manager and advised of Public Hearing Nov. 16 2017</i>	<i>BM</i>
<i>November 16, 2017</i>	<i>Follow up call to Chris Good, left message</i>	<i>BM</i>

First Nation: PENELAKUT TRIBE

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Hard copy Package sent to Attn: Chief</i>	<i>BM</i>
<i>October 19, 2017</i>	<i>Called, left message and advised of Public Hearing Nov. 16 2017</i>	<i>BM</i>

First Nation: LYACKSON FIRST NATION

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Hard copy Package sent to Attn: Chief</i>	<i>BM</i>
<i>October 19, 2017</i>	<i>Called, left message and advised of Public Hearing Nov. 16 2017</i>	<i>BM</i>

First Nation: HALALT FIRST NATION

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Hard copy Package sent to Attn: Chief</i>	<i>BM</i>
<i>October 19, 2017</i>	<i>Called, left message and advised of Public Hearing Nov. 16 2017</i>	<i>BM</i>

First Nation: COWICHAN TRIBES

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Received Response – no comments or concerns per Candace Charlie, referrals coordinator</i>	<i>BM</i>

First Nation: LAKE COWICHAN FIRST NATION

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Hard copy Package sent to Attn: Chief</i>	<i>BM</i>
October 19, 2017	Called, left message and advised of Public Hearing Nov. 16 2017	BM

First Nation: STZ'UMINUS FIRST NATION

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Hard copy Package sent to Attn: Chief</i>	<i>BM</i>
October 19, 2017	Called, left message and advised of Public Hearing Nov. 16 2017	BM

First Nation: SEMIAHMOO FIRST NATION

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email</i>	<i>BM/SZ</i>
<i>March 3, 2017</i>	<i>Hard copy Package sent to Attn: Chief</i>	<i>BM</i>
October 19, 2017	Called, left message and advised of Public Hearing Nov. 16 2017	BM

First Nation: HUL'QUMI'NUM TREATY GROUP

Date	Comment/Action	Initial
<i>March 3, 2017</i>	<i>Referral Package sent via email – FOR INFORMATION ONLY</i>	<i>BM</i>

SZ = Sonja Zupenac, Island Planner
 BM = Becky McErlean, Legislative Clerk

Trust Council Quarterly Meeting Schedule
March 13-15, 2018
Harbour House Hotel, 121 Upper Ganges Road, Salt Spring Island

DRAFT

Tuesday, March 13	Wednesday, March 14	Thursday, March 15
Ferries to Salt Spring Island: From (25 minute sailing) 9:00 am 11:00 am	7:30 Breakfast	7:30 Breakfast
12:00 Executive Committee Meeting	8:30 New Business Items*	8:30 Closed meeting
12:30 Lunch	9:30 Administrative Services Director's Report * FPC Work Program Report * Quarterly Financial Report - RFD Financial Forecast - Briefing	9:15 Adapting to Climate Change Session
1:30 Call to Order and Approval of Agenda 1:30-2:00 Chief Seymour, Cowichan Nation * RWMs Adoption of Minutes FUAL Trustee Round Table	10:15 Break	10:00 Break
3:00 Break	10:30 2018/19 Budget Overview and Approval * * * 11:00 Trust Area Services * Director's Report TPC Work Program Trust Fund Board Report	10:15 Summary/Updates Trustee Updates Priorities Chart Proposed June TC Draft Agenda Program
3:15 2018/19 Budget Review and Discussion on Amendments Budget Session Outline Budget Overview Budget Assumptions and Principles Budget Detail Projects Staffing Public Consultation	12:00 Lunch	11:30 Lunch
4:00 Executive CAO's Report * EC Work Program Continuous Learning Plan Strategic Plan Quarterly Update	Community Presentations	12:30 Correspondence
4:45 Local Planning Services Director's Report * LPC Work Program	2:00 Delegations & Town Hall	1:00 Adjournment (approx.)
5:15 Adjourn for the day	3:00 Break	Ferries from Salt Spring Island: To (25 minute sailing) 1:50 pm 3:50 pm  Islands Trust
6:00 Dinner	3:15 unallocated	
	5:00 Adjourn for the day	
	6:00 Dinner with Former Trustees -	

* Denotes resolution/decision items

Members of the public are invited to attend all sessions except any closed meetings and meals.



Request for DFO review of potential cumulative impacts of increased geoduck aquaculture

WHEREAS Fisheries and Oceans Canada (DFO) approved the Integrated Geoduck Management Framework in 2017 (IGMF);

AND WHEREAS the IGMF will lead to increased applications for geoduck aquaculture which has the potential to negatively impact the marine environment;

THEREFORE BE IT RESOLVED that UBCM request that DFO conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture that includes consideration of the need for increased monitoring and enforcement.

Backgrounder

Fisheries and Oceans Canada (DFO) approved the Integrated Geoduck Management Framework 2017 based on research limited to the impact of geoduck clam aquaculture on the wild geoduck clam fishery. This approval ended a moratorium on geoduck aquaculture, which will lead to increased applications for geoduck aquaculture.

DFO has advised that applications will be assessed on a license-by-licence basis. There are concerns that DFO will not sufficiently consider the potential and cumulative impacts of increased geoduck clam aquaculture in the Salish Sea.

A November 2017 Islands Trust staff review of the available science did not result in an impression that there is scientific consensus that the potential impacts of intensive geoduck aquaculture, particularly in the intertidal zone, are certain to be minimal. Staff noted that many articles conclude with calls for additional research. The Islands Trust staff report on this topic is available on request.

Therefore, a DFO ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture review is required to adequately understand potential ecosystem and cumulative impacts of any new geoduck clam aquaculture licences. Among other topics, this study could address the impacts of:

- seeding and liquefaction processes on the ocean floor and intertidal beaches;
- predator/canopy netting and PVC pipes on marine life and microplastic levels; and
- introduction of new aquaculture on carrying capacity.

In addition, existing shellfish aquaculture operations are contributing to regional garbage and environmental issues due to insufficient attention to abandoned gear. Increased enforcement of existing licences is required.

From: Clare Frater
Sent: Thursday, February 01, 2018 1:16 PM
To: Jas Chonk
Subject: FW: Invitation to appear before the Standing Committee of Transport, Infrastructure and Communities regarding Bill C-64, 2018-02-12
Attachments: GuidelinesForWitnesses-5Minutes-e.pdf
Importance: High

From: Emma Restall
Sent: Wednesday, January 24, 2018 1:20 PM
To: Russ Hotsenpiller; Clare Frater; David Marlor
Subject: FW: Invitation to appear before the Standing Committee of Transport, Infrastructure and Communities regarding Bill C-64, 2018-02-12
Importance: High

From: TRAN@parl.gc.ca [<mailto:TRAN@parl.gc.ca>]
Sent: Wednesday, January 24, 2018 1:17 PM
To: Emma Restall
Cc: Nicole.Sweeney@parl.gc.ca; Genevieve.Gosselin@parl.gc.ca; TRAN@parl.gc.ca
Subject: Invitation to appear before the Standing Committee of Transport, Infrastructure and Communities regarding Bill C-64, 2018-02-12
Importance: High

Good afternoon Ms. Restall,

The Chair of the [House of Commons' Standing Committee on Transport, Infrastructure and Communities](#) has instructed me to invite a representative from **Islands Trust** to appear before the Committee in Ottawa (or by videoconference) on **Monday, February 12, 2018 from 4:30 p.m. to 5:30 p.m. (EST) (1:30-2:30 PST)**, in view of its study of [Bill C-64](#), *An Act respecting wrecks, abandoned, dilapidated or hazardous vessels and salvage operations*.

Your representative's participation, as part of a panel of three (3) experts, would consist of an opening statement of up to five (5) minutes, followed by rounds of questions from Members of the Committee, for a total of 1 hour. More specifically, all three experts will be asked to provide their opening remarks one after the other followed by questions from the Committee Members. You may find it useful to review the attached *Guidelines for Witnesses* prior to any appearance before the Committee. If there are questions about lines of enquiry, they should be brought up with the committee's research analysts at the Library of Parliament, Nicole Sweeney at 613-301-5916 and Geneviève Gosselin at 613-762-2108 or through their electronic mail addresses in the Cc: block. I can respond to questions related to parliamentary procedure and logistics.

Please note the other experts on your panel should be from the **Stz'uminus First Nation** and the **Atlantic Policy Congress of First Nations Chiefs** – *to be confirmed*.

I would ask that you please confirm your representative's availability and method of participation (i.e. by video or in person) **by responding to this email within the next 48 hours.**

Upon agreement to appear, we will provide further details. If the intent is to appear by videoconference (please note that we cannot use Skype), could you also please indicate if you have access to videoconference facilities and, if so, provide information for a technical contact? Otherwise, please inform me of the location of the representative at the time of the meeting, and the House of Commons will find a videoconference facility in the area.

If you intend to seek reimbursement for **travel expenses** incurred as a result of appearing before the Committee, please download the [Committee Witness Expense Claim Form](#) and consult the *Terms of Reimbursement* on the reverse, prior to making any travel arrangements.

Thank you in advance for your prompt response and please do not hesitate to contact me should you have any question.

Best regards,



Marie-France Lafleur

Greffière à la procédure | Procedural Clerk

Direction des comités et services législatifs | Committees and Legislative Services Directorate

Comité permanent des transports, de l'infrastructure et des collectivités / Standing Committee on
Transport, Infrastructure and Communities

Chambre des communes | House of Commons

131 rue Queen, pièce 6-19 | 131 Queen street, room 6-19

Ottawa, Ontario K1A 0A6

TRAN@parl.gc.ca

(t) 613-996-4663

GUIDELINES FOR WITNESSES APPEARING BEFORE THE
STANDING COMMITTEE ON TRANSPORT, INFRASTRUCTURE AND COMMUNITIES

PRESENTATION TO THE COMMITTEE
PRESENTATION
Witnesses may make a presentation (oral statement) to the Committee of not more than FIVE (5) minutes per organization . The time remaining will be taken up with questions from Committee members. Witnesses scheduled to appear before the Committee who wish to familiarize themselves with the committee hearing process may consult the Guide for Witnesses .
SPEAKING NOTES
Copies of your speaking notes will greatly assist our staff in accurately interpreting your presentation and preparing the transcription of your testimony. Therefore please: • Provide the clerk with an electronic copy of your speaking notes <u>before the meeting</u>; or • If you attend in person, bring five (5) copies of any speaking notes (including handwritten notes) and/or reference documents that you plan to use during your presentation.
BRIEFS
Should you wish to submit a brief (a written submission) to the Committee (or should you wish to share your speaking notes), please be advised that all documents must be translated prior to their distribution to committee members (briefs can also be submitted after your appearance). Please remember that: • The Committee can arrange for the translation of your brief provided that an <u>electronic copy</u> is received at least four (4) working days prior to the date of your appearance and that the text does not exceed ten (10) pages. • If you arrange for translation and attend the meeting in person, please provide twenty (20) English and ten (10) French copies for distribution to Committee members before the meeting. An electronic copy of your brief, in French and English, should also be sent to the clerk. Individuals and groups preparing written submissions may consult the Guide for preparing briefs .
WEBSITE
Additional information about the Committee's work (membership, studies, minutes, etc.) as well as audio/video archives of Committee meetings can be found on the Committee's website at: http://www.parl.gc.ca/tran .

LOGISTIC AND ADMINISTRATIVE ISSUES
APPEARANCE BEFORE THE COMMITTEE IN PERSON OR VIA VIDEOCONFERENCE
If you would prefer to appear via videoconference: The Committee will find a facility located nearby your residence / workplace. Eligible expenses (gas mileage, parking, etc.) may be reimbursed. Additional details will be provided to you by the clerk of the Committee.
If you would prefer to appear in person: • The Committee will reimburse witnesses for reasonable travel expenses, including economy class air travel, or other practical modes of transportation, and reasonable costs for accommodation. Meals and dependent care expenses will be reimbursed in accordance with House of Commons rates. For other expenses related to your appearance, please contact the clerk of the Committee. • Witnesses coming from Kingston, Montreal or Toronto, or from areas where they are able to travel to Ottawa and back on the same day, are not entitled to accommodation unless they are appearing at an early or a late meeting, or in the case of severe weather. Please note that the method by which a witness appears is entirely at the discretion of the Committee.
REIMBURSEMENT OF EXPENSES
The Committee may reimburse travel and per diem expenses for up to two (2) witnesses per organization . Witnesses wishing to be reimbursed must submit the <i>Committee Witness Expense Claim Form</i> , along with original receipts, within sixty (60) days following the date of their appearance. Claims received beyond this time limit may be denied.
AUDIO-VISUAL EQUIPMENT
Committee rooms in Ottawa can, upon request, be set up for presentations using audio-visual equipment (laptops and projectors). If you wish to use this equipment, please contact the clerk of the Committee at least five (5) working days in advance of your appearance. <i>Please note that all information to be displayed must be presented in both official languages.</i>
PERSONS WITH DISABILITIES
All committee rooms are accessible to persons with disabilities. It is recommended that witnesses with specific accommodation needs inform the clerk of the committee.

QUESTIONS	
To discuss the substance of your presentation, please contact the Committee's analysts: Geneviève Gosselin : 613-762-2108 Nicole Sweeney : 613-301-5916	For any other questions, please contact the clerk of the Committee: Marie-France Lafleur : 613-996-4663

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** February 7, 2018
From: Trust Area Services **Date Prepared:** February 1, 2018
SUBJECT: Draft Consolidated 2017/2018 Pacific Herring Integrated Fisheries Management Plan

RECOMMENDATION: That Executive Committee direct staff to prepare a Chair's letter regarding the Draft Consolidated 2017/2018 Pacific Herring Integrated Fisheries Management Plan outlining ecosystems values of herring and general concerns about the herring fishery in the Islands Trust area as well as a request for a more transparent and inclusive consultation process in future.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: This letter will address a topic on the Executive Committee's FUAL and go some way towards meeting the intent of Hornby Island Local Trust Committee request while not requiring the Trust staff to develop expertise in herring management. Trustee Law has provided suggested points for the Chair letter that app

1 PURPOSE: To inform Executive Committee of a consultation opportunity regarding the draft consolidated 2017/2018 Pacific Herring Integrated Fisheries Management Plan and seek direction on a response.

2 BACKGROUND:

On June 7, 2017, The Executive Committee received an RFD about herring roe fishery advocacy. The RFD outlined that the Hornby Island Local Trust Committee requests the Executive Committee to write to the Honourable Dominic LeBlanc, Minister of Fisheries, Oceans and Canadian Coast Guard, to propose a thorough review of the Herring Roe fishery in the Salish Sea (Strait of Georgia) and requested that staff return to the Executive Committee with renewed herring roe fishery advocacy advice. This has not been a priority for Trust Area Services

On January 24, 2018 Islands Trust staff learned that Fisheries and Oceans Canada was soliciting comments regarding the [draft 2017/2018 Pacific Herring Integrated Fisheries Management Plan](#) (IFMP), through the Fisheries Notices, with a closing date for comments of February 8, 2018. DFO staff apologized for not making staff or Trustee Law aware of the posting site (which Islands Trust staff have not monitored as part of the legislative monitoring program) but did not offer an extension to the comment window.

Therefore, without adequate time for a full review, staff could draft a Chair's letter that generally outlines ecosystems values of herring (including as vital forage fish to chinook, the main diet of resident orcas) and concerns about the herring fishery in the Islands Trust area, including insights from Trustee Law, without specific references to the IFMP.

