



Executive Committee Agenda

Date: Wednesday, October 26, 2016
Time: 11:00 am
Location: Islands Trust Northern Office
700 North Road, Gabriola Island, BC

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1. CALL TO ORDER	
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2.2 Approval of Agenda	
3. ADOPTION OF MINUTES	
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4. FOLLOW UP ACTION LIST AND UPDATES	
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4.2 Director/CAO Updates	
4.3 Local Trust Committee Chair Updates	
5. BYLAWS FOR APPROVAL CONSIDERATION	
5.1 Lasqueti Island Local Trust Committee Bylaw No. 94 (Fees Bylaw Amendment) That the Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 94, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2016" under Section 24 of the <i>Islands Trust Act</i> .	11 - 17
5.2 Gambier Island Local Trust Committee Bylaw No. 129 (OCP Amendment -RAR) That the Executive Committee approve the Gambier Island Local Trust Committee Bylaw No. 129, cited as "Keats Island Official Community Plan, Bylaw 77, 2002, Amendment No. 1, 2015" under Section 24 of the <i>Islands Trust Act</i> .	18 - 39
5.3 Gamber Island Local Trust Committee Bylaw No. 130 (LUB Amendment -RAR) That the Executive Committee approve the Gambier Island Local Trust Committee Bylaw No. 130, cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015" under Section 24 of the <i>Islands Trust Act</i> .	40 - 61
5.4 Hornby Island Local Trust Committee Bylaw No. 153 (LUB Housekeeping) That the Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 153 cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016", under Section 24 of the <i>Islands Trust Act</i> .	62 - 75

5.5	Denman Island Local Trust Committee Bylaw No. 221 (Fees Bylaw Amendment)	76 - 89
	That the Executive Committee approve Denman Island Local Trust Committee Bylaw No. 221, cited as "Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016" under Section 24 of the <i>Islands Trust Act</i> .	
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	7.2.1 Strategic Plan format and implementation	113 - 121
8.	NEW BUSINESS	
8.1	Trust Area Services	
	8.1.1 LTC Chairs Report on Local Advocacy Topics	
8.2	Local Planning Services	
	8.2.1 Request for Variance from Trust Council Fees Bylaw - RFD	122 - 134
	That the Executive Committee has no concerns with the variance from the Trust Council Model Fees Bylaw for the Salt Spring Island Local Trust Committee to allow a Temporary Use Permit for residential purposes at a fee of \$600.	
	8.3 Administrative Services	
	8.3.1 Meeting technology for committee meetings	
	8.4 Executive/Trust Council	
	8.4.1 Discussion regarding group emails only being sent by blind carbon copy as operational policy	
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 Office of Ombudsperson re File reporting July 1 to Sept 30	135 - 136
12.	WORK PROGRAM	
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13.	NEXT MEETING - November 9, 2016, Victoria Office at 8:45 a.m.	
14.	ADJOURNMENT	



Executive Committee

Minutes of Regular Meeting

Date: October 5, 2016

Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

Members Present: Peter Luckham, Chair
Laura Busheikin, Vice Chair
Susan Morrison, Vice Chair (by phone)
George Grams, Vice Chair

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
Clare Frater, Acting Director, Trust Area Services
David Marlor, Director, Local Planning Services
Pamela Hafey, Communications Specialist
Fiona MacRaid, Senior Intergovernmental Policy Advisory
Jas Chonk, Acting Executive Coordinator (Recorder)

1. CALL TO ORDER

The meeting was called to order at 8:45 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

2.2 Approval of Agenda

By General Consent, the agenda was approved as presented.

2.2.1 Agenda Context Notes

Provided for information.

3. ADOPTION OF MINUTES

3.1 August 31, 2016

By General Consent, the Minutes of the August 31, 2016 Executive Committee Meeting were adopted as amended.

3.2 September 13, 2016

By General Consent, the Minutes of the September 13, 2016 Executive Committee Meeting 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.

4.2 Director/CAO Updates

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

4.3 Local Trust Committee Chair Updates

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

Executive Committee members that attended UBCM Convention also provided updates on the conference and discussed how to compile their comments to create the 2016 UBCM report to trustees.

By General Consent, the committee requested staff to circulate the draft template to members who attended UBCM Convention.

5. BYLAWS FOR APPROVAL CONSIDERATION

5.1 Galiano Island Local Trust Committee Bylaw No. 258 (Enforcement Notification)

EC-2016-142

It was MOVED and SECONDED,

That the Executive Committee approves Galiano Island Local Trust Committee Bylaw No. 258, cited as Galiano Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 228, 2011, Amendment No. 1, 2016 under Section 24 of the *Islands Trust Act* and returns it to the Galiano Island Local Trust Committee for final adoption.

CARRIED

5.2 Galiano Island Local Trust Committee Bylaws 259 and 260

EC-2016-143

It was MOVED and SECONDED,

That the Executive Committee approves Proposed Bylaw No. 259 cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2016” under Section 24 of the *Islands Trust Act*.

CARRIED

EC-2016-144

It was MOVED and SECONDED,

That the Executive Committee approves Proposed Bylaw No. 260 cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2016” under Section 24 of the *Islands Trust Act*.

CARRIED

5.3 Bowen Island Municipality Bylaw No. 426

EC-2016-145

It was MOVED and SECONDED,

That the Executive Committee advise Bowen Island Municipality that Bylaw 426, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 426, 2016” is not contrary or at variance to the Islands Trust Policy Statement.

CARRIED

5.4 Gambier Island Local Trust Committee Bylaw 140 (OCP Amendment – RAR)

EC-2016-146

It was MOVED and SECONDED,

That the Executive Committee approve proposed Bylaw No. 140 cited as “Gambier Island Official Community Plan, Bylaw 73, 2001, Amendment No. 1, 2016” under Section 24 of the *Islands Trust Act*.

CARRIED

5.5 Gambier Island Local Trust Committee Bylaw 141 (LUB Amendment – RAR)

EC-2016-147

It was MOVED and SECONDED,

That the Executive Committee approve proposed Bylaw No. 141 cited as “Gambier Island Land Use Bylaw, Bylaw 86, 2004, Amendment No. 1, 2016”, under Section 24 of the *Islands Trust Act*.

CARRIED

5.6 Gambier Island Local Trust Committee Bylaw 139 (Fees Bylaw Amendment)

EC-2016-148

It was MOVED and SECONDED,

That the Executive Committee approve proposed Bylaw No. 139 cited as “Gambier Island Local Trust Committee Development Procedure Bylaw No. 50, 1992, Amendment Bylaw No. 1, 2016”, under Section 24 of the *Islands Trust Act*.

CARRIED

6.

TRUST COUNCIL MEETING PREPARATION

6.1 Post September Trust Council Joint Session

6.1.1 September Trust Council Decision Highlights

EC-2016-149

It was MOVED and SECONDED,

That staff amend the September Trust Council Decision Highlights to include the vision graphic created at the September 2016 Trust Council meeting.

CARRIED

By General Consent, the Executive Committee directed staff to post amended September Trust Council Decision Highlights to website and send to subscribers.

6.1.2 Roundtable

Executive Committee members and staff provided feedback regarding the September 2016 Trust Council meeting, noting what went well and identifying areas for improvement.

6.1.3 Trustee Comments/Feedback

Received for information.

6.2 December Trust Council – Preliminary Schedule

Executive Committee members reviewed the draft December 2016 Trust Council meeting schedule and made some amendments. Staff will provide the revised schedule to the next meeting.

6.3 Trust Council Follow Up Action List

By General Consent, the Executive Committee approved the Trust Council Follow Up Action List as presented.

6.4 Continuous Learning Plan

Executive Committee members reviewed the Continuous Learning Plan and made some amendments. Staff will provide the revised plan to the next meeting.

6.5 Next steps for Visioning process

EC-2016-150

It was MOVED and SECONDED,

That the Executive Committee request staff to prepare a report outlining next steps for visioning process.

CARRIED

7. EXECUTIVE COMMITTEE PROJECTS

7.1 Trust Council Initiated

7.1.1 Transition Plan

Executive Committee members and staff discussed the next steps for the Transition Plan.

By General Consent, staff was directed to prepare speaking notes for Executive Committee members, to post the Transition Plan to the website, and send the Transition Plan to the Minister of Community, Sport and Cultural Development and Salt Spring Island Incorporation Study Committee.

7.2 Executive Committee Initiated

7.2.1 Preparation for October 17 meeting with ALC Panel

The Executive Committee members discussed the agenda, format and objectives for the meeting with the members of the Island Panel of the Agricultural Land Commission on October 17, 2016.

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 Next steps for State-of-the-Islands promotion

Staff provided a verbal update on possible next steps for State of the Islands report promotion.

The meeting recessed at 11:40 a.m. and resumed at 11:45 a.m.

8.1.3 Chair Letter re RFD - Roberts Bank Terminal 2

EC-2016-151

It was MOVED and SECONDED,

That the Executive Committee request staff to draft a letter for the Chair commenting on proposed Roberts Bank Terminal 2 Project before October 28, 2016.

CARRIED

8.1.4 Potential advocacy re proposed Steelhead LNG's Malahat LNG Project

EC-2016-152

It was MOVED and SECONDED,

That the Executive Committee request staff to prepare a Request for Decision on taking a position on proposed Steelhead LNG's Malahat Project.

CARRIED

The meeting recessed at 11:58 a.m. and resumed at 12:23 p.m.

- 8.2 Local Planning Services
 - 8.2.1 Briefing - First Nations Language and Tone Guide
Received for information.
- 8.3 Administrative Services
- 8.4 Executive/Trust Council
 - 8.4.1 BC Restructuring Assistance to SSI restructure
Received as information.

9. **CLOSED MEETING**

EC-2016-153

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 meeting recessed 1:15 p.m. and resumed at 1:50 p.m.

10. **RISE AND REPORT DECISIONS FROM CLOSED MEETING**

No items to report.

11. **CORRESPONDENCE**

11.1 **Saanich Inlet Roundtable Invitation - Oct. 13**

No Executive Committee members were available for this meeting.

By General Consent, staff was directed to attend the meeting.

11.2 **Green Communities Committee re: Achievement of Carbon Neutrality**

Received for information.

11.3 **Response from Minister of Transport re anchorages in the Trust Area**

Received for information.

12. **WORK PROGRAM**

12.1 **Review and Amendment of Current Work Program**

By General Consent, the Executive Committee endorsed the Work Program dated September 29, 2016 as presented.

Staff also introduced a proposed new, simpler work program format.

13. **NEXT MEETING: October 26, 2016, at 10:00 am Gabriola Island, BC**

14. **ADJOURNMENT**
EC-2016-154
It was MOVED and SECONDED,
To adjourn the meeting.

CARRIED

The meeting adjourned at 1:50 p.m.

Peter Luckham, Chair

Certified Correct

Jas Chonk, Recorder

DRAFT

Follow Up Action Report

Executive Committee

David Marlor

Activity	Activity	Responsibility	Target Date	Status
25-Nov-2015	9.2.4 Bring recommendations re Policy 4.1.ix (Bylaw referrals to adjacent LTCs) to future EC meeting	David Marlor	18-Jan-2017	On Going
06-Oct-2015	9.2.1 Develop draft flow chart illustrating Bylaw process decision-making for Chair toolkit	David Marlor Regina Robinson	09-Nov-2016	On Going
17-Aug-2016	Develop a Project Charter and draft set of principles that will inform a new organizational approach to First Nations relationship-building.	David Marlor Fiona MacRaid	09-Nov-2016	On Going
05-Oct-2016	Local Trust Committee Bylaws Advise Galiano LTC of EC decision re Bylaws 258, 259, and 260 Advise BIM of EC decision re Bylaw 426 Advise Gambier LTC of EC decision re Bylaws 140, 141, and 139	David Marlor		Done

Lisa Gordon

Activity	Activity	Responsibility	Target Date	Status
27-Apr-2016	8.4.1 Develop info session on species at risk for a future TC meeting	Lisa Gordon David Marlor	18-Jan-2017	On Going
28-Oct-2015	8.1.2 Contact FN offices about appropriate gifts and populate database	Lisa Gordon Fiona MacRaid	30-Dec-2016	On Going
31-Aug-2016	Staff to develop a Project Charter that includes the scope, timeline and budget for researching and developing a recommendation on how to advocate with respect to First Nations archaeological sites in collaboration with local trust committees and Bowen Island Municipality.	Lisa Gordon Fiona MacRaid Clare Frater	23-Nov-2016	On Going

**Follow Up Action Report**

05-Oct-2016	Chair Letter re Roberts Bank Terminal 2 Staff to draft a letter for the Chair commenting on proposed Roberts Bank Terminal 2 Project before October 28, 2016.	Lisa Gordon Clare Frater	28-Oct-2016	On Going
05-Oct-2016	Proposed Steelhead LNGs Malahat LNG Project Staff to prepare a Request for Decision on taking a position on proposed Steelhead LNGs Malahat Project.	Lisa Gordon Clare Frater	23-Nov-2016	On Going

Russ Hotsenpiller

Activity	Activity	Responsibility	Target Date	Status
06-Apr-2016	8.4.2 Draft report on potential improvements to consultant evaluation procurement policy	Russ Hotsenpiller Cindy Shelest		On Going
09-Mar-2016	6.4.7 Return to EC with advice on priorities chart	Russ Hotsenpiller		On Going
17-Aug-2016	Recommendations regarding ongoing meeting locations (cost benefit analysis of islands venues versus city venues) based on challenges experienced resulting in Mayne Island TC meeting cancellation and similar challenges anticipated on the smaller islands.	Russ Hotsenpiller	30-Sep-2016	On Going
05-Oct-2016	Next steps for Visioning process Staff to prepare a report outlining next steps for visioning process.	Russ Hotsenpiller	23-Nov-2016	On Going
05-Oct-2016	Transition Plan Staff to prepare speaking notes for Executive Committee members, to post the Transition Plan to the website, and send the Transition Plan to the Minister of Community, Sport and Cultural Development and Salt Spring Island Incorporation Study Committee.	Russ Hotsenpiller Pamela Hafey		On Going



Islands Trust

Bylaw Submission Staff Report

Date: September 13, 2016

To: Executive Committee
For the meeting of October 26, 2016

From: Sonja Zupanec, Island Planner

Re: Lasqueti Island Proposed Bylaw No. 94 -
(Fees Bylaw Amendment)

Introduction:

The Lasqueti Island Local Trust Committee is pleased to submit proposed Bylaw No. 94, which amends the Lasqueti Fees Bylaw. The purpose of this briefing note is to provide the Executive Committee with a summary of the bylaw.

Purpose:

Proposed Bylaw No. 74 is to amend the Lasqueti Island Local Trust Committee Fees Bylaw, 2009 to reduce the development variance permit fee by 34% to \$150.00 in respect of setback and screening regulations for streams (both RAR and non-RAR streams) applicable to residential, commercial, industrial and institutional development.

Background:

Riparian Areas Regulation (RAR) compliance was the top priority on the Lasqueti Island LTC work program and a bylaw was adopted in June 2016.

Proposed Bylaw No. 94 was given first, second and third reading on August 8, 2016.

Issues Relating To Provincial Interest:

None

Issues Relating To Enforcement or Resourcing:

The LTC determined it can reduce the fee for a development variance permit application to address concerns from Lasqueti Island residents over the cost to obtain an assessment report from a Qualified Environmental Professional when proposing to undertake development within the Riparian Areas Assessment area (within 30 metres of a stream). The LTC was asked about the possibility of subsidizing the cost of the reports, but there is no mechanism for the LTC to subsidize the cost of a professional report required as part of a land use application. The proposed reduction in fees is in direct response to community interest in reducing the financial burden of the RAR implementation on Lasqueti Island.

Financial Implications:

According to Islands Trust Council Policy Manual 5.6.i *Application Processing Services*, Section D.1.2.iii - all local trust committee fees bylaws and fees bylaw amendments must be approved by the Executive Committee before adoption by a local trust committee. Executive Committee may consider requests for adjustments greater than 20%. Fee variances must be adopted by December 31 annually and can only be implemented on April 1 of the following year and following Trust Council's budget approval. Therefore the implementation of the 34% fee reduction for these specific types of development variance applications, if adopted, would only be in effect **April 1, 2017**.

Staff estimate that the cost of processing development variance permit applications for Lasqueti Island already exceeds the \$440 application fee, and that a reduction of 34% and the low probability of applications will not have adverse financial implications on the Islands Trust budget at this time. As most LTC fees bylaws appear out of date and do not reflect the true cost of application processing, this bylaw does not pose further adverse financial implications at this time.

Recommendation:

THAT the Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 94, cited as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2016" under Section 24 of the *Islands Trust Act*.