The letter could also suggest that DFO offer a more transparent and inclusive consultation process for next year's Pacific Herring Integrated Management Plan. If herring management is an advocacy priority next term, Islands Trust will be in a better position to respond to next year's plan because of the knowledge and relationships gained through the Baynes Sound/Lambert

Channel Ecosystem Forum, and Advisory Committee, that the Islands Trust is co-sponsoring with WWF-Canada. Staff expect that any work on herring habitat and fishery issues will involve a contract for a marine biology advice.

At its May 5, 2017 meeting, the Hornby Island Local Trust Committee passed the following resolution:

Trustee Law suggested that the Herring Roe Fishery in the Salish Sea should be subject to a thorough review.

Trust Area Services staff have yet not researched this issue but this concern is not new to Trust Council. In 1998, at the request of Trust Council, the Chair wrote to Minister of Fisheries and Oceans (see attached).

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: One day of staff time to write, review and post the Chair letter to the DFO comment site. This will not cause significant delay of other initiatives.

FINANCIAL: None

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS:

The letter from the Chair to the Fisheries and Oceans Canada consultation email address by the deadline of February 8, 2018. The letter could outline the ecosystems values of herring (including as vital forage fish to chinook, the main diet of resident orcas) and concerns about the herring fishery in the Islands Trust area, including insights from Trustee Law, without specific references to the IFMP.

The letter could also suggest that DFO offer a more transparent and inclusive consultation process for next year's Pacific Herring Integrated Management Plan

The letter will be cc'd to Trust Area First Nations, Conservancy Hornby Island, Association of Denman Island Marine Stewards, Powell River Regional District, Trust Area MPs, Trust Area First Nations, Bowen Island Municipality and Islands Trust Council. The letter will be posted to the Islands Trust website and sent to subscribers.

FIRST NATIONS: Staff are aware that some First Nations have interests in the herring fishery. However, staff are unaware of First Nations' positions regarding the DFO 2017/2018 Pacific Herring Integrated Fisheries Management Plan, with the exception of the Tla'amin Nation who have communicated to staff that they have been, and continue to, strongly request that DFO create a herring fishery closure in the area of their village sites (Powell River area).

OTHER:

4 RELEVANT POLICY(S):

- [Islands Trust Act](#), Section 3
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 Policy Statement](#) Part 1: Roles and Responsibilities section
The Islands Trust Council cannot effectively implement the Policy Statement without the support of all stakeholders. Assistance, cooperation and collaboration are required from local trust committees, island municipalities, the Trust Fund Board, the Provincial Government, other government agencies, non-government organizations, communities, First Nations, property owners, residents and visitors.
- Islands Trust Policy Statement policy 3.1.9:
Trust Council encourages actions and programs of other government agencies which place priority on the side of protection for Trust Area ecosystems when judgment must be exercised; protect the diversity of native species and habitats in the Trust Area, and prevent pollution of the air, land and fresh and marine waters of the Trust Area.
- Islands Trust Policy Statement policy 3.4.6:
Trust Council encourages the Provincial and Federal governments to develop existing and new programs such as “harvest refugia”, which protect and enhance the populations of native marine species of the Trust Area.
- [Advocacy Policy 6.10.iii](#)
- Hornby Island Official Community Plan - relevant policies:
3.6.3 The Provincial and Federal governments are requested to develop existing and new programs, such as harvest refugia, which protect and enhance the populations of native marine species and ecosystems.
3.6.5 The Federal Department of Fisheries and Oceans and the Ministry of Environment are requested to fully protect through conservation measures, including fisheries closures, any vulnerable species of marine fauna and flora and important habitats such as the area where sixgilled sharks come near the surface near Flora Islet and areas supporting juvenile rockfish or herring spawning.
3.6.6 The Federal Department of Fisheries and Oceans is requested to protect fully the marine component of Helliwell Provincial Park through conservation measures such as prohibiting the taking of marine life by diving, closures of fisheries as required and the establishment of a Marine Protected Area.

5 ATTACHMENT(S):

- 1) [Draft Consolidated 2017/2018 Pacific Herring Integrated Fisheries Management Plan](#)
(hyperlink only)
- 2) Trustee Law Comments on Draft Integrated Fisheries Management Plan for Pacific Herring
- 3) October 24, 1998 Islands Trust Chair letter to Minister of Fisheries and Oceans regarding herring stock management.

RESPONSE OPTIONS

Recommendation:

That Executive Committee directs staff to prepare a Chair’s letter regarding the Draft Consolidated 2017/2018 Pacific Herring Integrated Fisheries Management Plan outlining ecosystems values of herring and general concerns about the herring fishery in the Islands Trust area as well as a request for a more transparent and inclusive consultation process in future.

Alternative:

That Executive Committee decides not to send a letter to DFO.

Prepared By: Karen Hurley, Trust Area Services

Reviewed By/Date: Clare Frater, Director, Trust Area Services, February 1, 2018

DRAFT #1

**Comments on
INTEGRATED FISHERIES MANAGEMENT PLAN FOR PACIFIC HERRING - DRAFT
November 7, 2017 – November 6, 2018**

Prepared by Tony Law

"Use scientific evidence and the precautionary principle, and take into account climate change, when making decisions affecting fish stocks and ecosystem management."

*Prime Minister's Mandate Letter to Minister of Fisheries, Oceans and the Canadian Coast Guard
(August 19, 2016)*

Comments:

- **There is insufficient scientific evidence available on the population, ecosystem and fishery dynamics associated with states of possible serious harm to BC Pacific Herring to support management decisions. There is no information available on the appropriate conservation limits for Pacific Herring based on ecosystem considerations.**
- **It is not precautionary to remove one fifth of a key forage fish from the ecosystem when the ecosystem service requirements of its predators are poorly understood, predator-prey functional relationships are not well-defined, and objectives for predator species are not quantified.**

The failure of the current management approach to recover and sustain Pacific Herring stocks in the Central Coast, Haida Gwaii and West Coast of Vancouver Island management areas does not provide confidence that continuing to apply this approach in the Strait of Georgia management area is sufficiently precautionary.

- **It would be precautionary to suspend (or least significantly reduce) the herring roe fishery in the Strait of Georgia as long as there is no clear understanding of ecosystem requirements and population dynamics and until there is methodology in place to enable ecosystem-based management.**

Discussion:

The IFMP includes only 126 words on "ecosystem interactions" (while there are 943 words on the economic context). This section of the IFMP states that *"the current maximum harvest rate of 20% under the herring management framework is believed to be conservative"* after acknowledging that *"there is no information available on the appropriate conservation limits for Pacific Herring based on ecosystem considerations."*

There is also a statement that: *“recent research indicates that the interplay of food supply and predation impacts on herring survival and production is complex and not readily predictable.”* The 2017 Science Advisory Report underlines this fact by stating: *“The ecosystem service requirements of their predators are poorly understood, predator-prey functional relationships are not well-defined, and objectives for predator species are not quantified.”*

The IFMP states that *“research is ongoing to better understand these ecosystem processes and the role Pacific Herring play in maintaining the integrity and functioning of the ecosystem.”*

This might sound reassuring— except for the fact that the 2004 IFMP stated: *“Research is ongoing to better understand these ecosystem processes and the role herring plays in maintaining the integrity and functioning of the ecosystem”* after noting that *“At this time there is no information available on the appropriate conservation limits for the ecosystem as it pertains to the herring stocks.”* Subsequent IFMPs have contained similar statements.

Fourteen years of repetition render these words virtually meaningless.

The IFMP recognizes that: *“that herring plays a critical role in the ecosystem and are a food source for a variety of species.”* Pacific Herring is the dominant forage fish in the Salish Sea being Pacific Herring - the most important fish prey species for seabirds and for many species of fish and marine mammals. Successful recovery of depleted species requires adequate food resources to support growth— and, as they recover, a larger volume of prey is needed on an on-going basis. As populations of these species rebuild, is the continuing yearly removal of 20% of critical forage appropriate?

The Prime Minister’s Mandate Letter calls for taking climate change into account in making management decisions. The draft IFMP does not analyze this factor. Expected changes in the physical environment of the Salish Sea under climate change include increases in sea surface temperatures. Water temperature record stations in the Strait of Georgia show a statistically significant mean increase that is higher than the global average. Studies indicate that herring recruitment to the spawning population and subsequent survival are negatively related to sea surface with periods of reduced herring productivity associated with warm-water condition. This suggests that the issue of climate change should be considered in the management of herring stocks.

The health of herring stocks depend upon a number of factors including predation, availability of food, competitor species, environmental conditions (such as water temperature and habitat), and human extraction. There is a high level of uncertainty around the interaction of all these factors (significant spatial and temporal changes in spawn distribution that have occurred in the past are still not understood). Of these factors, only human extraction can be “managed”.

This management must be carried out at a much more precautionary level until the annual repeated statements about on-going research actually generates the understanding and capacity for ecosystem-based management.

Tony Law – 31 January 2018

October 24, 1998

File Number:

FG/02

The Honourable David Anderson
Minister of Fisheries and Oceans
15th Floor, 200 Kent Street
Ottawa ON K1A 0E6

Dear Minister Anderson:

On behalf of the Islands Trust Council, I wish to ask your Ministry to develop a program to rebuild and protect migratory and non-migratory herring stocks in the Trust Area and to manage these stocks for their primary value as forage fish. Examples of action that could be taken include: closure or limits of the sport bait fishery, a temporary suspension of the roe fishery and ongoing monitoring of resident herring.

Herring is vitally important to many species of birds, fish and mammals in the Trust Area. For example, herring makes up 71% of the diet of lingcod, 62% of chinook salmon's diet and 58% of coho salmon's diet. Resident stocks have significantly declined and migratory spawning stocks have not returned to their historical locations.

At our recent Marine Area Protection Workshop with San Juan County, we learned that Washington State has legislated a program whereby herring and other forage fish are managed primarily for their vital role as food for other species. The Islands Trust Council believes herring stocks in the Georgia Strait should be managed in a similar way.

I understand that on October 13, you met with representatives from various interest groups, including Islands Trust Local Trustee Tony Law from Hornby Island. Perhaps we can discuss this issue further at our meeting requested in my letter of October 1, 1998 regarding oil spill reduction measures.

Yours truly,

David Essig
Chairperson
Islands Trust Council

pc: Islands Trust Council

From: Clare Frater
Sent: Thursday, February 01, 2018 1:17 PM
To: Jas Chonk
Subject: FW: Scheduling Meeting with Minister Garneau in Victoria, February 8

From: Reidy, Brock [<mailto:brock.reidy@tc.gc.ca>]
Sent: Wednesday, January 31, 2018 4:22 PM
To: Clare Frater
Subject: Scheduling Meeting with Minister Garneau in Victoria, February 8

Good afternoon Clare,

I am with the Coordination and Policy Branch of Transport Canada in Vancouver. Minister Garneau is scheduled to be in Victoria next Thursday, February 8, and would like to meet with The Islands Trust as part of his visit. I am helping to put together his itinerary.

The Minister would be accompanied by two of his advisors, and Catherine Higgins, Associate Deputy Minister, Programs, and Lead, Navigation Protection Act Review.

Would a meeting from 10:45am – 11:15am work for yourself and Peter Luckham, and others from your organization you feel should attend? Secondly, would your office space on Fort Street in Victoria be suitable for this meeting?

Thank you kindly,

Brock Reidy

Policy Analyst, Coordination and Policy
Transport Canada / Government of Canada
brock.reidy@tc.gc.ca / Tel: 604-666-5859

Analyste de politiques, Coordonnation et politique
Transports Canada / Gouvernement du Canada
brock.reidy@tc.gc.ca / Tél.: 604-666-5859

To: Executive Committee

For the Meeting of: February 7, 2018.

From: David Marlor, Director of Local Planning Services

File No.:08-2925-20

SUBJECT: OPTIONS - RURAL STATUS FOR ISLANDS IN THE CRD FOR FUNDING PURPOSES

DESCRIPTION OF ISSUE:

In March 2016 Staff presented a briefing (Attachment 1) that outlined the current situation in respect to the availability of grants from the Island Coastal Economic Trust and the Community Futures Network. Generally both of these granting agencies do not include eligibility for areas of the Islands Trust within the Capital Regional District (Galiano, Mayne, North Pender, Saturna, Salt Spring and South Pender) nor within Metro Vancouver (Bowen Island Municipality and Bowyer and Passage islands in the Gambier Local Trust Area).

The Executive Committee has asked staff to provide options for addressing this.

BACKGROUND:

The Islands Coastal Economic Trust was formed through the *North Island - Coast Development Initiative Trust Act*. The Act covers two areas – Central South Island Region and North Island – Sunshine Coast Region, both of which are defined by regulation.

To include the local trust areas within the Capital Regional District, the Lieutenant Governor in Council would need to amend the regulation to include the islands in the Capital Regional District in the definition of Central South Island. To include Bowen Island Municipality and Bowyer and passage islands, the B.C. legislature would need to amend the *North Island – Coast Development Initiative Trust Act* to expand the area to include that part of Metro Vancouver.

On November 22, 2017, Adam Olsen, MLA for Sanich North and the Islands, wrote to the Minister of Municipal Affairs and Housing to request the Ministry to find a resolution regarding the classification of the Islands Trust area within the Capital Regional District as urban.

The Ministry of Forest, Lands, Natural Resource Operations and Rural Development (FLNRORD) is seeking input into a new rural development strategy (Attachment 2). The Province will be undertaking targeted face-to-face sessions with community partners around the Province (these have not yet been identified), as well as accepting public feedback until February 28, 2018. The Executive Committee may wish to add this item as a priority, and ask Trust Area Services staff to liaison with FLNRORD staff to ensure Islands Trust interests are considered during this process. This may be through request for a face-to-face meeting on this issue, or by a letter from the Chair expressing Islands Trust interests.

The Community Futures Network comes under the Federal Western Economic Diversification Act. While the Act does not appear to restrict where funds could be allocated in Western Canada, the

organizations verbally advised Islands Trust Staff that the current funding is in line with Economic Regions observed by Statistics Canada and the Development Regions of BC Stats.

ATTACHMENT(S):

- Attach 1 - Rural Status Briefing dated March 2, 2016
 - Attach 2 – Rural Development Strategy News Release
-

AVAILABLE OPTIONS:

1. Request the BC Government legislature to amend the *North Island - Coast Development Initiative Trust Act* to include the islands within the Capital Regional District and Metro Vancouver. This request would need to be evaluated against other legislative change requests that Trust Council is contemplating. Staff resources from Local Planning Services and Trust Area Services would be required.
2. Request that Community Futures Network to include as eligible all islands with the Islands Trust Area. This request would require Trust Area Services staff time to discuss with Community Futures Network and possibility Federal staff and Minister responsible.
3. Respond to the proposed Provincial Rural Development Strategy (see attachment 2 for a News Release on this) by either requesting a face-to-face meeting or writing a Chair letter to address interests and concerns within the Islands Trust Area. This option would require resources from Trust Area Services to develop material and attend meetings or write letters.
4. Wait for Minister's response to Adam Olsen's letter in relation to the *North Island – Coast Development Initiative Trust Act eligibility* to the Islands Trust Area. This approach would wait to see what (if anything) results from Adam Olsen's request to the Minister. Further work by Islands Trust staff would depend on that response.
5. Maintain the Status Quo and seek alternative funding sources for parts of the Islands Trust within the Capital Regional District and Metro Vancouver areas.

FOLLOW-UP: As directed.

Prepared By: David Marlor, Director of Local Planning Services

Reviewed By: Clare Frater, Director of Trust Area Services

Date: January 30, 2018

BRIEFING

To: Executive Committee

For the Meeting of: March 2, 2016.

From: Mike Richards / David Marlor

File No.: None

SUBJECT: RURAL STATUS FOR ISLANDS IN THE CRD FOR FUNDING PURPOSES

DESCRIPTION OF ISSUE:

Both the *Islands Coastal Economic Trust* and the *Community Futures Network* have clearly defined areas for their funding programs which do not include the Capital Regional District (CRD) and the areas of Islands Trust within it. While most other Local Trust Areas are eligible to apply for funding through these funding avenues this precludes any Local Trust Committee within the CRD from applying. In particular Salt Spring Island Local Trust Committee would like to access these funds for Strategic Planning purposes.

BACKGROUND:

Initial explorations into this subject were conducted by the Grants Program Manager in late 2014. Subsequent work has been conducted by the Trust Area Policy Advisor and the Grants Program Manager.

The Islands Coastal Economic Trust was formed through the North Island - Coast Development Initiative Trust Act which defines the area of operations. The Community Futures Network comes under Western Economic Diversification. Both organizations are in line with Economic Regions observed by Statistics Canada and the Development Regions of BC Stats.

Conversations with both these organization indicated that to consider including islands of the CRD and/or Bowen in their funding area could be a significant undertaking and would require seeking legislative changes.

There are alternatives for funding LTC projects including accessing the Strategic Priorities Fund of the Federal Gas Tax Agreement. Islands Trust has been awarded funding through this in the past for a review of the Trust Policy Statement. A recent application through this avenue for the Salt Spring Island LTC to conduct Integrated Community Sustainability Planning was unsuccessful; however, the Strategic Priorities Fund is likely to have another application round within the next 2 years.

Of note is that the CRD was awarded \$50,000 for a Salt Spring Island and Southern Gulf Island Integrated Service Plan as part of the Strategic Priorities fund allocations.

[Comments]

ATTACHMENT(S): None

AVAILABLE OPTIONS:

1. Maintain the Status Quo and seek alternative funding sources for LTC projects including applying during the next round of Strategic Priorities Funding through the Federal Gas Tax Agreement.
2. Pursue legislative changes to the North Island - Coast Development Initiative Trust Act to have the Southern Gulf Islands included in funding areas.

FOLLOW-UP: As directed.

Prepared By: Mike Richards / David Marlor

Reviewed By: David Marlor, Director of Local Planning Services

Date: February 24, 2016

British Columbia News

Help build a rural development strategy for B.C.

<https://news.gov.bc.ca/16265>

Monday, January 29, 2018 1:45 PM

Hazelton - The Government of British Columbia is seeking input into a new rural development strategy, Minister of Forests, Lands, Natural Resource Operations and Rural Development Doug Donaldson announced today.

“Coming from a rural community, I know first-hand the challenges facing rural B.C.,” said Donaldson. “I look forward to people’s ideas and input, as we build a long-term rural development strategy that will work for all rural British Columbians by building resilient Indigenous and rural communities.”

The strategy’s foundation will be based on the principles of community economic development (sustainable, participatory, asset-based, self-reliance and community-based), which will ensure a broader and more-inclusive approach to rural development.

British Columbians are invited to share their comments and ideas on rural development until 4 p.m. (Pacific time), on Feb. 28, 2018.

Government will be holding a number of targeted face-to-face sessions with community partners around the province. All feedback gathered will help define the framework for the rural development strategy, which will support ongoing dialogue between rural British Columbians and government.

After the public feedback process, government will analyze the results and make a summary report available to the public.

Learn More:

The public can contribute feedback online: [Engage.gov.bc.ca/ruraldevelopment](https://engage.gov.bc.ca/ruraldevelopment)

Contacts

Media Relations

Ministry of Forests, Lands, Natural
Resource Operations and Rural Development
250 356-7506

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** February 7, 2018
From: **Date Prepared:** January 23, 2018
SUBJECT: Amendment to Application Fee Bylaws for First Nation Engagement

RECOMMENDATION:

1. That the Executive Committee request Staff to draft amendments to Policy 5.6.1 [Application Processing Services] to add the missing “Model Fee Schedule”.
2. That the Executive Committee request Staff to draft amendments to Policy 5.6.1 [Application Processing Services] to add First Nations Engagement as a service covered by the relevant application fee and add Additional First Nations Engagement as an Extraordinary Processing Service.
3. That the Executive Committee request Staff to draft amendments to the “Model Fee Schedule” to increase the fee for an Official Community Plan amendment or a Land Use Bylaw amendment by \$450 to cover First Nations Site Visit with an option to allow the local trust committee to refund \$450 if a First Nation Site Visit is not required or undertaken.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The recommendations are in response to a request by the Executive Committee for staff to report back on options for assessing a fee for First Nation site visits as part of a rezoning application. In the review, staff note that while a “Model Fee Bylaw” is referenced in the policy, no such document exists. Trust Council last considered amending the recommended fees charged for applications in 2011, but did not adopt any new fees. The model fee bylaw that will be added will therefore reflect the model fees as last approved by Trust Council. Executive Committee may wish to request staff to report back on fees generally as a separate project.

1 PURPOSE:

At its regular business meeting on November 22, 2017, the Executive Committee passed the following resolution:

EC-2017-149

It was MOVED and SECONDED,

that the Executive Committee request staff to report back on options for First Nations referral costs applied to applications.

2 BACKGROUND:

On December 7, 2016 Trust Council adopted the First Nations Engagement Principles. The purpose of these principles is to provide a framework for engaging and building relationships with First Nations,

finding opportunities for collaboration and mutual support through its many organizational activities, and initiate and maintain respectful relationships with First Nation communities.

To support Council's policy on First Nation Engagement, First Nations are being invited to attend on site to provide their input, knowledge and feedback in relation to development applications. For 2017/18 Fiscal year Trust Council allocated \$6,000 to be used to cover costs of travel and Honoraria to First Nations in exchange for an on-site visit and record of First Nations knowledge during land use development processes.

Under the Islands Trust Act legislation, the authority to adopt fee bylaws is with the local trust committees. Trust Council has, in the past, recommended fees for each local trust committee to adopt in their bylaws. While a model fees bylaw is referenced in policies, a model fee bylaw has not been formally adopted by Trust Council.

Trust Council Policy 5.6.1 [Application Processing Services] establishes the services that are provided in exchange for the application fee. This policy refers to Trust Council's Model Fee Schedule. This schedule is not attached to the policy and is not attached to any other Trust Council policy. The model fee schedule was adopted by Trust Council in June 2004 but was not attached to any Trust Council policy. To correct this, the Executive Committee should recommend that Trust Council amend Policy 5.6.1 [Application Processing Services] by adding the Model Fee Schedule that was originally adopted by Trust Council in June 2004.

In regard to establishing a fee for First Nations engagement, Policy 5.6.1 [Application Processing Services] would need to be amended to include First Nations Engagement as a service covered by the application fee, and the Model Fee Bylaw would need to be amended to include the recommended fee. The fee recommended in the Model Fee Bylaw should be the average cost of site visits by First Nations.

Fees for First Nation Engagement could be covered in one of two ways.

Option 1: Add First Nations Engagement to the Application Fee

Fees for all rezoning applications could be increased to cover the cost of one site visit by one or more First Nations that have an interest in the area. The bylaw could be written to allow the fee to be reimbursed to the owner should First Nations choose not to undertake a site visit. Given our experience to date with First Nation site visits, Staff is recommending a fee increase for rezoning applications of \$450 to cover time and travel for First Nation site visits. If more than one First Nation needs to visit a site, additional cost could be covered through a Cost Recovery Agreement under the Extraordinary Processing Services section of the Local Trust Committee Fee Bylaw.

The benefit of this approach is that the fee would be obtained up front for one site visit by one First Nation. A disadvantage is that the fee would be predetermined and the actual cost could be more or less than the fee bylaw anticipated. Further, there may be more than one First Nation that needs to undertake a site visit; in this case additional First Nation Engagement could be recovered as an Extraordinary Processing Service (Cost Recovery) if the policy was amended for this purpose. There is a risk that a \$450 increase in rezoning fee would be negatively viewed by the public and local trust committees, given that most local trust committees have not raised fees.

Option 2: Add First Nation Engagement as an Extraordinary Fee

A fee for First Nations Engagement could be charged as an extraordinary fee (cost recovery) additional to the fee paid for the application.

The benefit of this approach is the owner is charged the actual cost of the First Nations Engagement, which could vary depending on complexity of the application and the number of First Nations with interest. A further advantage is local trust committee would not be asked to raise their application fees. A disadvantage is that the process can be time consuming for Islands Trust planners and finance staff to prepare and manage the cost recovery agreement with each owner. While this may be appropriate where there are multiple First Nations interest, it could involve a lot of staff time for those where there is little interest, or only one First Nation needs to conduct a site visit.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: Improve cost recovery for First Nations site visits. It would increase the fee charged for rezoning applications, off-setting the cost associated with First Nations site visits.

POLICY: Would amend Trust Council Policy 5.6.1 [Application Processing Services]. The recommendation is consistent with Trust Council Policy 6.1.1 First Nations Engagement Principles.

IMPLEMENTATION/COMMUNICATIONS: Amended policy with RFD from Executive Committee to Trust Council would be provided for the February 28, 2018 Executive Committee meeting. Should council approve the revised policy, Staff would draft amendment fee bylaws for consideration by all local trust committees.

FIRST NATIONS: Would provide an additional tool to improve relations with First Nations.

OTHER: This would be the first significant fee increase recommended by Trust Council since 2004.

4 RELEVANT POLICY(S):

- a. Policy 5.6.1 Application Processing Services
- b. Policy 6.1.1 First Nations Engagement Principles

5 ATTACHMENT(S):

No attachments

RESPONSE OPTIONS

Recommendations:

1. That the Executive Committee request Staff to draft amendments to Policy 5.6.1 [Application Processing Services] to add the "Model Fee Schedule" as an attachment.
2. That the Executive Committee request Staff to draft amendments to Policy 5.6.1 [Application Processing Services] to add First Nations Engagement as a service covered by the relevant application fee and add Additional First Nations Engagement as an Extraordinary Processing Service.
3. That the Executive Committee request Staff to draft amendments to the "Model Fee Schedule" to increase the fee for an Official Community Plan amendment or a Land Use Bylaw amendment

by \$450 to cover a First Nations Site visit with an option to allow the local trust committee to refund \$450 if a First Nation Site visit is not required or undertaken.

Alternative:

That the Executive Committee request Staff to amend Policy 5.6.1 [Application Processing Services] to add First Nation Engagement as an Extraordinary Processing Services and add the missing “Model Fee Schedule”. This alternative means that for each rezoning application, Staff would need to assess the need and cost of one or more First Nations’ site visits, and enter into a cost recovery with the landowner for them. While flexible, it will mean administrative staff resources would be required for one First Nation or multiple first nations’ site visits for every rezoning application.

Prepared By: David Marlor, Director of Local Planning Services

Reviewed By/Date: Russ Hotsenpiller



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** February 7, 2018
From: David Marlor, Director of Local Planning Services **Date Prepared:** February 2, 2018
SUBJECT: History, Heritage and Conservation Grants in-aid

RECOMMENDATION:

That the Executive Committee approve Policy 2.1.14 [History, Heritage and Conservation Grants in-aid] and request Staff to prepare a Request for Decision for Trust Council.

That the Executive Committee recommend to Trust Council that the 2018/19 Fiscal Year budget be amended to include a \$5,000 History, Heritage and Conservation Grants in-aid Fund.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

This utilizes a Trust Council authority that has not been explored or used much in the past. It would require internal procedures and resources to administer, but has the potential to further the Object of the Islands Trust by supporting research and public education in the history, heritage and conservation in the Trust Area.

1 PURPOSE:

To provide a system to allow individuals, groups, organizations, First Nations, island municipalities or agencies to apply for funding in support of history, heritage and/or conservation in the Islands Trust Area.

2 BACKGROUND:

At its regular business meeting on January 17, 2018, the Executive Committee passed the following resolution:

that the Executive Committee request staff to develop policy in reference to Section 8.2 (f), (g) & (h), of the Islands Trust Act, return to the Executive Committee for discussion, and advise the South Pender Island LTC that policy is being developed.

Section 8(2) of the *Islands Trust Act* establishes the discretionary powers of Trust Council. Under Section 8(2)(f) Trust Council may “engage in activities to gain knowledge about the history and heritage of the Trust Area and to increase public awareness, understanding and appreciation of that history and heritage”. Under Section 8(2)(g) Trust Council may conserve heritage property.

Section 8(2)(h) of the *Islands Trust Act* allows Council to support and give financial assistance to activities referred to under Section 8(2)(f) and 8(2)(g) that are undertaken by others.

A program to administer and manage grants under Section 8(2)(h) of the Islands Trust Act will require an application process, an evaluation process, a budget and staff resources to administer.

Application Process

The application process could either be an ad hoc process in which Trust Council responds to requests as they come in the door, or a controlled process in which a deadline for application is advertised. The latter approach requires fewer resources to manage and allows for comparison and evaluation of applications when determining allocation of funding. A deadline approach could have one application deadline per year that is aligned with Trust Council's budgeting process, or several application deadlines per year aligned with Trust Council meetings. An ad hoc approach would be more responsive community requests.

Evaluation Process

Under an ad hoc system it would be impossible to evaluate applications against each other; the only evaluation would be against any criteria established for release of funds. Therefore, this approach is likely to create a "first come, first served" environment.

If Trust Council was to establish a deadline for submissions, then staff could evaluate the submissions against each other and against any Trust Council criteria and make recommendations to the Executive Committee for those that it should consider endorsing for Trust Council approval.

Budget

Trust Council could either establish a budget line item with a set dollar amount against which funds could be withdrawn as applications come in the door. Alternatively, Trust Council could establish a fund for grants based on applications received and approved prior to the adoption of a budget. For this to work, a deadline for application would need to be established to allow review and consideration by Trust Council prior to public consultation on the budget. This would suggest a deadline of November for grants to be issued in the following fiscal year.

Staff Resources

For either approach to administering grants under s.8(2)(h) of the Islands Trust Act staff resources would be required. For ad hoc applications received throughout the year, staff time would be required to evaluate against any Trust Council criteria and make recommendations to Executive Committee and/or Trust Council. For the several times per year or the one-a-year approach, staff would be required to provide advertising material, maintain information and application documents on the website and evaluate and provide recommendations to Executive Committee and Trust Council.

Given that this is a new area for Trust Council, staff recommends that Trust Council begin by establishing a small fund to allow funding to be provided on request by individuals, groups, organizations, First Nations, island municipalities or agencies. An application form would be created and evaluation criteria established that would be used to review all applications. This would be the most responsive to community requests.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

No organizational implications.

FINANCIAL:

No financial implications to prepare a RFD for Trust Council. Trust Council would need to establish a budget to cover the grants in-aid.

POLICY:

Would further the Islands Trust Object by supporting others in researching and providing information and education about history, heritage and conservation in the Islands Trust Area. It would also support Trust Council Policy 6.1.1 First Nations Engagement Principles.