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Lasqueti Island Local Trust Committee

Bylaw No.: LA-094

Bylaw Type: Fees Bylaw

Date of resolution referring bylaw to Executive Committee: 08-Aug-2016

- ☒ 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: LA-094

Trust Area: Lasqueti Island Local Trust Committee

Type: Fees Bylaw

Bylaw No.: LA-094

Application No.:

Trust Initiated: No

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 08-Aug-2016

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web: 05-Sep-2016

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 15-Sep-2016

File complete and ready for Public review: No

Public Hearings:

Location:
Proofread By: ,

Legal Paper:
First Publish Date:

Second Publish Date:

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:
Date Public Hearing Held:

Second Reading Date: 08-Aug-2016

Third Reading Date: 08-Aug-2016

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:

Status

Date Resolution Referred to Exective Committee: 08-Aug-2016

Reading:

PROPOSED

LASQUETI ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 94

A BYLAW TO AMEND LASQUETI ISLAND FEES BYLAW

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

1. Citation

This Bylaw may be cited for all purposes as "Lasqueti Island Local Trust Committee Fees Bylaw, 2009, Amendment No. 1, 2016".

2. Lasqueti Island Local Trust Committee Bylaw No. 85, cited as Lasqueti Island Local Trust Committee Fees Bylaw, 2009", is amended as follows:

2.1 Part **3. Application Fees**, Section 3.1 **TABLE 2 – Permits** is deleted in its entirety and replaced with:

TABLE 2 – Permits	
Column 1	Column 2
1. Development variance permit in respect of a residential development	\$440
2. Development variance permit in respect of a commercial, industrial or institutional development	\$715
3. Development variance permit for a setback or screening regulation specific to any freshwater feature (stream, lake, pond, brook, ditch, creek or wetland) in respect of a residential, commercial, industrial or institutional development	\$150
4. Temporary commercial and industrial use permit	\$770
5. Temporary commercial and industrial use permit renewal	\$165

READ A FIRST TIME THIS 8TH DAY OF AUGUST , 2016

READ A SECOND TIME THIS 8TH DAY OF AUGUST , 2016

READ A THIRD TIME THIS 8TH DAY OF AUGUST , 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

DAY OF , 201X

ADOPTED THIS DAY OF , 201X

CHAIR

SECRETARY



Bylaw Submission Staff Report

Date: October 17, 2016

To: Executive Committee

From: Aleksandra Brzozowski, Island Planner

Re: **Gambier Island Proposed Bylaw No. 129 (OCP amendments to implement Riparian Areas Regulation (RAR) on Keats Island)**

The Gambier Island Local Trust Committee is pleased to submit proposed Bylaw No. 129, which would implement the Riparian Areas Regulation (RAR) in the Gambier Island Local Trust Area. The purpose of this briefing note is to provide the Executive Committee with a summary of the proposed amendments to the Keats Island Official Community Plan (OCP).

Purpose:

Proposed Bylaw 129, to amend the Keats Island OCP, designates circumstances for which development approval information may be required in the Keats Island area of application, and designates a new Development Permit Area 1 – Riparian Areas to implement the provincial Riparian Areas Regulation (RAR). It also introduces a new Development Permit Area 2 – Streamside Protection to protect an area identified with high riparian values but not applicable to the RAR.

Proposed Bylaw 129 also designates circumstances for which development approval information may be required, as an administrative mechanism to require information on the anticipated impacts of proposed development from applicants.

The guidelines for the development permit area are in a separate bylaw to amend the Land Use Bylaw and are not the subject of this briefing note.

This briefing note will detail agency concerns regarding the referenced bylaw, and the steps taken by the Gambier Island Local Trust Committee to address those concerns.

Background:

In 2014, the LTC commissioned modeling and mapping of the islands in the Local Trust Area to identify streams that would be applicable to the *Riparian Areas Regulation* (RAR). When that study was completed in 2015 for Keats, it identified two RAR applicable streams and one stream with high habitat values. On June 18, 2015, the LTC requested that staff draft a DPA for Keats, Bowyer and Anvil Islands and work on a communications plan for the specific land owners affected and to the general population.

On November 19, 2015, the LTC gave First Reading to the bylaw and the proposed bylaw was referred out to relevant agencies, First Nations, and the public.

While the LTC originally focused on regulating only the two RAR applicable streams, on May 19, 2016, it requested staff to amend the bylaw to extend protection to Silver Creek as well given its unique and valuable attributes.

On October 13, 2016, staff held a Community Information Meeting about RAR prior to the Public Hearing. The LTC gave Second and Third Reading to Proposed Bylaw No. 129 and confirmed that the proposed bylaw complies with the Islands Trust Policy Statement as per the Directives Only checklist.

The LTC received three written submissions from the public about this bylaw.

At the November 19, 2015 LTC meeting, the LTC heard comments from Keats Island residents impacted by the then-draft bylaw; staff and trustees continued to hear input from these property owners throughout the referral period. The LTC also heard comments from residents during the Public Hearing held on October 13, 2016.

The Sunshine Coast Regional District responded that its interests are unaffected by this bylaw.

Bowen Island Municipality responded that its interests are unaffected by this bylaw.

Issues Relating To Provincial Interest:

Compliance with the RAR is a provincial interest, and adoption of these OCP and LUB amendments will meet the obligation of the Local Trust Committee under the *Riparian Areas Regulation* Act for Keats Island. To fully meet this obligation, the Local Trust Committee will need to adopt Bylaw 130 that amends the Keats Island Land Use Bylaw and includes the guidelines for the Development Permit Area. Bylaw 130 was the subject of the same public hearing as the bylaw under consideration in this briefing.

The Ministry of Forests, Lands and Natural Resources Operations (FLNRO) was a key referral agency and was consulted via email and telephone numerous times during the development of this bylaw. Prior to Second Reading, the LTC passed a resolution to implement all the revisions recommended by FLNRO in their referral response to Proposed Bylaw 129; LPS staff have advised FLNRO staff of the resolution. FLNRO has no concerns with Proposed Bylaw 129 and are in support of the bylaw amendments.

The Ministry of Transportation and Infrastructure replied that its interests were unaffected by this bylaw.

Issues Relating To Enforcement:

None.

Issues Relating To First Nation Interest:

The bylaw was referred to the Squamish First Nation and the Tsleil-Waututh Nation.

No written response was received by the Squamish Nation; however, staff indicated over the telephone to LPS staff that no concerns were identified.

The Tsleil-Waututh Nation did not reply.

Recommendations:

THAT the Executive Committee approve the Gambier Island Local Trust Committee Bylaw No. 129, cited as “Keats Island Official Community Plan, Bylaw 77, 2002, Amendment No. 1, 2015” under Section 24 of the *Islands Trust Act*.



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gambier Island Local Trust Committee

Bylaw No.: GM-129

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 13-Oct-2016

- ☒ 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: GM-129

Trust Area: Gambier Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: GM-129
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 19-Nov-2015

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 26-Nov-2015

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: 03-Oct-2016

File complete and ready for Public review: No

Public Hearings:

Location: Gleaneagles Community Centre , 6262 Marine Dr, W V
Proofread By: McErlean, Becky

Legal Paper: Coast Reporter
First Publish Date: 30-Sep-2016

Second Publish Date: 07-Oct-2016

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date: 20-Sep-2016
Second Reading Date: 13-Oct-2016

Delivery Notices:
Date Public Hearing Held: 13-Oct-2016
Third Reading Date: 13-Oct-2016



Referrals: Bylaw GM-129

Agency	Sent	Received
Ministry of Forests, Lands and Natural Resource Operations - Fish and Wildlife South Coast Natural Resource Region: Robbins, Kristina Comment: Deferred to Andrew Appleton.	24-Mar-2016	
Ministry of Forests, Lands and Natural Resource Operations - Fish and Wildlife South Coast Natural Resource Region: Appleton, Andrew Comment: Reply received Sept 30 - minor amendments for clarity.	24-Mar-2016	30-Sep-2016
Agricultural Land Commission Rm. 133 4940 Canada Way: Bednard, Gordon Comment: 2) With the exception of Gambier and Bowen, none of the islands in Howe Sound are affected by the ALC Act, and therefore, please be advised that the Agricultural Land Commission has no objection to the above referrals as its interests are unaffected	20-Jan-2016	20-Jan-2016
Department of Fisheries and Oceans Fisheries & Oceans Canada: Magnan, Alain Comment: DFO does not have regulatory role because it does not directly propose work, undertakings or activities that may result in serious harm to fish.	20-Jan-2016	06-Apr-2016
Squamish Nation PO Box 86131: Wilcox, Lisa Comment: email package sent, hard delivered Jan 22, 2016	20-Jan-2016	
Sunshine Coast Regional District 1975 Field Road: Olmstead, Steven Comment: No concerns - interests unaffected	20-Jan-2016	26-May-2016
Islands Trust Fund 200, 1627 Fort Street: Eliason, Jennifer Comment: Interests Unaffected	20-Jan-2016	26-Jan-2016
Islands Trust, Bylaw Enforcement 200 - 1627 Fort Street: Drew, Miles Comment:	20-Jan-2016	
Ministry of Transportation and Infrastructure Sechelt Area Office: Legault, Don Comment: Interests Unaffected	20-Jan-2016	15-Mar-2016
Tsleil-Waututh Nation 3075 Takaya Drive: Coordinator, Referrals Comment: email package sent, Hard copy delivered Jan 22, 2016	20-Jan-2016	
Bowen Island Municipality Box 279: Martin, Daniel Comment: Interests Unaffected	20-Jan-2016	01-Feb-2016

Referrals: Bylaw GM-129

Agency	Sent	Received
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Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: GM BL 129 & 130

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and 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 CHECK LIST

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 a 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
	3.1	Ecosystems
✓	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	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	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	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
✓	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	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	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
	4.1	Agricultural Land
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.
N/A	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	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 affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
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
N/A	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	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	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	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	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.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	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	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	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	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	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	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
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
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.
N/A	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	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	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	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	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	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	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
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	5.5	Recreation
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	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	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	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	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	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	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
N/A	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
N/A	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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

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: 13-Oct-2016

Reading:

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 129

A BYLAW TO AMEND KEATS ISLAND OFFICIAL COMMUNITY PLAN, 2002

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

Gambier Island Local Trust Committee Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002,” is amended as follows

1. Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002” is amended as shown on Schedule 1.
2. This bylaw may be cited for all purposes as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”.

READ A FIRST TIME THIS	19 TH	DAY OF	NOVEMBER	, 2015
PUBLIC HEARING HELD THIS	13 TH	DAY OF	OCTOBER	, 2016
READ A SECOND TIME THIS	13 TH	DAY OF	OCTOBER	, 2016
READ A THIRD TIME THIS	13 TH	DAY OF	OCTOBER	, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	TH	DAY OF		, 201
ADOPTED THIS	TH	DAY OF		, 201

SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 129

SCHEDULE 1

Gambier Island Local Trust Committee Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002” is amended as follows:

2.1 PART A – ADMINISTRATION AND INTERPRETATION is amended as follows:

- a) A new Subsection is inserted after Section 4. AMENDING THE OFFICIAL COMMUNITY PLAN, Subsection Update and Revision, as follows:

“Development Approval Information – Circumstances and Special Conditions

- 4.7 Development approval information may be required to ensure that development may be accommodated in a manner that sustains natural resources, environmentally sensitive areas and the rural character of the Keats Planning Area. Development approval information may be required to help the Local Trust Committee determine appropriate uses, density and siting of future development.”

2.2 PART B – GOALS, OBJECTIVES AND POLICIES, Section 3. ECOSYSTEM PRESERVATION AND PROTECTION, is amended as follows:

- a) To Subsection **Freshwater and Wetland Ecosystems and Riparian Zones**, a new policy is added with the following text:

“P 3.19 The Province of British Columbia’s *Riparian Areas Protection Act* requires that local governments establish regulations to protect riparian areas. This designation is intended, in part, to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

Areas where land use and related development may have to be restricted to protect riparian areas include lands falling within Development Permit Area 1: Riparian Areas.”

- b) To Subsection **Coastal and Marine Ecosystems**, policy P 3.19 is renumbered to be “P 3.20”.

2.3 SCHEDULE A – OFFICIAL COMMUNITY PLAN TEXT is amended by adding a new PART C, immediately following PART B – GOALS, OBJECTIVES AND POLICIES, as follows:

“PART C - DEVELOPMENT PERMIT AREAS

BACKGROUND

Pursuant to Section 919.1(1) of the *Local Government Act*, a community plan may designate areas as development permit areas for the:

- a) protection of the natural environment, its ecosystems and biological diversity;
- b) protection of development from hazardous conditions;
- c) protection of farming;
- d) revitalization of an area in which commercial use is permitted;
- e) establishment of objectives for the form and character of intensive residential development;
- f) establishment of objectives for the form and character of commercial, industrial and multi-dwelling residential development;
- g) establishment of objectives to promote energy conservation;
- h) establishment of objectives to promote water conservation; and,
- i) establishment of objectives to promote the reduction of greenhouse gas emissions.

For a property in a development permit area, no construction, structural alteration, or addition to a building or structure may take place prior to a development permit being obtained. In addition, a property in a development permit area may not be subdivided, nor the land altered, prior to a development permit being obtained.

As a condition of designating a development permit area in a community plan it is necessary to briefly describe the feature or site to be designated, state the objective to be achieved through designation and outline the guidelines to be complied within the development permit area. This format is used below to describe the development permit areas in the Keats Planning Area. These locations are also shown in map form in Schedule E.

1. DEVELOPMENT PERMIT AREA 1: RIPARIAN AREAS

This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

The Riparian Areas Development Permit Area (DPA-1) is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified environmental professional (QEP) may be required.

Terms used in this section that are defined in the *Riparian Areas Protection Act* are intended to be interpreted in accordance with the definition given in the *Regulation*.

Location

The Riparian Areas Development Permit Area, DP-1, includes all land designated on Schedule E of this plan, and any of the following that provides fish habitat:

- a) a watercourse, whether it usually contains water or not;
- b) a pond, lake, river, creek or brook; or
- c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

For a stream that is not located in a ravine, the development permit area is a 30 metre (98.4 feet) strip on both sides of the stream measured from the high water mark;

For a stream located within a ravine that is less than 60 metres (197 feet) wide, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 30 metres (98.4 feet) beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres (197 feet) wide or greater, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 10 metres (32.8 feet) beyond the top of the ravine bank;

For a lake, wetland or other water body, the development permit area is 30 metres (98.4 feet) around the water body measured from the high water mark of the water body;

The designation and delineation of Development Permit Area 1 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust. The actual location of the streams and water bodies and the actual extent of the Development Permit Area may need to be determined on a site-specific basis by a qualified environmental professional or a surveyor.

Justification

This development permit area contains streams, lakes and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Riparian areas are necessary for stream and watershed health. Our job as stewards of the land is to ensure that these areas continue to function well into the future.

Riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's

natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Keats Island.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas. This designation is intended to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

Objectives:

The objectives of this development permit area are as follows:

- OBJ 1.1 TO PROTECT THE BIOLOGICAL DIVERSITY AND HABITAT VALUES OF RIPARIAN AND AQUATIC ECOSYSTEMS;
- OBJ 1.2 TO PROTECT THE NATURAL ENVIRONMENT NECESSARY TO CONSERVE PRODUCTIVE FISH HABITAT, INCLUDING BOTH STREAMS AND THE ADJACENT LAND AND VEGETATION; AND
- OBJ 1.3 TO MINIMIZE ADVERSE IMPACTS OF LAND USE PRACTICES ON WILDLIFE HABITATS AND PLANT HABITATS IN RIPARIAN AREAS.

Development Approval Information

Development Permit Area 1 is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Environmental Professional (QEP) may be required due to the special conditions and objectives described above.

"Information Note: Development Permit Area Guidelines for DP-1 Riparian Areas are in the Keats Island Land Use Bylaw."

2. DEVELOPMENT PERMIT AREA 2: STREAMSIDE PROTECTION

This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

The Streamside Protection Development Permit Area (DPA-2) is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*.

Location

The Streamside Protection Development Permit Area, DP-2, includes all land designated on Schedule E of this plan. The development permit area is 30 metres (98.4 feet) measured from the natural boundary of the stream.

Justification

Streamside areas support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support aquatic life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Keats Island.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Objectives:

The objectives of this development permit area are as follows:

OBJ 2.1 TO PROTECT THE BIOLOGICAL DIVERSITY AND HABITAT VALUES OF STREAMSIDE AND AQUATIC ECOSYSTEMS; AND,

OBJ 2.2 TO MINIMIZE ADVERSE IMPACTS OF LAND USE PRACTICES ON HABITATS FOUND IN STREAMSIDE AREAS.

Development Approval Information

Development Permit Area 2 is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Environmental Professional (QEP) or another professional may be required due to the special conditions and objectives described above.