IMPLEMENTATION/COMMUNICATIONS:

If Executive Committee approves as recommended, staff will draft an RFD for Trust Council and refine the draft policy, including completion of appendices.

FIRST NATIONS:

No First Nation implications.

OTHER:

No other implications

4 RELEVANT POLICY(S):

1. Islands Trust Act – Section 8(2)(h).
2. Islands Trust Council Policy 6.5.3 Procure Policy (B.5 Financial Assistance to Community Organizations and Other Groups or Individuals).
3. Islands Trust Council 2014-2018 Strategic Plan – 9.2 Improve communications about the Islands Trust object and history.

5 ATTACHMENT(S):

4. Draft Policy 2.1.14 History, Heritage and Conservation Grants in-aid

RESPONSE OPTIONS

Recommendation:

That the Executive Committee approve Policy 2.1.14 [History, Heritage and Conservation Grants in-aid] and request Staff to prepare a Request for Decision for Trust Council.

That the Executive Committee recommend to Trust Council that the 2018/19 Fiscal Year budget be amended to include a \$5,000 History, Heritage and Conservation Grants in-aid Fund.

Alternatives:

1. That the Executive Committee recommend that applications for funding be accepted once per year aligned with Trust Council budget process. In this approach, funding requests from individuals, groups, organizations, First Nations, island municipalities or agencies would be received and considered as part of Trust Council's budgeting process. This approach would likely not be responsive to community needs. However, it would allow Trust Council to establish an accurate budget and provide funding in support of history, heritage and conservation projects that further the Object of the Islands Trust. It will also allow all applications to be considered against each other in addition to any criteria established by Trust Council.
2. That the Executive Committee recommend that applications for funding be accepted four times per year aligned with Trust Council. In this approach, Trust Council would need to establish a budget to cover potential funding requests. The risk is that as Trust Council would not know what funding (if any) would be requested in a fiscal year, this approach could result in under-spending of the account. However, the approach would allow funding to be distributed more frequently (it could be a standing item on every Trust Council meeting agenda) and thus more responsive to community needs.
3. That Executive Committee request staff to revise draft Policy 2.1.14 [History, Heritage and Conservation Grants in-aid] as determined by Executive Committee.

Prepared By: **David Marlor, Director of Local Planning Services**

Reviewed By/Date:

2.1.14 Policy

HISTORY, HERITAGE AND CONSERVATION GRANTS IN-AID

Trust Council: _____

A: PURPOSE

1. To provide support and give financial assistance to individuals, groups, organisations, First Nations, island municipalities, or agencies engaging in activities to gain knowledge about the history and heritage of the trust area, and to increase public awareness, understanding and appreciation of that history and heritage.
2. To provide support and give financial assistance to individuals, groups, organisations, First Nations, island municipalities or agencies conserving heritage property.

B: BACKGROUND

Section 8(2) of the *Islands Trust Act* establishes discretionary powers of Trust Council. Under Section 8(2)(f) Trust Council may “engage in activities to gain knowledge about the history and heritage of the Trust Area and to increase public awareness, understanding and appreciation of that history and heritage”. Under Section 8(2)(g) Trust Council may conserve heritage property.

Section 8(2)(h) of the *Islands Trust Act* allows Council to support and give financial assistance to activities referred to under Section 8(2)(f) and 8(2)(g) that are undertaken by others.

C: POLICY FOR GRANTING FUNDS TO OTHERS

1. Funding will be considered on request by individuals, groups, organisations, First Nations, island municipalities, or agencies. Approved grants will be considered at the next available Executive Committee meeting occurring a minimum of two weeks after receipt of the application.
2. Any individual, group, organization, First Nation, island municipality or agency is eligible to receive funding for:
 - a. undertaking activities to gain knowledge about the history and heritage of the trust area; and/or
 - b. undertaking activities that increase public awareness, understanding and appreciation of the history and heritage of the Trust Area; and/or
 - c. conserving heritage property.
3. To receive funding, individuals, groups, organizations, First Nation, island municipalities or agencies must make a request for funding to the Islands Trust Executive Committee on the prescribed form (attach 1). The request must include the following:
 - a. The name of the individual, group, First Nation, island municipality or agency making the request.
 - b. The dollar amount of the funding being requested.
 - c. Specifics about the nature of the activities as they relate to C.1 of this Policy.
 - d. For research activities, an outline of the methodology.
 - e. For publications, an outline of the messaging, medium of the publication and intended audience.
4. The following are conditions of funding approval:
 - a. For research projects, Islands Trust staff review and approve the methodology.

- b. For publications, Islands Trust Staff review and ensure that the publication meets Islands Trust visual identity guidelines.
5. The Executive Committee will review each application at the earliest opportunity. In undertaking this work, the Executive Committee will consider the merits of the activities in the funding request and consider:
 - a. the mandate of the Islands Trust,
 - b. Trust Council's Strategic Plan and
 - c. available funds.

D. FUNDING SOURCE

1. For each fiscal year, Trust Council will establish a History, Heritage and Conservation Grant in-aid Fund.

F: POLICY

1. Islands Trust Act – Section 8(2)(h).
2. Islands Trust Council Policy 6.5.3 Procurement Policy (B.5 Financial Assistance to Community Organizations and Other Groups or Individuals).
3. Islands Trust Council 2014-2018 Strategic Plan – 9.2 Improve communications about the Islands Trust object and history.

F: POLICY

1. Appendix 1 – Application Form
2. Appendix 2 – Evaluation Form

APPENDIX 1
ISLANDS TRUST
HISTORY, HERITAGE AND CONSERVATION - GRANT APPLICATION FORM

Name of Organization:	
Address of Organization:	
Full Mailing Address:	
Telephone Number:	
Email address:	
Contact Person:	
Primary purpose of organization:	
Service you provide to the community:	
Number of clients or people that use your service:	
Amount of Grant Requested:	
Purpose of the grant:	Conservation History Heritage
Describe how the grant will be used:	
Describe how the grant will support the object of the Islands Trust, the Islands Trust Policy Statement or an Islands Trust Strategic Plan item.	
Have you received a previous grant from the Islands Trust:	Yes no (if yes, please list grants received)
Applicant Signature	
Date of Signature	

Collection Notice: Personal information contained on this form is collected under the authority of the Local Government Act and is subject to the Freedom of Information and Protection of Privacy Act. The personal information will be used for purposes associated with the 2017 Community Stewardship Awards program.

Enquiries about the collection or use of information in this form can be directed to Carmen Thiel, Legislative Services Manager at 250-405-5188.

**ISLANDS TRUST
HISTORY, HERITAGE AND CONSERVATION
EVALUATION FORM**

(TO BE DEVELOPED)

BRIEFING

To: Executive Committee **For the Meeting of:** February 7, 2018

From: Susan Palmer, MCIP, RPP **Date Prepared:** January 11, 2018
SLP Consulting
Salt Spring Island Team

SUBJECT: Issue Paper: Approval Processes for Water Supply Systems on Salt Spring Island, January 11, 2018, amended

PURPOSE:

Salt Spring Island Local Trust Committee (SSI LTC) referred the attached report (*Approval Processes for Water Supply Systems on Salt Spring Island*) at its meeting on January 18, 2018 to the Executive Committee for information. The key purpose of the report was to inform the SSI LTC of the agencies involved in approving water supply systems and to propose options for implementing Official Community Plan policy regarding water supply and the following Islands Trust Policy Statement policy that:

neither the density or intensity of land use is increased in areas known to have a problem with the quality or quantity of the supply of freshwater.

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee forward the “Approval Process for Water Supply Systems on Salt Spring Island” report to Executive Committee for information.

ATTACHMENT(S):

1. Report: Approval Process for Water Supply Systems on Salt Spring Island

Prepared By: Susan Palmer

Reviewed By/Date: David Marlor, Director of Local Planning Services/Jan 31, 2018

V3 Water Paper.docx

SLP Consulting

1/18/2018 – including amendment submitted at the Salt Spring Island Local Trust Committee Meeting

EXECUTIVE SUMMARY

In response to an application to rezone land to allow for a multi-family residential project, the Salt Spring Island Local Trust Committee (LTC) directed staff at its meeting on October 5, 2017 to:

Report back regarding the findings of an investigation of the approval process for water supply and water quantity requirements for multi-unit residential developments.

Key findings of the investigation are:

- Islands Trust Policy Statement Policy 4.4.2 stipulates the importance of ensuring an adequate supply of water prior to increasing the density or intensity of land use ('neither the density or intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater')
- the Salt Spring Island Official Community Plan (OCP) reinforces the importance of ensuring an adequate supply of water to support proposed increases in density; the OCP supports the use of alternative water sources such as groundwater, rainwater and greywater
- Islands Trust does not have a role in approving water supply systems
- the approval process(es) for water supply systems involves several provincial and local government agencies (Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD), Vancouver Island Health Authority (VIHA) and Capital Regional District Building Inspections (CRD))
- different sources of water may be used to meet demand for different types of water use (e.g., rainwater may be used for irrigation)
- indoor water use (potable water) may be met through groundwater or surface water sources approved by VIH
- demand for indoor water use is calculated on a per capita basis and the approving agencies (VIHA and CRD) have guidelines and/or regulations that stipulate the occupancy rates used to calculate water demand. Both agencies have the ability to exercise discretion in the application of the guidelines and/or regulations to address situations where the occupancy rates may not be typical
- generally, approval of a water supply system would occur after zoning is in place due to the level of detail needed and the high cost of preparing the application (e.g., engineered design of the water supply system)
- housing for special needs populations may have different occupancy rates than those set out in provincial guidelines and may require VIHA to exercise discretion in determining an appropriate occupancy rate from which to assess the proposed water supply system.

Six options for implementing Islands Trust and Salt Spring Island Official Community Plan policy regarding land use and water supply were evaluated. Five options are consistent with Islands Trust

mandate (land use planning) and the tools available to implement policy and enforce bylaws. All five options require that the water supply system be capable of supporting the proposed number of dwelling units prior to adoption of the rezoning bylaw. An option to cap occupancy rates through a legal mechanism such as an affordable housing agreement or a restrictive covenant is not recommended because Islands Trust does not have a legislative tool to enforce occupancy. That is, occupancy cannot be enforced through the land use bylaw.

APPROVAL PROCESSES FOR COMMUNITY WATER SYSTEMS ON SALT SPRING ISLAND

Due to the moratorium placed by North Salt Spring Water District (NSSWD) on adding new connections to their water system, the Salt Spring Island Local Trust Committee (LTC) has received numerous rezoning applications for multi-unit housing projects that rely on alternative water sources to service the proposed developments. All of the proposed projects include affordable housing either for the entire project or as an amenity bonus. The LTC has identified provision of affordable housing as a priority issue and therefore has indicated its desire to give serious consideration to these proposals.

Providing water to multi-unit housing developments using alternative water sources (groundwater, rainwater and water conservation) is treading into new territory for the LTC and raises numerous questions about how such applications should be assessed. In addition to Trust and OCP policies, there are numerous provincial guidelines and regulations that regulate water source and the design, construction, operation and maintenance of a water supply system.

On October 5, 2017, the LTC directed staff to:

Report back regarding the findings of an investigation of the approval process for water supply and water quantity requirements for multi-unit residential developments.

The purpose of this report is to:

- clarify the approval process for an independent water supply system and the approval agencies involved
- review Official Community Plan (OCP) policy regarding the use of groundwater, rainwater and water conservation (e.g. greywater) as it relates to the determination of density
- identify the criteria used by approval agencies to determine demand for water for multi-unit residential developments
- propose options for implementing OCP water supply policy
- assess proposed options
- make recommendations for a consistent approach to assessing rezoning applications based on new water supply systems and the use of alternative water sources
- test the proposed approach using the Croftonbrook rezoning application (SS-RZ-2017.4) as an example.

1. APPROVING AGENCIES AND SEQUENCE OF WATER SUPPLY SYSTEM APPROVALS

Development proposals that require rezoning based on a community water supply system using groundwater must receive approval from four different agencies before they can proceed to the construction phase. First, approval of a groundwater license from the Ministry of Forest, Lands Natural Resource Operations and Rural Development (MFLNRORD) is required to support the rezoning application. Rezoning is the next phase of the approval process and decisions on rezonings are made by the LTC. The third phase involves Vancouver Island Health Authority (VIHA) which is responsible for issuing construction and operating permits for water supply systems. The final phase of a project requires issuance of a building permit from CRD Building. Table 1 elaborates on the mandate for each

agency and provides an overview of the criteria and conditions considered before a license or permit is approved. Figure 1 illustrates the approval sequence for rezoning based on a rural residential community water supply system and the approving agencies involved.

A. Well Water License (MFLNRORD)

Application to the Water Authorization Section of the MFLNRORD for a well water license is a first step for approval of a water supply system. This determines the amount of groundwater that may be withdrawn without impacting long-term sustainability of the water supply for the proposed development as well as supply to neighbouring wells and water sources that support fish habitat. The SSI OCP also requires that agricultural activities not be impacted.

Water quality is also determined at this stage and any measures required to ensure the water supply meets Canadian drinking water guidelines are identified.

B. Zoning (LTC)

The rezoning phase is a preliminary design phase that sets the basic parameters for the development – primarily land use, density and/or intensity of use, built form, access and traffic circulation among other things. The rezoning application is assessed in terms of how well it addresses Trust Policy Statement directives and OCP policy. Applicants must demonstrate that there is sufficient water to support the proposed development based on provincial regulations. As well, community input is invited and the LTC considers all of the relevant information at a public hearing before proceeding with third reading of a bylaw. A schematic plan is often provided at this stage to assess whether the site is suitable for the proposed land use.

C. Community Water Supply System (VIHA)

VIHA defines a water supply system as a system which services more than one dwelling unit.

Water supply systems must be designed and operated to ensure that there is sufficient water to service the proposed development and that the quality of water meets the Guidelines for Canadian Drinking Water Quality. The focus is on ensuring a safe drinking water supply.

There are two main considerations regarding water supply systems – water demand and water source.

i. Water Supply System Construction Permit

The Drinking Water Protection Regulation requires that a construction permit be obtained from a Public Health Engineer or Drinking Water Officer prior to construction of the water supply system (VIHA). The Guidelines for the Approval of Water Supply Systems recommend that application for a construction permit should be made at least 60 days before construction is anticipated to begin. Applicants are advised to refer to the

MFLNRORD Design Guidelines for Rural Residential Community Water Systems, 2012 (Design Guidelines) prior to designing the system and applying for a construction permit.

ii. **Water Supply System Operating Permit**

The Drinking Water Protection Regulation requires that an operating permit be obtained from a local Environmental Health Officer or the Drinking Water Officer before the water source(s) can be used. This permit would be issued after a water supply system has been constructed.

D. Building Permit (CRD Building)

Before the Building Inspector can issue a building permit they must ensure a sufficient supply of water to meet all water demand requirements of the specific project. This includes water for indoor use, irrigation and fire protection. If a community water supply system is proposed, issuance of a construction permit by VIHA must be confirmed. In the event that water for fire protection is being provided by a water district, confirmation from the relevant agency (i.e., North Salt Spring Water District – NSSWD) must also be received.

The BC Building Code makes provision for consideration of alternative solutions including:

- the use of greywater for toilet flushing
- the use of rainwater for irrigation
- alternative occupancy rates for determining indoor use water demand
- enhanced water conservation features.

Alternative solutions must be supported by evidence provided by a code consultant and/or a report from a professional engineer certifying that the alternative proposal is appropriate for the specific situation.