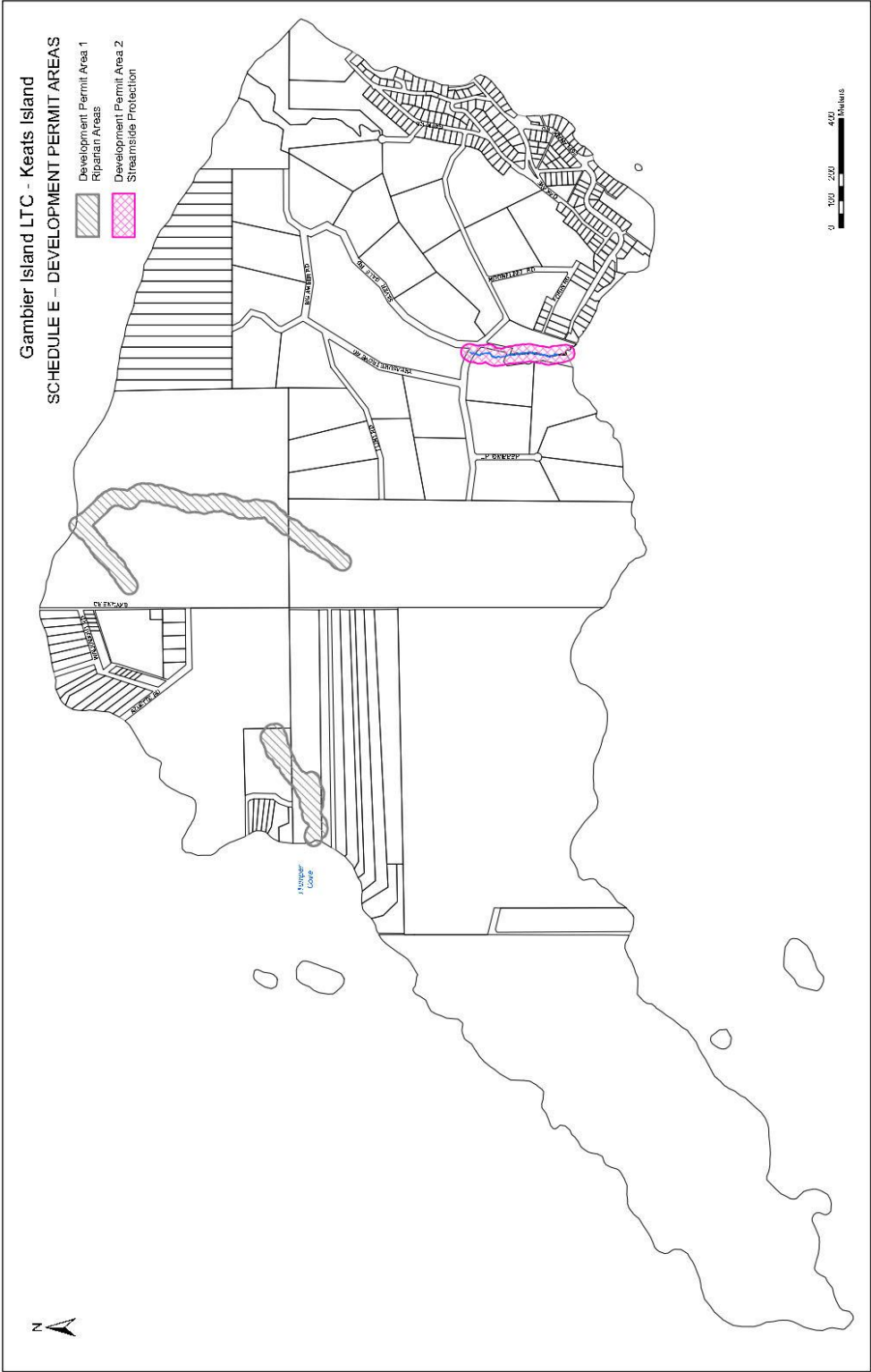
"Information Note: Development Permit Area Guidelines for DP-2 Streamside Protection are in the Keats Island Land Use Bylaw."

- 2.4 A new schedule is inserted titled "**SCHEDULE E – DEVELOPMENT PERMIT AREAS**", as shown in Plan 1, which is attached to and forming part of this bylaw.

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.129

PLAN NO. 1



First Nation Engagement

Referral of: GM BYLAWS 129 to 133

First Nation: SQUAMISH FIRST NATION

Date	Comment/Action	Initial
<i>Jan 20, 2016</i>	Email referral sent	<i>BM/AB</i>
<i>Jan 22, 2016</i>	Hard copy letter hand delivered to offices	<i>AB/BM</i>
<i>March 24, 2016</i>	Email sent advising of changes to Bylaws 131 and 132	<i>BM</i>
<i>July 11, 2016</i>	Face to face meeting with Lisa Wilcox to discuss bylaws	<i>AB</i>
<i>August 21, 2016</i>	Phone call with Simon Turner (legal staff for Squamish Nation) to review bylaws. Simon indicated no concerns with the proposed bylaws.	<i>AB</i>
<i>October 3, 2016</i>	Email sent advising of Public Hearing date	<i>AB</i>

First Nation: TSLEIL-WAUTUTH NATION

Date	Comment/Action	Initial
<i>Jan 20, 2016</i>	Email referral sent	<i>BM/AB</i>
<i>Jan 22, 2016</i>	Hard copy letter hand delivered to offices	<i>AB/BM</i>
<i>March 24, 2016</i>	Email sent advising of changes to Bylaws 131 and 132	<i>BM</i>
<i>July 25, 2016</i>	Email sent to offer presentation of bylaws	<i>AB</i>
<i>August 30, 2016</i>	Telephone discussion of RAR bylaws	<i>AB</i>
<i>October 3, 2016</i>	Email sent advising of Public Hearing date	<i>AB</i>

First Nation: SHISHALH (SECHELT) FIRST NATION (Bylaws 131 and 132 only)

Date	Comment/Action	Initial
<i>April 5, 2016</i>	Email Referral sent	<i>BM/AB</i>
<i>April 28, 2016</i>	Email response. They are reviewing and will require more time.	<i>AB/BM</i>
<i>May 4, 2016</i>	Letter sent	<i>BM/AB</i>
<i>August 23, 2016</i>	Email exchange following up on anticipated response.	<i>AB</i>
<i>Sept 20, 2016</i>	Email sent advising of Public Hearing date	<i>AB</i>
<i>Sept 30, 2016</i>	Response received by email	<i>AB</i>



Bylaw Submission Staff Report

Date: October 17, 2016

To: Executive Committee

From: Aleksandra Brzozowski, Island Planner

Re: **Gambier Island Proposed Bylaw No. 130**
(LUB amendments to implement Riparian Areas Regulation
(RAR) on Keats Island)

The Gambier Island Local Trust Committee is pleased to submit proposed Bylaw No. 130, which would implement the Riparian Areas Regulation (RAR) in the Gambier Island Local Trust Area.

The purpose of this briefing note is to provide the Executive Committee with a summary of the proposed amendments to the Keats Island Land Use Bylaw No. 78 (LUB).

Purpose:

Proposed Gambier Bylaw 130 introduces guidelines and exemptions for Development Permit Area 1 – Riparian Areas (DP-1) to implement the provincial *Riparian Areas Regulation (RAR)* on Keats Island.

Proposed Bylaw 130 also amends the Keats Land Use Bylaw (LUB) to include Development Permit Area 2 – Streamside Protection (DP-2) to protect an area identified with high riparian values but not applicable to the RAR.

This briefing note will detail agency concerns regarding the referenced bylaw, and the steps taken by the Gambier Island Local Trust Committee to address those concerns.

Background:

In 2014, the LTC commissioned modeling and mapping of the islands in the Local Trust Area to identify streams that would be applicable to the *Riparian Areas Regulation (RAR)*. When that study was completed in 2015 for Keats, it identified two RAR applicable streams and one stream with high habitat values. On June 18, 2015, the LTC requested that staff draft a DPA for Keats, Bowyer and Anvil Islands and work on a communications plan for the specific land owners affected and to the general population.

On November 19, 2015, the LTC gave First Reading to the bylaw and the proposed bylaw was referred out to relevant agencies, First Nations, and the public.

While the LTC originally focused on regulating only the two RAR applicable streams, on May 19, 2016, it requested staff to amend the bylaw to extend protection to Silver Creek as well given its unique and valuable attributes.

On October 13, 2016, staff held a Community Information Meeting about RAR prior to the Public Hearing. The LTC gave Second and Third Reading to Proposed Bylaw No. 130 and confirmed that the proposed bylaw complies with the Islands Trust Policy Statement as per the Directives Only checklist.

The LTC received three written submissions from the public about this bylaw.

At the November 19, 2015 LTC meeting, the LTC heard comments from Keats Island residents impacted by the then-draft bylaw; staff and trustees continued to hear input from these property owners throughout the referral period. The LTC also heard comments from residents during the Public Hearing held on October 13, 2016.

The Sunshine Coast Regional District responded that its interests are unaffected by this bylaw.

Bowen Island Municipality responded that its interests are unaffected by this bylaw.

Issues Relating To Provincial Interest:

Compliance with the RAR is a provincial interest, and adoption of these LUB amendments will meet the obligation of the Local Trust Committee under the *Riparian Areas Regulation* Act for Keats Island. To fully meet this obligation, the Local Trust Committee will need to adopt Bylaw 129 that amends the Keats Island Official Community Plan designating the two Development Permit Areas. Bylaw 129 was the subject of the same public hearing as the bylaw under consideration in this briefing.

The Ministry of Forests, Lands and Natural Resources Operations (FLNRO) was a key referral agency and was consulted via email and telephone numerous times during the development of this bylaw. Prior to Second Reading, the LTC passed a resolution to implement all the revisions recommended by FLNRO in their referral response to Proposed Bylaw 130; LPS staff have advised FLNRO staff of the resolution. FLNRO has no concerns with Proposed Bylaw 130 and are in support of the bylaw amendments.

The Ministry of Transportation and Infrastructure replied that its interests were unaffected by this bylaw.

The bylaw was referred to the Squamish First Nation and the Tsleil-Waututh Nation.

No written response was received by the Squamish Nation; however, staff indicated over the telephone to LPS staff that no concerns were identified.

The Tsleil-Waututh Nation did not reply.

Issues Relating To Enforcement or Resourcing:

None.

Recommendations:

THAT the Executive Committee approve the Gambier Island Local Trust Committee Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015” under Section 24 of the *Islands Trust Act*.



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gambier Island Local Trust Committee

Bylaw No.: GM-130

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 13-Oct-2016

- ☒ 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: GM-130

Trust Area: Gambier Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: GM-130
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 19-Nov-2015

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 26-Nov-2015

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: 03-Oct-2016

File complete and ready for Public review: No

Public Hearings:

Location: Gleneagles Community Centre, 6262 Marine Dr, W Van
Proofread By: McErlean, Becky

Legal Paper: Coast Reporter
First Publish Date: 30-Sep-2016

Second Publish Date: 13-Oct-2016

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date: 20-Sep-2016

Delivery Notices:
Date Public Hearing Held: 13-Oct-2016
Third Reading Date: 13-Oct-2016

Second Reading Date: 13-Oct-2016



Referrals: Bylaw GM-130

Agency	Sent	Received
Ministry of Forests, Lands and Natural Resource Operations - Fish and Wildlife South Coast Natural Resource Region: Robbins, Kristina Comment: Deferred to Andrew Appleton	24-Mar-2016	
Ministry of Forests, Lands and Natural Resource Operations - Fish and Wildlife South Coast Natural Resource Region: Appleton, Andrew Comment: Reply received Oct 5 - minor amendments for clarity. "The exemptions section of all LUBs should ensure that the proposed setback should reflect the maximum assessed SPEA for that bylaw area. The exempt area must not be less than the assessed maximum SPEA, although of course the local government retains the ability to establish a larger setback should they so choose."	24-Mar-2016	05-Oct-2016
Squamish Nation PO Box 86131: Wilcox, Lisa Comment: email package sent and Jan 29 Planner delivered Hard copy	20-Jan-2016	
Sunshine Coast Regional District 1975 Field Road: Olmstead, Steven Comment: no concerns,	20-Jan-2016	26-May-2016
Islands Trust Fund 200, 1627 Fort Street: Eliason, Jennifer Comment: Interests Unaffected	20-Jan-2016	26-Jan-2016
Islands Trust, Bylaw Enforcement 200 - 1627 Fort Street: Drew, Miles Comment:	20-Jan-2016	
Ministry of Transportation and Infrastructure Sechelt Area Office: Legault, Don Comment: Interests Unaffected	20-Jan-2016	15-Mar-2016
Tsleil-Waututh Nation 3075 Takaya Drive: Coordinator, Referrals Comment: Email package sent and hard copy delivered by Planner Jan 29	20-Jan-2016	
Agricultural Land Commission Rm. 133 4940 Canada Way: Bednard, Gordon Comment: With the exception of Gambier and Bowen, none of the islands in Howe Sound are affected by the ALC Act, and therefore, please be advised that the ALC has no objection as its interests are unaffected	20-Jan-2016	20-Jan-2016
Bowen Island Municipality Box 279: Martin, Daniel Comment: Interests Unaffected	20-Jan-2016	01-Feb-2016



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: GM BL 129 & 130

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and 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 CHECK LIST

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 a 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
	3.1	Ecosystems
✓	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	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	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	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
✓	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	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	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
	4.1	Agricultural Land
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.
N/A	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	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 affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
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
N/A	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	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	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	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	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.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	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	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	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	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	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	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
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
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.
N/A	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	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	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	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	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	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	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
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	5.5	Recreation
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	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	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	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	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	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	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
N/A	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
N/A	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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

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: 13-Oct-2016

Reading:

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 130

A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002

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

1. Citation

This bylaw may be cited for all purposes as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”.

2. Gambier Island Local Trust Committee Bylaw No. 78, cited as “Keats Island Land Use Bylaw, 2002,” is amended as follows:

2.1 PART 1 – ADMINISTRATION AND INTERPRETATION, Section 1.2
INTERPRETATION, Subsection 1.2.1 Referencing is amended by deleting the text of this section and replacing with the following:

“Referencing

.1 In the system used for referencing provisions, the first reference indicates parts of the bylaw, the second indicates sections, the third indicates subsections, the fourth indicates articles, and the fifth indicates clauses:

- Part 1
- Section 1.1
- Subsection .1
- Article a)
- Clause i.”

2.2 PART 1 – ADMINISTRATION AND INTERPRETATION, Section 1.5
DEFINITIONS, Subsection 1.5.1 is amended by inserting the following new definition in alphabetical order:

“landscaped area means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobblestones, pavers and decorative concrete.”

2.3 SCHEDULE A – LAND USE BYLAW TEXT is amended by adding a new PART 9, immediately following “PART 8 – PERMITS”, as follows:

“PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES

Information Note: Development Permit Areas are designated and described in Section 7 of the Keats Island Official Community Plan and their locations are shown on Schedule E of that Plan.

9.1 DP-1 RIPARIAN AREAS

Definitions

- .1 Terms used in Section 9.1 that are defined in the Provincial *Riparian Areas Regulation* have the same meaning as the definition given in the *Regulation*.

Applicability

- .2 The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.1.3:

- subdivision of land
- construction of, addition to, or alteration of a building or other structure
- removal, alteration or destruction of vegetation
- disturbance of soils
- creation of non-structural, impervious or semi-impervious surfaces
- application of artificial fertilizer, pesticides or herbicides
- any other development, as that term is defined under the Provincial *Riparian Areas Regulation*

Exemptions

- .3 The following activities are exempt from any requirement for a DP-1 development permit:
- a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
 - b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - c) repair or replacement of a septic field in situ;
 - d) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
 - e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - f) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;

- g) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
- h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- i) ecological restoration or enhancement projects undertaken or authorized by a public body;
- j) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
- k) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
- l) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
- m) The construction of a private trail if all of the following apply:
 - i. The trail is 1 metre (3.28 feet) wide or less;
 - ii. No trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.
- n) Disturbance of soils more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- o) The constructing of a small accessory building more than 10 metres (32.8 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres (32.8 feet) squared.

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- .4 Prior to undertaking any applicable development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
 - a) In general, all development in this development permit area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) has, as part of the assessment report defined in the RAR, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the assessment report submitted to the provincial RAR Notification System (RARNS).
 - b) The development permit should only allow within any Streamside Protection and Enhancement Area (SPEA) activities identified by the QEP in a RAR assessment report, the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.
 - c) Where a QEP's RAR assessment report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the RAR assessment report. Monitoring and regular reporting by a QEP at the applicant's expense may be required during construction and development phases, as specified in a development permit.
 - d) If the nature of the proposed project within the DPA changes after the RAR assessment report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
 - e) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."

9.2 DP-2 STREAMSIDE PROTECTION

Applicability

- .1 The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.2.2:
- construction of, addition to, or alteration of a building or other structure
 - removal, alteration or destruction of vegetation
 - disturbance of soils
 - creation of non-structural, impervious or semi-impervious surfaces
 - application of artificial fertilizer, pesticides or herbicides

Exemptions

- .2 The following activities are exempt from any requirement for a DP-2 development permit:
- a) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - b) repair or replacement of a septic field in situ;
 - c) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
 - d) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - e) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
 - f) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
 - g) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;

- h) ecological restoration or enhancement projects undertaken or authorized by a public body;
- i) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
- j) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
- k) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence;
- l) The construction of a private trail if all of the following apply:
 - i. The trail is 1 metre (3.28 feet) wide or less;
 - ii. No native trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.
- m) Disturbance of soils more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- n) The constructing of a small accessory building more than 15 metres (49.21 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres squared (107.6 square ft).