2. TRUST AND OCP POLICY

Broad land use policy is established in the entire Trust area in the Islands Trust Policy Statement. Policy (4.4.2) requires that Official Community Plans (OCP) and regulatory bylaws (e.g. zoning bylaws) ensure that:

‘neither the density or intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater’.

This statement is reinforced by OCP objectives and policies aimed at protection of water resources (Policy A.4.2.2) and ensuring that proposed developments have an adequate supply of potable water and water for fire protection (Policy B.2.2.3.b). The SSI Official Community Plan (OCP) supports the use of rainwater and water conservation programs to supplement the use of groundwater to meet the demand for water for proposed projects (Policies C.3.2.2.1 and C.3.3.2.2). (See Attachment 1 for OCP

Policies) That is, the policy supports using greywater and rainwater catchment in order to achieve higher densities than would otherwise be possible.

3. CRITERIA USED BY APPROVING AGENCIES FOR ASSESSING WATER SUPPLY

Criteria used in determining water demand for a project varies dependent on the mandate of each agency and the stage of the proposal. Different agencies also have different roles in evaluating the appropriateness and capacity of the proposed supply. Following is an overview of agency mandate, evaluation criteria and conditions.

A. Water Demand

i. LTC

Land Use Bylaw 355 does not specifically address standards for water supply unless a subdivision is involved. In that context, it notes that a proposed water supply system is subject to provisions of VIHA regulations (LUB Sec 5.5.2) (See Attachment 2). Trust and SSI OCP policy require that the SSI LTC ensure an adequate supply of water at the rezoning stage. Options for establishing criteria for a rezoning application are provided in the following section (Section 4).

ii. VIHA (Water Supply System – Construction)

MFLNRORD's *Design Guidelines for Rural Residential Community Water Systems* (2012) identify four basic demand parameters for the design of a new water system:

- a. Average Day Demand (ADD) is used *"to verify source capacity in form of license limitations; to derive peak demands from metering data"*
- b. Maximum Day Demand (MDD) is a *"critical design parameter for sizing reservoirs, pumps and treatment works between source and balancing storage..."*
- c. Peak Hour Demand is used to size *"pipes, pumps and treatment works between balancing storage and customers"*
- d. Fire Flow Demand is a *"critical design parameter for determining maximum network flows, verifying minimum system pressures, sizing pipes/pumps/treatment works between fire storage and customers/fire hydrants."*

MDD is the *"single highest total 24 hour daily consumption occurring over a one year period"* and is comprised of the following components:

- a. Indoor demand – is calculated based on a **per capita demand of 230 Litre/day and occupancy rates based on the BC census (e.g., 2.5 persons per multi-family dwelling)**

Indoor water demand is further broken down as follows:

- Drinking
 - Sanitary
 - Toilets
 - Showers/bathwater
 - Dishwashing, household cleaning
 - Laundry
- b. Irrigation demand – is dependent on a number of factors such as climatic zone, evapotranspiration, size of area, soil type, type of crop, etc.
- c. Water loss allowance- is calculated based on physical design parameters such as length of mains, number of service connections, average operating pressure
- d. Fire flow demand - is based on the Fire Underwriters Survey.

The *Design Guidelines* state that when groundwater is the proposed source, the **Maximum Day Demand (MDD) must not exceed total developed groundwater capacity or the dependable yield of the well**. Total water demand for a project is determined in accordance with Table 2: Water Demand.

iii. CRD Building

BC Building Code bases all design parameters on two persons per bedroom. An applicant can propose alternative solutions (e.g., different occupancy rates per bedroom) under seal of a professional engineer (civil).

B. Water Source

If not connected to a public water utility, groundwater is typically the major source for supplying water to service a development. A well water license is issued by MFLNRORD which will specify how much water may be withdrawn on a daily basis. If the availability of groundwater is not sufficient to meet the needs of the development, supply may be supplemented by water from a water district for fire protection and/or the use of rainwater and/or greywater as allowed by provincial regulations. However, use of these latter two water sources is limited as follows:

- Rainwater – irrigation
- Greywater – toilet flushing.

Demand for water can also be reduced through other water conservation measures such as metering, low- flush toilets, composting toilets, low-flow plumbing fixtures, and water efficient appliances (washing machines and dishwashers).

Highlights of the approval process for the use of a water source are outlined in Table 3: Water Source.

4. OPTIONS FOR IMPLEMENTING OCP POLICY

Islands Trust mandate is land use planning and Trust policy is clear that proposals must have sufficient water to support proposed density and intensity of land use. Tools available to Islands Trust for managing density and intensity relate to the built form and include factors such as number of dwelling units, floor area, site coverage, building height, and building envelope. Proposals that require more water than is available through groundwater sources alone (e.g., rainwater, greywater, etc.), pose a dilemma at the zoning stage since approval of a water supply system is granted by other agencies after zoning is in place. It is generally not feasible to design a water supply system until zoning is secured due to the level of detail the design entails and the costs involved in engineering the design of the system.

VIHA and CRD Building play important roles in ensuring a sufficient supply of water for developments that propose to service the development through a community water supply system. At a minimum, an approved water construction permit will take into account indoor use based on the number of dwelling units and water loss allowance. A building permit cannot be issued unless there is a proven supply of water sufficient to meet all water demands generated by a specific project design (e.g. indoor use, water loss allowance, irrigation and fire protection). Both agencies use occupancy rates as the basis for determining water demand for indoor use for residential projects. Occupancy rate refers to the number of people per dwelling unit or bedroom.

If the well water license authorizes daily withdrawal that is less than that required in the Subdivision Regulations for dwelling units, submission of a preliminary water study by a civil engineer is needed in order to confirm that the Maximum Day Demand (MFLNRORD *Design Guidelines*) will not exceed the dependable yield of the well. The content recommended for the water report is outlined in Section 6 (Recommendations for Implementing Trust and OCP Policy).

5. ASSESSMENT OF OPTIONS

Assessment of rezoning applications that rely on alternative water sources requires the following information in addition to a hydrogeological report:

- Confirmation that a well water license has been issued from MFLNRORD
- submission of a preliminary water study prepared by a civil engineer that:
 - confirms there is sufficient groundwater available to support all water demand types for the proposal (i.e., Maximum Day Demand does not exceed the licensed daily withdrawal amounts), or
 - where MDD would exceed the sustainable yield as set out in the well water license, the preliminary water study shall:
 - identify all proposed water sources

- identify how each type of water demand will be serviced (i.e., which water source will service which water demand type)
- estimate the total number of residents the available groundwater will support based on the sustainable yield of the well (as approved in the well water license) and use of supplementary water sources (e.g., greywater, rainwater)
- estimate how many dwelling units the proposed water supply system would service based on occupancy rates set out in MFLNRORD's *Design Guidelines for Rural Residential Community Water Systems*.

Six options were developed to test how Trust and OCP policy regarding density and the adequacy of water supply could be satisfied under different conditions (Table 4: Assessing Alternative Options for Implementing Trust and OCP Water Policy). The options were developed during discussions with the applicant for the Croftonbrook proposal. Analysis of the options was prepared by SSI Islands Trust staff and planning consultant. Two key situations were tested:

- occupancy rates are based on those set out in provincial guidelines and regulations
- occupancy rates are lower than those set out in provincial guidelines and regulations.

Options One to Three rely on occupancy rates set out in provincial guidelines and regulations (MFLNRORD Design Guidelines and BC Building Code) as the basis for determining how many dwelling units (density) the supply of water can support. **These options are all consistent with the Trust mandate, the number of dwelling units there is sufficient water for would be known or confirmed prior to bylaw adoption.** All of these options can be enforced through the bylaw. Options Four to Six are based on occupancy rates that relate to a specific project design and/or target occupant type (e.g., those at risk of homelessness).

Options Four and Five are proposed in order to allow consideration of proposals that have unique household and water supply characteristics (e.g., small household size and use of alternative water sources). Option Four sets density based on built form parameters (e.g. dwelling unit size) intended to limit total occupancy. The number of dwelling units there is sufficient water for would be known at the public hearing stage.

Option Five proposes that third reading be given to the bylaw and that final bylaw adoption be withheld until confirmation has been received from VIHA that a water supply system construction permit has been issued that would support the proposed density. This option has the advantage of providing the applicant with the comfort that the rezoning will proceed provided the condition for proof of sufficient water supply has been met. It further ensures that density would not be increased unless the water supply system construction permit verifies a sufficient supply of water to service the proposed development. If a permit is issued for a lower density, the applicant would need to request that third reading be rescinded and re-read with the lower density consistent with the approved water supply system construction permit.

6. RECOMMENDATIONS FOR IMPLEMENTING OCP POLICY

Trust and OCP policy require the applicant to demonstrate there is sufficient water for the density (number of dwelling units) they are seeking approval for. In situations where there is insufficient groundwater to meet all water demand types in accordance with the Subdivision Regulations, then consideration of the use of rainwater for irrigation and greywater for toilet flushing would be consistent with OCP policy. As well, water for fire protection purposes may, subject to their approval, be supplied by NSSWD for proposals that are within the service area. Use of these other water sources reduces the demand for groundwater so that only drinking water and sanitary requirements (except potentially for toilet flushing) need be provided for.

It is *recommended* that rezoning proposals that rely on alternative water sources be assessed based on information that can be confirmed at the time of public hearing (Options 1-4). Alternatively, LTC could consider giving third reading of a bylaw and withhold final adoption pending confirmation from VIHA that there is a sufficient supply of water to support the proposed development. In all cases, information required prior to public hearing would include a preliminary water study submitted by a professional engineer (civil). The study should:

- identify all proposed water supply sources
- identify the amount of water available from each water supply source
 - if the proposal relies on NSSWD to supply water for fire protection purposes, written confirmation of the agreement is required from the District
- identify which water source will supply each type of water demand
- estimate how much water is required to service each type of water demand
- estimate how many residents the net water supply will support based on demand for indoor use (VIHA standards - 230 l/person/day)
- calculate how many dwelling units the proposed water supply system would support based on occupancy rates set out in MFNLORD Design Guidelines.

Note: The MDD must not exceed total developed groundwater capacity as set out in the well water license.

It is noted that preparation of a preliminary water study by a professional engineer does not guarantee that the approving agencies would accept it without modification. However, SSI Islands Trust staff is comfortable that it is reasonable to rely on the conclusions of such a report at the public hearing stage based on reliance on professional standards. If the LTC wants to consider situations where there is insufficient water to meet MDD based on MFLNRORD occupancy rates, there are two recommended options for advancing a bylaw.

- i. The bylaw would be drafted with specific parameters defining the maximum number of dwelling units, maximum floor areas for specific unit types and the maximum number of dwelling units based on floor area (Option 4). The number and size of units should be calculated based on an occupancy rate of 2 persons per bedroom as per the BC Building Code. This approach is consistent with the Trust mandate for land use and would be enforceable through the bylaw. It poses a slight risk that overcrowding may occur that may lead to overuse of the groundwater. This approach limits the applicant's flexibility to vary the design of the project as they get into the more detailed design phases of the project.
- ii. Final adoption of the bylaw is withheld until a water supply system construction permit has been issued by VIHA (Option 5). This option has the advantage of providing assurance to the applicant that the rezoning will be finalized pending confirmation from VIHA that the water supply system is sufficient to meet the water demands of the proposal. It also gives LTC the tools to implement ITPS and OCP policy by withholding final bylaw adoption if confirmation of sufficient water supply for the proposed density is not confirmed through the VIHA approval process. In this event, LTC has the option to rescind third reading of the bylaw and, subject to the applicant's consent, to re-read it with a density consistent with that set out in the VIHA water supply construction permit.

7. CROFTONBROOK: HOW MUCH DENSITY CAN THE WATER SUPPLY SUPPORT

The Croftonbrook proposal for the provision of water is relatively complex – it relies on a combination of groundwater, greywater, and rainwater to meet water needs for indoor use, toilet flushing and irrigation respectively. NSSWD has confirmed that they will provide water for fire fighting and suppression – i.e., a sprinkler system as well as fire hydrants. With respect to supply, the MFLNRORD *Design Guidelines for Rural Residential Community Water Systems* stipulate that the “total developed groundwater capacity or dependable yield of well(s) must equal or exceed the Maximum Day Demand”.

A. Supply:

A preliminary water study prepared by Stantec is based on the following information and assumptions for water supply:

- A maximum of 19.2 cubic metres of water per day or 19,180 litres per day may be withdrawn per day in accordance with the well water license issued by MFLNRORD
- Greywater use for toilet flushing based on LEED Canada data
- Rainwater use for irrigation.

B. Demand:

The Stantec study calculates water demand based on assumptions provided by the applicant (78 residents in 54 dwelling units) and applies MFLNRORD Operations Design Guidelines design parameters to determine Maximum Day Demand (MDD). The calculation for MDD is based on:

- Estimate of water loss allowance based on project design assumptions (e.g., number of connections, pipe length, etc.)
- Groundwater use for all indoor uses except for toilet flushing (assuming 78 residents)
- Greywater use for toilet flushing
- Irrigation demand is met solely through rainwater catchment
- NSSWD provides water for sprinklers and fire hydrants (NSSWD has confirmed they will provide the necessary hook-ups).

Accordingly, the MDD for the project equals 18,240 litres per day. Based on these assumptions, the Stantec preliminary report indicates that there is sufficient water to support 78 residents assuming that greywater is used for toilet flushing.

C. Analysis

The occupancy rates assumed in the Stantec study were provided by the applicant based on the housing director's experience to date managing Salt Spring subsidized housing and the small size of the proposed dwelling units.

These rates are not consistent with those set out in the MFLNRORD's *Design Guidelines* (e.g., 2.5 persons per multi-family dwelling).

i. MFLNRORD's *Design Guidelines*

Using MFLNRORD's occupancy rates, 78 residents would result in the equivalent of 31 dwelling units. Conversely, 54 dwelling units would be assumed to support 135 people.

The Stantec study did not consider how many residents there is sufficient water for if greywater is not used. The following calculations indicate that 71 residents could be supported if greywater is not used for toilet flushing:

Total amount of groundwater available (approved groundwater license): 19,180 L/day
Estimate of water loss (Stantec study): 2,640 L/day

Amount of water available for indoor use: 16,540 L/day

VIHA per capita demand for indoor use: 230 L/day

There is enough water for (16,540/230): 71 residents

ii. CRD Building Code Requirements

The BC Building Code establishes an occupancy rate of 2 persons per bedroom for all design parameters. Based on this criterion, the unit mix in the Croftonbrook proposal would require water for 144 residents.

iii. Alternatives

VIHA and CRD Building both have discretion in applying design parameters related to occupancy rates. With respect to VIHA approvals for a water supply construction permit, it is feasible that the applicant may receive approval for more dwelling units than the usual occupancy rates would yield based on small unit sizes proposed (especially for units less than 400 sq.ft.) and submission of supporting information acceptable to the agency. In this event, the actual number of dwelling units VIHA deems the water system is suitable for would not be determined until after third reading has occurred— when the water construction permit is approved.

Similarly, the applicant can submit an alternative solutions report to CRD Building to support the proposal for a reduced occupancy rate based on the relatively small unit sizes. It would not be known at the public hearing stage whether or not the Building Inspector would approve a building permit based on alternative occupancy rates since a permit cannot be applied for until zoning is in place.

A proposal based on land use planning tools that LTC can employ for converting occupancy rates into dwelling unit density is set out in Attachment 1.

8. CONCLUSIONS

This paper provides an overview of the approval process for water supply systems and examines the various methods for addressing Trust and SSI OCP policy aimed at ensuring there is a sufficient supply of freshwater to support proposed land use density. The tools available to the Trust and LTC to ensure this policy is addressed appropriately are limited to land use and built form parameters and do not include the ability to control occupancy rates. VIHA and CRD Building both play important roles in ensuring that proposed projects have a sufficient supply of water to meet demand. Further, VIHA is also charged with ensuring that water supply systems comply with limits on the amount of groundwater that may be withdrawn on a daily basis.

Six options were assessed for addressing Trust and OCP water policy when a new water supply system is proposed types (Table 4: Assessment of Options for Implementing Trust and OCP Water Policy). Five options explore the situation when there is insufficient groundwater to meet all water demand types. The assessment indicates that there are five viable options (Options 1-5) under the Trust mandate – all rely on submission of a preliminary water study by a professional engineer (civil) that estimates how many residents that water supply will support and converts that number into dwelling units.

The fact that both VIHA and CRD Building must also ensure the sufficiency of water supply for a specific project, does not relieve the Trust and LTC from the obligation to address the Trust Policy Statement directive that:

‘neither the density or intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater’.

As previously identified in this paper, these agencies have specific mandates to fulfill that are distinct from land use planning. They use design parameters suitable to their mandate, such as occupancy rates, for ensuring that water supply is sufficient. The Trust and LTC must rely on the tools available to them under the *Islands Trust* and *Local Government Acts* for implementing the mandate and policies of the Trust (land use, density, built form, etc.). This has implications for how rezoning proposals that rely on the approval of a water supply system by VIHA can be evaluated by the Trust and LTC. In summary, this means that either:

- the proposal demonstrates a sufficient supply of water for the proposed number of dwelling units based on provincial occupancy rates, or
- final adoption of the bylaw is withheld pending issuance of a water supply system construction permit from VIHA confirming sufficient water supply to service the proposed development.

Figure 1: Sequence of Water Supply Approvals and Approving Agencies

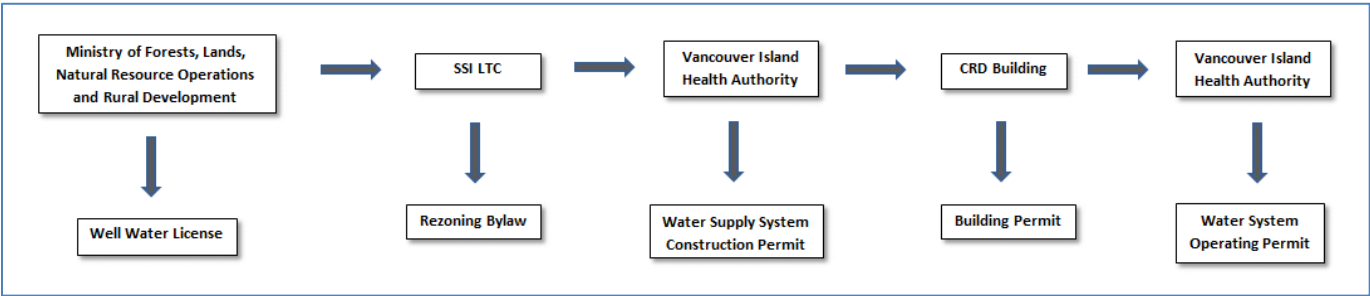


Table 1: Water Supply Systems Approval Process

License/Permit	Approving Agency	Mandate	Considerations and Conditions
Well Water License	MFNRORD – Water Authorization Branch	1. Protect quality and quantity of groundwater source 2. Approve groundwater use for drinking water, irrigation, firefighting, water loss allowance, agriculture, industry, etc.	1. Results of hydrogeological report and drill tests 2. Specifies how much water may be withdrawn on a daily basis 3. Specifies treatment to make water potable (if necessary)
Water Supply System Construction Permit	VIHA-Water Supply Systems Construction	1. Ensure safety of drinking water supply from source to tap	1. Water Quantity: Based on Maximum Day Demand (MDD) a. Indoor Use: Based on per capita demand for drinking water, showers, laundry, household cleaning, toilet flushing b. Average Day Demand (ADD): Used to derive peak demands and to verify source capacity for lake sources c. Water Loss Allowance: Based on specifics of system design and construction d. Irrigation: Based on specifics of land area, climatic zone, soil type, etc. e. Firefighting: Fire Underwriters Survey <i>Note: MDD cannot exceed dependable yield of well.</i> 2. Water Quality: Treatment based on Canadian guidelines for safe drinking water 3. Other: a. Must approve water source b. VIHA requires confirmation from a water district that it will agree to independent system w/l their service area before moving ahead with the application

License/Permit	Approving Agency	Mandate	Considerations and Conditions
Building Permit	CRD	Ensures building code requirements are met for drinking water quality and water quantity needs for indoor, irrigation, and firefighting purposes	1. Requires confirmation from VIHA re water system construction permit. 2. Requires confirmation from NSSWD that water will be provided for firefighting purposes. 3. Determines if greywater can be used for toilet flushing.
Water System Operating Permit	VIHA-Water System Operations	Ensures water supply system is operated according to provincial regulations for safe drinking water	1. Certifies operator – annual renewal required 2. Monitors system operation

Table 2: Water Demand

Water Demand Type	Approval Authority	Permit	Legislation, Regulations and Guidelines	Water Quantity
Indoor Use • Drinking • Sanitary ○ Showers/bathwater ○ Toilet Laundry, dishwashing, etc.	VIHA -Water Supply System	Construction permit for water supply system	Drinking Water Protection Act and Regulations	230L/person/day
	CRD – Building Permit	Building permit	BC Building Code	230 L/day based on 2 persons /bedroom
Water Loss Allowance	Water Supply System – VIHA	Construction permit for water supply system	Drinking Water Protection Act and Regulations	Variable*
Irrigation	Water Supply System – VIHA	Construction permit for water supply system	Drinking Water Protection Act and Regulations	Variable**
	CRD Building	Building permit	BC Building Code	
Fire Protection	CRD Building	Building permit	BC Building Code	NSSWD***
Total	MOTI		Subdivision Regulations	1600L/DU/day

*Factors that determine the water loss allowance relate to specifics of water system design and construction – length of pipes, etc.

**Factors that determine water demand for irrigation include area of land to be irrigated, climatic zone and evapotranspiration rates, crop or planting types, etc.

*** NSSWD has confirmed a commitment to provide water for fire protection purposes (sprinklers and fire hydrant for the Croftonbrook proposal).

Table 3: Potential Water Sources

Water Source	Approval Authority	Legislation, Regulations and Guidelines	Water Demand Type	License/Permit Required
Groundwater	MFLNRORD - Water Authorizations Section	Water Sustainability Act and Regulations	Potentially all	Well water license
Rainwater	Drinking Water Protection Act and Regulations	Drinking Water Protection Act and Regulations	Irrigation	Construction permit for water supply system
	CRD Building	BC Building Code		
Greywater	CRD Building Inspections	BC Building Code	Toilet flushing	Building permit
Water Conservation	Water Supply System – VIHA	Drinking Water Protection Act and Regulations	All	Construction permit for water supply system
	Water Supply Operating – VIHA	Drinking Water Protection Act and Regulations	All	Operating permit for water supply system
	CRD Building Inspections	BC Building Code		Building Permit
Water District	NSSWD	Letters patent	Fire Protection	N/A

Table 4: Assessment of Options for Implementing Trust and OCP Water Policy

All options are for proposals that require construction of a new water supply system in order to provide sufficient water to service a proposed development. In all cases, the proposal would require submission of a preliminary water study prepared by a civil engineer. The options were developed in consultation with the applicant for the Croftonbrook application. The analysis was conducted by SSI Islands Trust staff and planning consultant.

Option 1: There is sufficient groundwater to meet all water demand types – the exception may be that NSSWD has confirmed they will supply water for fire protection (sprinklers and hydrant).

Occupancy rates are as set out in MFLRORD *Design Guidelines for Rural Residential Community Water Systems*.

Option 2: Greywater use is needed in order to supplement groundwater use for indoor water demand. Rainwater is used for irrigation. NSSWD has confirmed they will supply water for fire protection (sprinklers and hydrant) Occupancy rates are as set out in MFLRORD *Design Guidelines*.

Option 3: The engineer's preliminary water study indicates there is not sufficient water (groundwater with or without greywater) available to support the proposed number of dwelling units. The applicant chooses to either drill for more water and/or reduce the density so that there is sufficient water to support the proposed number of dwelling units. If another well is drilled, the new proposal shall be supported by issuance of another well water license and a revised preliminary water study.

Options 5-6: Occupancy rates are lower than those set out in provincial guidelines and regulations. This scenario can be adapted to include the potential use of greywater, rainwater and water from NSSWD for fire protection.

Option	Timeliness	Enforceability	Flexibility	Feasibility
Option 1: Proposed bylaw establishes maximum number of DUs based on preliminary water study	The number or dwelling units there is sufficient water for would be known at PH stage as per professional engineer's report.	Islands Trust would enforce any land use violations. VIHA would enforce regulations regarding water supply.	N/A	Fits well with Trust mandate Clear and transparent with respect to density considered at third reading
Option 2: Proposed bylaw establishes maximum number of DUs based on water supplied with and without use of greywater as per preliminary water study	The number of dwelling units there is sufficient water for would be known at PH stage as per professional engineer's report. Two densities would be proposed based on whether greywater was used.	As above. The number of DUs built would be confirmed at the building permit stage depending on whether greywater was used or not.	Provides flexibility to applicant.	As above.
Option 3: Drill another well and/or reduce the density to align with the supply of water	Application for a wellwater license takes 6-8 months. This may affect project funding.	As above for Islands Trust and VIHA.	This provides another option for applicants to consider.	As above.
Occupancy Rates are Lower than set out in Provincial Guidelines and Regulations				
Option	Timeliness	Enforceability	Flexibility	Feasibility
Option 4: Convert occupancy rates to DUs* (as per Attachment 3)	The number of dwelling units the proposed development is for would be known at public hearing stage.	As above.	Limited – the applicant needs to be confident of the size and type of units they intend to build	As above
Option 4: Convert occupancy rates to DUs* (as per Attachment 3)	The number of dwelling units the proposed development is for would be known at public hearing stage.	As above.	Limited – the applicant needs to be confident of the size and type of units they intend to build	As above
Option 5: Withhold final adoption of bylaw pending VIHA confirmation there is	Confirmation that there is there is sufficient water for the proposed number of dwelling units would not be known at the PH	As above. The construction permit for the water system should clearly indicate the number of dwelling	Reduces risk for the applicant to undertake detailed design of water supply system.	A conditional approval of the bylaw is consistent with normal practice provided the condition is

Option	Timeliness	Enforceability	Flexibility	Feasibility
sufficient water** if VIHA approval is for a lesser density, third reading could be rescinded and re-read with a density consistent with VIHA permit.	stage.	units the approval is for.		identified at the public hearing stage.
Option 6: Occupancy caps written into housing agreement or restrictive covenant	The number of dwelling units there is sufficient water for would not be confirmed at the public hearing stage. Occupancy would be determined by public hearing stage based on the preliminary water study.	Islands Trust does not have a mandate to enforce occupancy. Enforcement would require court action. CRD Building would be required to enforce any Building Code violations.	Islands Trust enforcement options would be limited to court action.	This is not feasible for Islands Trust as it extends beyond the land use planning mandate.

*Converting occupancy rates to dwelling units: This option provides a method for converting the number of occupants into physical design parameters that can be written in a land use bylaw – i.e., maximum number of total units, maximum floor areas per unit type (e.g., studio, one bedroom, 2 bedroom), and the maximum number for each unit type (Attachment 3). The purpose of capping dwelling unit size is to place a zoning bylaw control on the number of occupants each dwelling unit can accommodate.

**After third reading of the bylaw, the applicant would submit an application for a water supply system construction permit based on occupancy rates that are lower than those set out in MFLNRORD's *Design Guidelines*. VIHA would exercise their discretion in determining if the water supply was adequate to meet the water demand for the proposed number of dwelling units.

Final adoption of the bylaw would be withheld until confirmation is received from VIHA that a water supply system construction permit has been issued and that the number of dwelling units serviced is consistent with the proposed bylaw. This process is based on the premise that the Trust and OCP water policy would be satisfied because final adoption of the bylaw would not occur until after the project has been approved for a water construction permit and building permit.

Attachment 1: SSI Official Community Plan Policies

A.4.2.2 To maintain and restore the community's natural capital as represented by such items as our agricultural and forest land base, our potable water supplies, and primary value of our natural and unspoiled rural character.

B.2.2.2.3.b All rezoning applications for affordable housing projects should include evidence of

- a. need for housing
- b. an adequate water supply for potability and fire protection
- c. means of sewage disposal
- d. energy and water efficient building design
- e. not degrading a sensitive ecosystem
- f. not being sited in an area subject to hazardous conditions.

C.3.2.2.1 When the Local Trust Committee receives rezoning applications for land use inside the boundaries of a community water system, it will refer the application to the operators of the affected system. They will ask if water could be supplied to the new development, considering the needs of their existing customers and the provision of water for firefighting, and any properties already zoned for further development. When it considers zoning changes within a community water system, the Local Trust Committee will also consider the amount and percentage of any remaining supply capacity that would be used by the proposed new use. The Committee will not make zoning changes within a community water supply system if the change would mean water could not be supplied (under the existing license) to existing customers. It should not normally make zoning changes if the change would mean water could not also be supplied to vacant or underdeveloped properties already zoned for further development. Should such zoning changes be proposed, the applicant could be encouraged to supplant other water supplies so that the application should be considered. Examples are rainwater catchment, groundwater use or a water conservation program.

The Local Trust Committee should make an exception to the above policy within the North Salt Spring Waterworks District to allow community facilities or affordable housing projects to proceed. However such changes should only be made if the Committee is satisfied that the District is likely to receive a sufficiently larger water license.

C.3.3.2.2 In addition to Policy C.3.2.2.1, the Local Trust Committee should not make zoning changes within the North Salt Spring Waterworks District that could mean that water will not be available (under the District's existing license) for the following projects (in order of priority):

- a. essential services such as hospitals and schools needed within the district to serve the island's projected population
- b. special needs and affordable housing needed in the community.

Attachment 2: SSI Land Use Bylaw Excerpt

Section 5.5.2 Each lot in a proposed subdivision must be supplied with sufficient water to supply all uses, buildings, and structures permitted on the lot by this Bylaw according to the standards set out in Table 1. Where more than one use is permitted on a lot, the amount of water to be supplied is the sum of the amounts required for each permitted use, calculated separately.

Information Note: If more than one dwelling unit is connected to the same source of water, the water system is subject to Vancouver Island Health Authority regulations of water supply systems, the Drinking water Protection Act, and may be subject to the Water Utility Act.

Attachment 3: Converting Occupancy Rates into Dwelling Units

Use of this method requires submission of a preliminary water study by a professional engineer (civil) that:

1. Identifies all proposed water supply sources
2. Identifies the amount of water available from each water supply source
3. Identifies which water source will supply each type of water demand (indoor use, water loss allowance, irrigation, fire protection)
4. Estimates how much water is required to service each type of water demand (Maximum Day Demand (MDD))
5. Estimates how many residents the net water supply will support based on demand for indoor use (VIHA standards - 230 l/person/day).