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- .3 Prior to undertaking any applicable development activities within DP-2, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
- a) In general, all development in this development permit area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems.
 - b) Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.
 - c) Applicants are to provide a report, prepared by a qualified professional with experience in surface water management and the protection of habitat. The report should indicate the type of conditions that should be incorporated into the development permit to achieve the objectives and comply with the guidelines of this Development Permit Area.
 - d) Where this DPA includes unique native species dependent on streamside habitat identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. The owner should be required to follow any measures identified by the professional for protecting the streamside habitat over the long term and these measures should be included as conditions of the development permit.
 - e) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly."

READ A FIRST TIME THIS 19TH DAY OF NOVEMBER , 2015
PUBLIC HEARING HELD THIS 13TH DAY OF OCTOBER , 2016
READ A SECOND TIME THIS 13TH DAY OF OCTOBER , 2016
READ A THIRD TIME THIS 13TH DAY OF OCTOBER , 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____
ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

First Nation Engagement

Referral of: GM BYLAWS 129 to 133

First Nation: SQUAMISH FIRST NATION

Date	Comment/Action	Initial
<i>Jan 20, 2016</i>	Email referral sent	<i>BM/AB</i>
<i>Jan 22, 2016</i>	Hard copy letter hand delivered to offices	<i>AB/BM</i>
<i>March 24, 2016</i>	Email sent advising of changes to Bylaws 131 and 132	<i>BM</i>
<i>July 11, 2016</i>	Face to face meeting with Lisa Wilcox to discuss bylaws	<i>AB</i>
<i>August 21, 2016</i>	Phone call with Simon Turner (legal staff for Squamish Nation) to review bylaws. Simon indicated no concerns with the proposed bylaws.	<i>AB</i>
<i>October 3, 2016</i>	Email sent advising of Public Hearing date	<i>AB</i>

First Nation: TSLEIL-WAUTUTH NATION

Date	Comment/Action	Initial
<i>Jan 20, 2016</i>	Email referral sent	<i>BM/AB</i>
<i>Jan 22, 2016</i>	Hard copy letter hand delivered to offices	<i>AB/BM</i>
<i>March 24, 2016</i>	Email sent advising of changes to Bylaws 131 and 132	<i>BM</i>
<i>July 25, 2016</i>	Email sent to offer presentation of bylaws	<i>AB</i>
<i>August 30, 2016</i>	Telephone discussion of RAR bylaws	<i>AB</i>
<i>October 3, 2016</i>	Email sent advising of Public Hearing date	<i>AB</i>

First Nation: SHISHALH (SECHELT) FIRST NATION (Bylaws 131 and 132 only)

Date	Comment/Action	Initial
<i>April 5, 2016</i>	Email Referral sent	<i>BM/AB</i>
<i>April 28, 2016</i>	Email response. They are reviewing and will require more time.	<i>AB/BM</i>
<i>May 4, 2016</i>	Letter sent	<i>BM/AB</i>
<i>August 23, 2016</i>	Email exchange following up on anticipated response.	<i>AB</i>
<i>Sept 20, 2016</i>	Email sent advising of Public Hearing date	<i>AB</i>
<i>Sept 30, 2016</i>	Response received by email	<i>AB</i>



Bylaw Submission Staff Report

Date: October 17, 2016

To: Executive Committee

From: Rob Milne
Island Planner

Re: **Hornby Island Proposed Bylaw No. 153(LUB)**

The Hornby Island Local Trust Committee is pleased to submit proposed Bylaw No. 153, which amends the Hornby Island Land Use Bylaw (LUB). The purpose of this briefing note is to provide the Executive Committee with a summary of the bylaw.

Purpose:

Proposed Bylaw No. 153 will amend the Hornby Island Land Use Bylaw No. 150, 2014, to address an incorrect reference in Policy 6 of Part 10.2 “Objectives” of “Temporary Use Permit Areas” respecting secondary suites that should be revised to remove potential confusion regarding the implementation of secondary suites on Hornby Island. As well, the bylaw seeks to address a zoning designation “artifact” left over from the previous zoning bylaw.

Background:

At its June 10, 2016 regular meeting the LTC gave consideration to a staff report dated June 1, 2016 which addressed the incorrect policy reference in Objective 10.2(6) of Part 10, “Temporary Use Permit Areas” of the LUB. Consideration was also given to a presentation by a Hornby Island property owner who noted that there was a remnant of Residential 4 (R4) zoning on a portion of their property which served no identifiable purpose and affected a potential subdivision of the property due its size, zone and location on the property. Following their consideration of the staff report and land owner presentation the LTC directed staff to bring back a draft bylaw to implement the described changes for their review.

Subsequently, at the August 12, 2016 regular meeting the LTC gave first and second reading to Bylaw No. 153, confirmed that the proposed bylaw complies with the Islands Trust Policy Statement as per the Directives Only checklist, and waived Public Hearing.

Notice of the “waiving” of a public hearing for Bylaw No. 153 was placed in the local newspaper prior to the October 14, 2016 LTC regular meeting where further consideration to the bylaw was given. No submissions or comments were received and the LTC

subsequently gave third reading to Bylaw No. 153 and directed staff to submit the bylaw to the Secretary of the Islands Trust for consideration of approval by the Executive Committee. This report responds to that direction.

The incorrect policy reference was noted in the final stages of the community consultation process for Bylaw Nos. 149 and 150, the recently adopted OCP and LUB for Hornby Island. The proposed policy change correction brings the land use bylaw language into compliance with the goals and objectives of that process.

The proposed mapping change is very minor in nature and although outside of the scope of the recent OCP/LUB review would bring the Residential 4 (R4) remnant into alignment with the Residential 2 (R2) zoning of the lands surrounding it.

Issues Relating To Provincial Interest & First Nations:

There are no identifiable issues related to Provincial or First Nations interests given the extremely minor nature of the changes represented by Bylaw No. 153. Given the minor nature of the amendments and their alignment with the recently completed official community plan (OCP) and LUB review process, which included significant stakeholder and agency consultations, the bylaw was not referred out for further comments.

Issues Relating to Enforcement or Resourcing:

No issues relating to Enforcement and no additional resources are required related to the adoption of this bylaw.

Recommendation:

That the Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 153 cited as "Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016", under Section 24 of the *Islands Trust Act*.



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Hornby Island Local Trust Committee

Bylaw No.: HO-153

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 14-Oct-2016

- ☒ 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: HO-153

Trust Area: Hornby Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: HO-153
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 12-Aug-2016

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web: 18-Aug-2016

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 29-Sep-2016

File complete and ready for Public review: No

Public Hearings:

Location: 2100 Sollans Road, Hornby Island, BC
Proofread By: McErlean, Becky

Legal Paper: The Hornby/Denman Grapevine
First Publish Date: 29-Sep-2016 Second Publish Date: 06-Oct-2016

Alternate Paper:
First Publish Date: Second Publish Date:

Mailout Date: Delivery Notices:
Second Reading Date: 12-Aug-2016 Date Public Hearing Held: 14-Oct-2016
Third Reading Date: 14-Oct-2016



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 153

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and 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 CHECK LIST

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 a 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
	3.1	Ecosystems
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	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	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	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	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	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	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
	4.1	Agricultural Land
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.
N/A	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	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 affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
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
N/A	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	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	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	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	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.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	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	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	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	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	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	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
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
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
N/A	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.
N/A	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.
N/A	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	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	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	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	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	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	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
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	5.5	Recreation
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	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	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	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	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	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	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
N/A	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
N/A	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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

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-Oct-2016

Reading:

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 153

A BYLAW TO AMEND THE HORNBY ISLAND LAND USE BYLAW, 2014

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

1. Bylaw No. 150, cited as “Hornby Island Land Use Bylaw, 2014” is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2016”.