Note: The MDD must not exceed total developed groundwater capacity as set out in the well water license.

Determination of Maximum Density:

Prepare a proposal based on the maximum number of residents that the water supply system can service:

1. Establish maximum floor areas based on BC Building Code occupancy rates of two persons /bedroom (e.g., two bedroom units would be a maximum of XX m²)
2. Establish the distribution of unit sizes
3. Calculate total occupancy based on the number of units and unit size
4. Total occupancy is not to exceed the number of residents there is sufficient water for as estimated in the engineer's preliminary water study.

Croftonbrook Example

The following calculations are based on the Croftonbrook rezoning proposal in order to test a method for converting occupancy rates into dwelling unit density. The application proposes a maximum of dwelling 54 units and 78 residents. The Stantec preliminary water study provides an estimate of water loss allowance and how much greywater would be used for toilet flushing (Scenario 2).

Scenario 1: Without Greywater

Total amount of groundwater available (approved groundwater license):	19,180 L/day
Estimate of water loss:	<u>2,640 L/day</u>
Amount of water available for indoor use:	16,540 L/day

VIHA per capita demand for indoor use:	230 L/day
There is enough water for (16,540/225):	71 residents

Average occupancy rate for 54 dwelling units (71/54): residents/DU	1.31
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*Single occupant units: Maximum floor area - 400 sq ft.

*Double occupancy units: Maximum floor area – 600 sq.ft.

Distribution: 37 single occupant units – 37 residents

17 double occupant units – 34 residents

Total Occupants: 71

Total Dwelling Units: 54

*These unit sizes need to be confirmed as being appropriate for one and two person occupancies.

Scenario 2: With Greywater (Stantec Study)

Total amount of groundwater available (approved groundwater license):	19,180 L/day
Indoor use (based on 230 L/day for 78 residents):	17,940 L/day
Greywater:	-2,340 L/day
Water Loss Allowance:	<u>+2,640 L/day</u>
Maximum Day Demand:	18,240 L/day

Average occupancy rate for 54 dwelling units (78/54): residents/DU	1.44
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*Single occupant units: Maximum floor area - 400 sq. ft.

*Double occupancy units: Maximum floor area – 600 sq.ft.

Distribution: 36 single occupant units – 36 residents

21 double occupant units – 42 residents

Total Occupants: 78

Total Dwelling Units: 54

*As noted above.

Sources

1. Bahman Sheikh; White Paper on Graywater, 2010
2. <http://www.env.gov.bc.ca/wat/wq/reference/glossary>
3. <http://www.frontcounterbc.gov.bc.ca/pdf/WaterPurposeUses.pdf>
4. Ministry of Forests, Lands, Natural Resource Operations and Rural Development; Design Guidelines for Rural Residential Community Water System, 2012
5. National Collaborating Centre for Environmental Health; Small Drinking Water Systems: Who Does What in British Columbia?, 2014
6. Vancouver Island Health Authority; Guidelines for Approval of Water Supply Systems



REQUEST FOR DECISION

To: Executive Committee

For the Meeting of: February 7, 2018

From: Julia Mobbs, Director
Administrative Services

Date Prepared: January 18, 2018

SUBJECT: APPOINTMENT OF AUDITORS

RECOMMENDATION:

That KPMG be appointed auditor for the Islands Trust and the Islands Trust Fund 2017/18 Financial Statements.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Through Bylaw 3, the Executive Committee has been delegated the responsibility to appoint financial auditors for the Islands Trust and the Islands Trust Fund.

1 PURPOSE:

The Islands Trust Act Section 18 (1) says that:

“The trust council must appoint an auditor to audit the accounts and transactions of the trust council and the local trust committees.”

2 BACKGROUND:

As per Section 10 of the act As per Section 10 of the act [“The trust council may, by bylaw adopted by at least 2/3 of its members present at the meeting at which the vote on adoption takes place, delegate its powers under sections 8 (1) (d) and (f) and (2) (a) to (f) and 9 (1), subject to any restrictions or conditions specified in the bylaw”], Trust Council did, in 1990, delegate this power to the Executive Committee, through Bylaw 3 (attached).

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

KPMG was the successful proponent on a Request for Proposals for Audit Services for a five year period (2016/17 to 2021/22). The proposal still requires an annual appointment of the auditors.

FINANCIAL:

The 2017/18 budget reflects the audit fees in the Request for Proposal.

POLICY:

None.

IMPLEMENTATION/COMMUNICATIONS:

If approved, the Director Administrative Services will engage KPMG as the auditors for the 2016/17 financial audit and advise the Financial Planning Committee accordingly.

FIRST NATIONS:

None.

OTHER:

None.

4 RELEVANT POLICY(S):

None.

5 ATTACHMENT(S):

Islands Trust Bylaw No. 3.

RESPONSE OPTIONS

Recommendation:

That KPMG be appointed auditor for the Islands Trust and the Islands Trust Fund 2017/18 Financial Statements.

Alternative:

No other alternatives identified.

Prepared By: Julia Mobbs, Director Administrative Services

Reviewed By/Date: Russ Hostenpiller, Chief Administrative Officer/ January 18, 2018

ISLANDS TRUST COUNCIL

BYLAW NO.3

A Bylaw Relating to Administrative Matters of the Islands Trust.

The Islands Trust Council, having jurisdiction in respect of the Province of British Columbia pursuant to the *Islands Trust Act*, R.S.B.C., 1989, enacts as follows:

1.This bylaw may be cited for all purposes as the "Islands Trust Council Administration Bylaw, 1990".

(1)This Trust Council's Executive Committee is delegated authority for:

(a)the appointment of persons to the offices of secretary, treasurer and other officer positions, and the appointments of other employees to carry out the operations of the Trust Council, the executive committee, the local trust committees & the trust fund board.

(b)the appointment of auditors to audit the accounts & transactions of the Trust Council the local trust committees and the Trust Fund Board.

2.The Islands Trust Bylaw Investigations Officer position is designated as an officer of the Islands Trust.

3.Payment of premiums for Accident Insurance for Council members, Advisory Planning Commission members & Board of Variance members is authorized by Trust Council.

READ A FIRST TIME THIS 1st day of April , 1990

READ A SECOND TIME THIS 1st day of April , 1990

READ A THIRD TIME THIS 1st day of April , 1990

RECONSIDERED, AND FINALLY PASSED AND ADOPTED THIS 11th day of April , 1990

From: "David Rapport" <eco_health@hotmail.com>
To: "Peter Luckham" <pluckham@islandstrust.bc.ca>
Cc: "George Grams" <ggrams@islandstrust.bc.ca>, "Peter Grove" <pgrove@islandstrust.bc.ca>
Subject: Troubling Questions about SSIWPA

Dear Mr. Luckham, Could you kindly transmit this communication as a matter of urgency to the Trust Council. And kindly acknowledge receipt. Sincerely, David J. Rapport

Dear Trust Council:

On November 21, 2017, I wrote to SSIWPA coordinator, Ms. Shannon Cowan, with c/c to our LTC, expressing concerns about SSIWPA's accomplishments and accountability. In the body of my letter, I raised four specific questions. (See attached correspondence "Note to Shannon Cowan NO 21 2017".) My concerns were serious: they involved matters of accountability for SSIWPA use of public funds and matters of achievement by this agency. I would have expected that, as the Coordinator of SSIWPA, Ms. Cowan would have addressed my concerns directly. Instead, rather than replying to any of my questions, Ms. Cowan informed me that "the Local Trust Committee has received the communication and is preparing a response."

On November 26, I asked Mr. Peter Luckham, Chair of Trust Council, to forward my concerns re. SSIWPA to Trust Council. On December 1, Mr. Luckham replied that he had forwarded my letter of November 21 to "all Trustees as requested". (See Attached "Note to Trustees re SSIWPA. Nov. 24, 2017".)

On December 4, I received a note from SSI Trustee Peter Grove, with an attached report titled "Salt Spring Island Water Protection Authority". In his note, Mr. Grove stated: "Here is the report we have been waiting for. I think it answers your questions and more." Unfortunately, that report addresses none of the issues I raised and does nothing to allay my concerns. Let me be brief and to the point:

It has been my considerate professional opinion since the inception of SSIWPA that this agency's program lacks transparency, is based on questionable science, and has failed to produce tangible results that stand up to even cursory scrutiny. I voiced such concerns in several articles published in The Gulf Islands Driftwood over the past few years, in my view (See attached contributions: Jul. 22, 2015; Sep. 2, 2015; Sep. 30, 2015; Apr. 6, 2016 – and, for general reference, an ecosystem health perspective of Jul. 20, 2005.) To make my intent perfectly clear, I do not have nor ever had any interest in working with this agency. My concerns stem from my interest in the health of our water bodies and watersheds and in how public money is spent.

The report on SSIWPA activities just produced – presumably the justification for the new request for funding for 2018-2019 – not only fails to address the questions I raised in my letter of November 21, 2017), but also demonstrates in and of itself the scattershot and ad hoc approach that has characterized this effort from the start. The report presents itself as a 'framework for collaboration' – with a primary objective of:

"coordination for integrated watershed and water resource planning, research, and policy development to be implemented by member agencies." Yet in the half dozen projects proposed or underway – there is scant evidence of any integrative framework for carrying out what appears to be a very dispersive group of activities – a kind of 'catch as catch can' effort. And there is little indication that member agencies are committed to take up the results in any practical way.

The report provides scant evidence of any tangible accomplishment beyond a lot of process and wishful words – specifically, any accomplishment that has demonstrably resulted in reducing the anthropogenic stress on and ensuing pathology of our lakes and streams on Salt Spring Island as a result of SSIWPA activities to date. The SSIWPA-sponsored study concluding that septic fields play only a minimal role in the ongoing eutrophication of St. Mary Lake is highly questionable. It appears to be based on sampling the outflow from three septic fields on the lakeshore – hardly a representative sample by any acceptable scientific standards. Its methodology has not been subjected, to my knowledge, to peer-review. And, although the SSIWPA report mentions ecosystem health as a key focus, any expertise in ecosystem health is entirely missing within the agency – whether on the part of the SSIWPA Coordinator or the SSIWPA Chair or any members of the Technical Advisory Committee. I suggested publicly several years ago that SSIWPA science is seriously inadequate, and that its findings should be subject to external arms-length review by experts. This suggestion was outright rejected by the SSIWPA Chair, on the questionable grounds that such a review was not needed and would be “too expensive”.

Further, there remains a perplexing lack of transparency as to what the funding request will be used for, as well as what the past expenditures were put to use for, other than generically for “coordination”. One is left with a troubling question as to whether that has mostly meant high-level compensation for a coordinator with no formal background in water issues.

Arguably, what would be “too expensive” and, in my professional view, without merit, would be to continue to fund this program to the extravagant budget of approximately \$100,000/year, without transparency as to how the funds are used, and without evidence of solid achievement that shows the benefits to the community and to the health of our water bodies.

The current funding request should be denied (or if already approved be rescinded) and a thorough review of SSIWPA expenditures and results by competent external reviewers should be undertaken as a matter of urgency.

Sincerely,

David J. Rapport, Ph.D, F.L.S. (London), F.I. Explorers Club (NYC)

Principal, ECOHEATLH Consulting. (www.ecohealthconsulting.com)

Formerly:

Tri-Council Ecosystem Health Chair, University of Guelph;
Professor, Rural Planning and Development, University of Guelph;
Visiting Professor, Tokyo University (Landscape Ecology);
Titular Professorships: University of Toronto; University of Western Ontario;
Senior Scientist and Science Advisor to Statistics Canada;
Member of International Advisory Committees on Environment (UNEP, UNESCO);
Canadian Representative to Group of Experts on Water Quality , Economic Commission for Europe;
Canadian Representative to the OECD Environment Committee.
Past President, International Society for Ecosystem Health;
Founding Editor-in-Chief, Ecosystem Health (Published by Blackwell Science);
Co-director and co-author of Canada’s 1st State of Environment Report (1986)

From: saanichinletprotectionsociety <saanichinletprotectionsociety@gmail.com>
Sent: Monday, January 29, 2018 3:05 PM
Subject: 2018 Saanich Inlet Roundtable Schedule

2018 Saanich Inlet Roundtable Schedule

As usual the Roundtables will be held on Thursday afternoons but please note that the March Roundtable will run from 2:30 to 5 pm rather than the usual 2 to 4:30 pm

Date and Time	Host	Location
March 15 - 2:30 to 5 pm Bay	Cowichan Valley Regional District	Brentwood College, Mill
May 17 - 2 to 4:30 pm Saanich	Central Saanich	Saanich Fairgrounds, Central
October 11 - 2 to 4:30 pm Sidney	North Saanich	SHOAL Harbour Centre,

This is the fourth year that SIPS will be holding our Saanich Inlet Roundtables. We hope that this early notice will allow you to mark the dates in your calendar and attend the events.

We are currently working on the March 15 Agenda but one of the items will definitely be an Update on the Plan that the District of Central Saanich is implementing to deal with a variety of navigational issues in Brentwood Bay and the surrounding area. They have now applied to the Province for a Licence of Occupation for the seabed from Brentwood Bay across to Willis Point. Although they will still work cooperatively with provincial and federal agencies, this will allow District staff to deal directly with issues such as derelict and abandoned vessels, assignment of moorages to allow functional navigational lanes and a requirement that all moored vessels have holding tanks. We believe that this is a solution that might well serve as a model for the CVRD with its many harbours from Mill Bay all the way up to Ladysmith.

Of course, we welcome your input as to further items for presentation and discussion. ***Please reply to this e-mail*** to send us your suggestions. We will consider them and finalize the Agenda at our next Board Meeting. Hopefully we will be able to send out the detailed Final Agenda by the end of February.

We look forward to seeing you all again!

Saanich Inlet Protection Society Board of Directors

From: Clare Frater
Sent: Thursday, February 01, 2018 1:52 PM
To: Jas Chonk
Subject: FW: AIR POLLUTION & LUNG DISEASE HOW DO I CHANGE OUR AIR

FYI

From: Emma Restall
Sent: Thursday, January 25, 2018 7:55 AM
To: julie_northey@hotmail.com
Subject: RE: AIR POLLUTION & LUNG DISEASE HOW DO I CHANGE OUR AIR

Good morning Julie

On behalf of the Islands Trust, thank you for your letter regarding wood burning and air pollution.

You may be assured that your views have been carefully noted and that your comments will be given every consideration. Your letter will be forwarded to the Executive Committee for its review and consideration.

Yours truly,

Emma Restall
Executive Coordinator
Islands Trust
Phone: 250-405-5161
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

From: Julie Northey [mailto:julie_northey@hotmail.com]
Sent: Wednesday, January 24, 2018 2:16 PM
To: EnvironmentalComplaints@gov.bc.ca; paul.hasselback@viha.ca; Angela.Wheeler@viha.ca; EnvironmentalComplaints@gov.bc.ca; information; rwb@metrovancover.org
Subject: AIR POLLUTION & LUNG DISEASE HOW DO I CHANGE OUR AIR?

Earl Plain, Environment Ministry
Adrian Dix, Health Minister,
Adam Olsen
Angela wheeler
Paul hasselback
Islands Trust
and others

Dear Canadian Health Services and Reps, Doctors for Health; MLAs and more-

Wood smoke has been proven to be worse, yes, WORSE (and no longer is there public smoking allowed even on ferries) than secondhand cigarette smoke and the PM 2.5 particulate matter is so small that it cannot escape the body and stays in the lungs.

I am going around and around in circles, trying to get HELP on this issue. I am told by my MLA to address my issues with Islands Trust.

Islands Trust tells me to contact CRD.

CRD doesn't return my calls or make any relevant moves with regards to emails..

Well informed Doctors , (thank you) although empathetic to this cause, have their hands tied by something I do not understand.

I am told of "burn smart initiatives" by ministry of environments, and my local FD tells me they can "do nothing" to enforce the bad practice of poor wood burning habits.

I am not the only person on this street, on this island, on this coastline, in this province, with this issue.

I need to continue to protect my own health- I do not smoke, yet I am inundated by clouds of toxic fumes daily.

PLEASE make the house next door stop their burning wet wood practices.

Ban this kind of behaviour. Lend them funds, rent them a better unit- create a clean alternative , create insulation cheap enough for their poorly insulated houses and get them on electric, do something PLEASE.

PLEASE!

This wood burning , as you are all aware; is far worse than second hand smoke. And that has been banned in public places.

HOW CAN I HELP MAKE THIS PROBLEM GO AWAY???

I am willing to work, what do I do other than keep complaining????

Forest fire season is around the corner- that may not be preventable, but THIS TOXIC BEHAVIOUR, CAN.



yours in health
Julie

Julie Northey. *Artist, Educator, Mom.* JulieNorthey.com

Please come visit and "Like" www.facebook.com/julie.northey.555 on Facebook and stay awhile!

<https://society6.com/julienorthey> my original art on every day fun, affordable products

[College Cuisine](#)

[I'm A Hop Hop Hoppity Frog](#)

[The Key to Awesome](#) The Step by Step Guide to Having an Outstanding Life

[ROBOTart.net](#) - World class metal sculptures

From: Clare Frater
Sent: Thursday, February 01, 2018 1:14 PM
To: Jas Chonk
Subject: FW: Stakeholder Meeting Invitation: Revitalization of the Agricultural Land Reserve and Agricultural Land Commission
Attachments: Nanaimo - ALR ALC Revitalization Stakeholder Invitation - Final.pdf
Importance: High

From: Correspondence Unit AGRI:EX [<mailto:MCU@gov.bc.ca>]
Sent: Friday, January 26, 2018 12:15 PM
To: Correspondence Unit AGRI:EX
Subject: Stakeholder Meeting Invitation: Revitalization of the Agricultural Land Reserve and Agricultural Land Commission

Dear Agriculture Stakeholder,

The Minister of Agriculture's Advisory Committee has invited you to participate in a regional stakeholder meeting (invitation attached). This email confirms the date and location.

Meeting Date: Tuesday, February 6, 2018

Meeting Location: Days Inn, 809 Island Highway South, Nanaimo, BC

Please RSVP by Wednesday, January 31st, 2018 to the Advisory Committee at: ALR_ALCRevitalization@gov.bc.ca. Please indicate your preference for a morning, mid-day or afternoon meeting time. The Advisory Committee will do its best to accommodate your preference. Please note you may share meeting time with other stakeholders if needed.

Written submissions are also encouraged to the Advisory Committee by email and mail. An online public survey will also be available for submissions to the Advisory Committee beginning in early February 2018.

Further details are provided in the invitation attached to this email. The Minister's Advisory Committee looks forward to meeting with you and hearing your views on this important topic.

Sincerely,
Jennifer Dyson
Chair, Minister's Advisory Committee
ALR and ALC Revitalization



January 26, 2018

File: 0280-30

Dear Stakeholder:

The Minister of Agriculture, the Honourable Lana Popham, has established an independent advisory committee to provide strategic advice and policy guidance on revitalizing the Agricultural Land Reserve (ALR) and the Agricultural Land Commission (ALC). The Minister's Advisory Committee (Advisory Committee) is responsible for delivering recommendations through consultation and engagement with stakeholders and the general public. The Advisory Committee is tasked with a forward-looking focus on the future of the ALR and ALC.

The Advisory Committee is seeking the input of farmers, ranchers, agricultural industry groups and other stakeholders across the province, to help inform their recommendations. It is the Advisory Committee's hope to change the conversation about agricultural land preservation from the short-term to the long-term in order to more fully support and enable agriculture in BC well into the future.

To guide consultation and engagement and support recommendations to the Minister, the Advisory Committee has identified three general ALR and ALC revitalization objectives:

1. Preserve the productive capacity of land in the ALR;
2. Encourage farming of land in the ALR for uses related to agriculture and food production; and,
3. Strengthen the administration and governance of the ALR and ALC to both increase public confidence and to ensure that land use regulation and land use decisions are preserving agricultural land and encouraging farming and ranching in the ALR.

You are invited to participate in a regional stakeholder consultation. Please refer to your email for the specific date, location and RSVP date. Please RSVP to:

ALR_ALCRevitalization@gov.bc.ca

If you cannot attend a consultation, other equally important opportunities for participation in this engagement include written submissions and an online survey, which will be available in February via the BC Government's engagement website.

.../2

In order to help stimulate discussion, a Discussion Paper will be sent to you prior to the engagement session. This paper identifies some of the important themes the Advisory Committee would like to discuss, along with any other issues or ideas you would like to raise.

The Advisory Committee looks forward to meeting with you and hearing your views.

Sincerely,

A handwritten signature in black ink, appearing to be 'Jennifer Dyson', with a long horizontal line extending to the right.

Jennifer Dyson, Chair
Minister's Advisory Committee on Revitalizing the ALR and ALC

December 8, 2017

Tony Law, Board Chair
Island Trust
1627 Fort Street
Victoria, BC
V8R 1H8



Dear Board Chair Law and Board Members:

Re: Air Quality related health concerns due to domestic wood burning and backyard burning

On an ongoing basis, our office receives concerns expressed by residents about exposure to outdoor smoke produced by wood-burning appliances and backyard burning. While some residents are bothered by the nuisance created by smoke, most are concerned about the potential health effects this exposure may have on them and others within their families. We would therefore like to draw your attention to recent developments related to wood-burning appliances and wood-smoke, and outline actions council can take to reduce the impact.

While wood-burning appliances are used as a primary or secondary source of heat in many homes, the health effects from the resulting wood-smoke have become increasingly recognized. Wood smoke contains many of the same harmful substances that are found in tobacco smoke and is a significant source of fine particulate matter (PM_{2.5}), a major component of air pollution and a detriment to health. When inhaled, PM_{2.5} embeds deep inside the tissue of the lung. Exposure is associated with a shortened lifespan, and can lead to lung cancer, reduced lung functioning and worsening of heart disease and asthma among those who suffer from these conditions. Building upon existing research, a February 2017 Health Canada study (mccgill/newsroom/woodstoves), using air quality data from three BC cities (including Courtenay/Comox), found that an increase in PM_{2.5} specifically due to wood burning in the winter was associated with a 19 percent increase in hospitalization for heart attacks among those 65 years or older.

On September 19, 2016 the government of BC adopted the new Solid Fuel Burning Domestic Appliance Regulation (SFB DAR) (BCReg218/2016). Changes include the requirement for domestic wood burning appliances sold in BC to be USEPA certified to meet PM emissions standards, and provisions regarding the kind of fuel that can be burnt. In addition, there is now a requirement for the use of noncertified hydronic wood boilers (that were installed prior to May 1, 2017) to be discontinued by 2026 unless they

meet an 80 metre setback requirement from a property line. However, the SFB DAR does not stipulate a similar requirement for existing noncertified wood stoves.

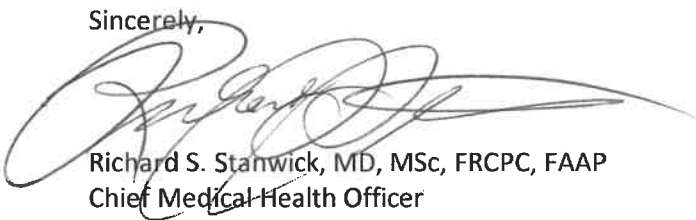
Given that SFB DAR does not require discontinuation of existing noncertified wood stoves, the potential for ongoing exposure to elevated $PM_{2.5}$ will continue in many communities. And, while wood smoke air pollution receives most attention in valley communities, it also contributes to poor air quality in localized areas where wood source space heating is used by one or more households within a neighbourhood or where backyard burning is permitted.

Local governments are uniquely positioned to lower $PM_{2.5}$ emission, improve air quality and thus achieve better health outcomes by addressing gaps not covered in SFB DAR. There are a number of ways to effect change, such as:

1. Update and/or implement air quality bylaws that afford more stringent controls on the type and use of wood burning appliances, such as requiring the replacement of existing noncertified appliances. This is currently being done at the local level through a bylaw in at least one community on Vancouver Island.
2. Offer incentive programs that support wood alternative heating sources. A program that focuses on exchanging woodstoves for alternative heating methods, such as heat pumps, will achieve more substantial improvements than one that focuses on exchanging a noncertified woodstove for a certified one. The provincial woodstove exchange program can be utilized. It offers higher incentives for cleaner heating options and has made heat pumps eligible.
3. Social marketing and educational campaigns that provide awareness to local residents about the health effects due to wood stove.
4. Implement bylaws that restrict backyard burning, including limitations on materials, setbacks and time periods. Most Vancouver Island local municipalities and regional districts currently have bylaws in place to address backyard burning, many of which include seasonal burning bans. Existing bylaws can be further strengthened to include burning restrictions year round in urban containment areas.

We encourage council to consider adopting one or more of these strategies. Island Health appreciates any opportunity to engage with municipalities with respect to initiatives that lead to health outcome improvements. For further discussion around air quality please contact us at HBE@viha.ca.

Sincerely,



Richard S. Stanwick, MD, MSc, FRCPC, FAAP
Chief Medical Health Officer



Murray Fyfe, MD, MSc, FRCPC
Medical Health Officer



Dee Hoyano, MD, FRCPC
Medical Health Officer, South Island

cc: Earle Plain, Air Quality Meteorologist, Nanaimo, Ministry of Environment

Minister of Transport



Ministre des Transports

Ottawa, Canada K1A 0N5

DEC 14 2017

Mr. Peter Luckham
President
Islands Trust Council
200-1627 Fort Street
Victoria BC V8R 1H8

Dear Mr. Luckham:

Thank you for your correspondence of November 6, 2017, regarding Bill C-64 and the Abandoned Boats Program, two key elements of the government's broader strategy on abandoned and wrecked vessels announced as part of the Oceans Protection Plan in November 2016.

Transport Canada has heard the concerns raised by coastal and local communities across Canada about wrecked, abandoned, and hazardous vessels, including small pleasure craft. This is why the strategy on abandoned and wrecked vessels is comprehensive and focussed on both prevention and removal.

As you pointed out, the government recently introduced the Wrecked, Abandoned or Hazardous Vessels Act (Bill C-64), a key preventative element of our national strategy. The proposed legislation will prohibit vessel abandonment and other acts of irresponsible vessel management; strengthen owner responsibility and liability for their vessels and wrecks, including costs for clean-up and removal; and empower the Government of Canada to take proactive action on problem vessels before they become more costly to Canadians.

Bill C-64 would also give the Nairobi International Convention on the Removal of Wrecks, 2007 force of law in Canada by extending it to all Canadian waters and applying it to wrecked vessels of all sizes. This includes creating new obligations for owners to report, locate, mark, and, if necessary, remove wrecks resulting from maritime casualties, should the wrecks be considered hazardous.

Owners of vessels that are 300 gross tons or more would also be required to maintain insurance or some other type of financial security to cover the costs of wreck removal, should the wreck pose a hazard.

As critical as the legislation is, it is but one part of the national strategy announced last year. In the short term, we recognize the need to deal with the legacy problem vessels currently affecting coastal communities. As you noted, that is why in 2017 the government launched two programs to support local efforts to remove and dispose of smaller high-priority vessels. This includes the five-year \$6.85-million Abandoned Boats Program under Transport Canada and the five-year \$1.325-million Small Craft Harbours Abandoned and Wrecked Vessels Removal Program under Fisheries and Oceans Canada. The Abandoned Boats Program also includes funding to support education and awareness activities and research into recycling options. For example, fibreglass is a common hull component in pleasure craft and can be recycled.

The national strategy also comprises additional and essential longer-term components. For example, the effectiveness of the legislation depends on the ability to identify owners. This can be a challenge, particularly with older vessels and pleasure craft. The government is already collaborating with the provinces and territories to identify ways in which we can enhance the pleasure craft licensing system and is exploring options for addressing gaps in the commercial vessel registration systems.

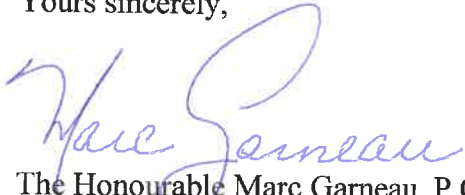
In addition, a national inventory of problem vessels is being developed and will be maintained by the Canadian Coast Guard. I would note that the inventory will be publicly accessible. This will include a risk-based methodology to help prioritize future actions on problem vessels in the inventory.

Finally, the national strategy includes work to establish vessel-owner financed funds aligned with the polluter-pay principle to address both large and small abandoned vessels and wrecks over the longer term. This will ensure that costs associated with these problem vessels are not covered by taxpayers and local communities.

Starting this fall, engagement sessions on the national strategy will be held with provincial, territorial, municipal and local governments, as well as Indigenous groups across Canada, including in southern British Columbia. I am pleased to know that your organization will be represented.

Once again, thank you for taking the time to write to me on this important matter. I hope we can count on your continued support as the elements of our comprehensive national strategy are rolled out.

Yours sincerely,



The Honourable Marc Garneau, P.C., M.P.
Minister of Transport

c.c. Ms. Sheila Malcolmson, M.P.
Nanaimo-Ladysmith



Top Priorities

Executive Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Islands Trust Act Amendments	Investigate possibility of amendments to the Islands Trust Act to broaden the Islands Trusts ability to serve its communities and to strengthen its mandate to preserve and protect, including seeking legislative change of Trust Fund name.	26-Oct-2016	Russ Hotsenpiller	
2	Oil Spill and Shipping Safety	Chair letters and participation on inter-agency working groups	01-Apr-2014	Clare Frater	
3	Revisions to Crown Land protocol agreements and letters of understanding	Meeting held with BIM, LPS, TAS, CSCD and FLNRO.	19-Jun-2014	Clare Frater	
4	First Nations Relationship Building	Working on implementing Project Charter through various initiatives, supporting LTCs on First nations engagement.	31-Aug-2016	David Marlor Clare Frater	

Projects

Executive Committee

Description	Activity	R/Initiated
Advocate to reduce negative impacts of shellfish aquaculture practices	Develop project charter and budget requests to build organizational capacity (knowledge and time) related to shellfish aquaculture advocacy	16-Aug-2017
Advocate for management of abandoned and derelict vessels	Continue to advocate for senior government solutions to abandoned and derelict vessels	30-Aug-2017

Executive Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Review the Islands Trust Policy Statement	Undertake a First Nations and public engagement process to prepare for Policy Statement amendment topics			30-Aug-2017
	Advocate to reduce impacts of other industrial marine activities	Advocate to reduce impacts of freighter anchorage activities			30-Aug-2017
	Improve communications about the Islands Trust object and history	Implement adopted communications plan for 2015/16			30-Aug-2017