READ A FIRST TIME THIS 12TH DAY OF AUGUST , 2016

READ A SECOND TIME THIS 12TH DAY OF AUGUST , 2016

PUBLIC HEARING WAIVED THIS 14TH DAY OF OCTOBER , 2016

READ A THIRD TIME THIS 14TH DAY OF OCTOBER , 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST

THIS DAY OF , 2016

ADOPTED THIS DAY OF , 2016

SECRETARY

CHAIRPERSON

Hornby Island Local Trust Committee

Bylaw No. 153

Schedule 1

Schedule "A" of Hornby Island Land Use Bylaw No. 150 cited as "Hornby Island Land Use Bylaw No. 150, 2014 is amended as follows:

1. That PART 10, "TEMPORARY USE PERMIT AREAS", Section 10.2 Objectives, Subsection (6) is deleted in its entirety and replaced with:

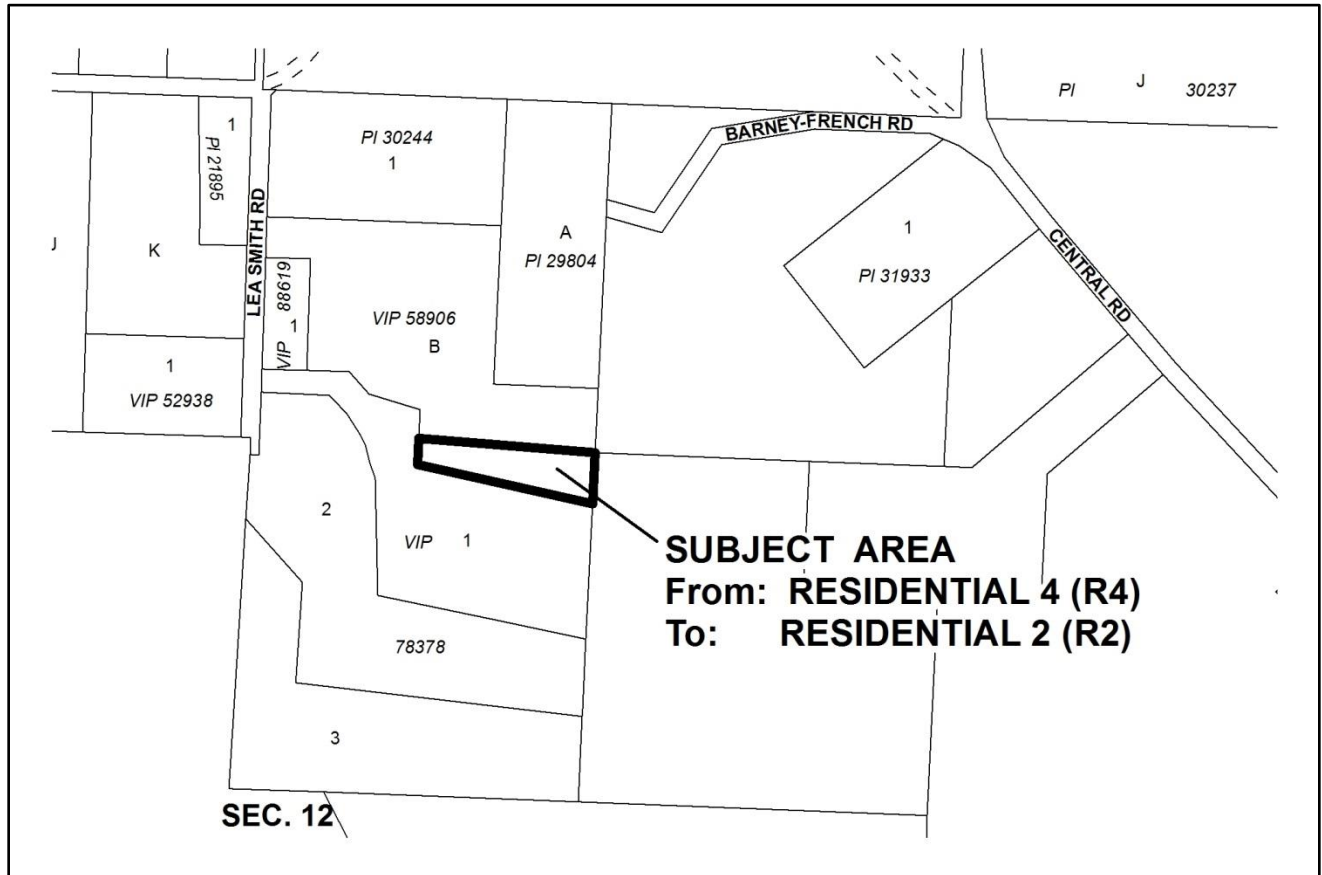
(6) "to consider allowing detached housing for a relative or caregiver of occupants of the residence as per OCP policy 6.3.5.14 in association with a housing agreement or by such other means as are available to encourage occupancy by a relative or caregiver"

2. That Schedule "B"- "Land Use Zoning Map" is amended as follows:
 - a. On the portion of those lands described as Lot B, Section 12, Hornby Island, Nanaimo District, VIP58906 currently zoned "Residential 4 (R4)" the land use zoning is changed to "Residential 2 (R2)" as shown on Plan No.1 attached to and forming part of this bylaw.

HORNBY ISLAND LOCAL TRUST COMMITTEE

BYLAW 153

PLAN No. 1





Bylaw Submission Staff Report

Date: October 20, 2016

To: Executive Committee
For the meeting of Wednesday, October 26, 2016

From: Teresa Ritemann, Planner 1
Northern Office

Re: Denman Island Proposed Bylaw No. 221 (amend to Fees Bylaw No. 181)

Introduction:

The Denman Island Local Trust Committee is pleased to submit proposed Bylaw No. 221, which would amend the Denman Island Local Trust Committee Fees Bylaw No. 181, 2007. The purpose of this briefing note is to provide the Executive Committee with a summary of the bylaw.

Purpose:

The purpose of Proposed Bylaw No. 221 is to amend the Denman Island Local Trust Committee Fees Bylaw No. 181, 2007 by addressing fees for companion applications for Siting and Use Permits (SUPs) and Temporary Use Permits (TUPs), as a combined fee for this kind of companion application is not currently included in the fees bylaw. Staff suggest that although two separate applications will still be required (SUP and TUP), having a combined fee would allow for a more efficient, cost-effective, and streamlined process, as future applicants would be aware that there is an occasional need to apply for both permits, but that in these cases, the SUP fee would be included under the combined fee.

Background:

Proposed changes to the fees bylaw are only to Table 2 – Permits, particularly the addition of line items 16 and 17 for companion applications (SUP and TUP). Line items were renumbered and organized slightly, but no proposed changes to current fee amounts. During the review of the bylaw, staff also removed Table 2, line item 15 with regards to a \$660 fee for a “commercial revitalization area”, because staff noted that there is no Development Permit area of this type, even though OCP Part 4, Policy 1.d may designate such DP areas:

“Pursuant to the Section 919.1 of the Local Government Act a community plan may designate development permit areas for one or more of the following: d. revitalization of an area in which a commercial use is permitted”.

At the regular business meeting of the Denman Island Local Trust Committee (DELTC) on October 18, 2016,

- The DELTC confirmed by resolution that they reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 221 is not contrary to or at variance with the Islands Trust Policy Statement;
- The DELTC gave first, second, and third reading to Bylaw No. 221;
- No public hearing was required, recommended, or held; and
- The DELTC passed a resolution to forward Bylaw No. 221 to the Secretary of the Islands Trust for approval by the Executive Committee.

Issues Relating To Provincial Interest:

Proposed Bylaw No. 221 is an administrative bylaw, and was therefore not referred out to any provincial Ministries or First Nations.

Issues Relating To Enforcement or Resourcing:

No additional costs or resources are anticipated with respect to bylaw enforcement as a result of this proposed bylaw.

Recommendation:

THAT the Executive Committee approve Denman Island Local Trust Committee Bylaw No. 221, cited as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016” under Section 24 of the *Islands Trust Act*.



Local Trust Committee Bylaws Submission for Executive committee Approval

Local Trust Committee: Denman Island Local Trust Committee

Bylaw No.: DE-221

Bylaw Type: Fees Bylaw

Date of resolution referring bylaw to Executive Committee: 18-Oct-2016

- ☒ 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: DE-221

Trust Area: Denman Island Local Trust Committee

Type: Fees Bylaw

Bylaw No.: DE-221

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 18-Oct-2016

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web: 20-Oct-2016

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 20-Oct-2016

File complete and ready for Public review: Yes

Public Hearings:

Location:
Proofread By: ,

Legal Paper:
First Publish Date:

Second Publish Date:

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:
Date Public Hearing Held:

Second Reading Date: 18-Oct-2016

Third Reading Date: 18-Oct-2016



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No: Draft Bylaw No. 221, Amendment No. 1, 2016 (to amend the Fees Bylaw No. 181, 2007)

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws, and 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 CHECK LIST

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
3.1 Ecosystems		
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	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	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	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	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	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	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
4.1 Agricultural Land		
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.
N/A	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	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 affects on agricultural land.

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
N/A	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	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	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	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	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.
4.3 Wildlife and Vegetation		
4.4 Freshwater Resources		
N/A	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	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	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	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	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	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		
N/A	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
5.1 Aesthetic Qualities		
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		
N/A	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.
N/A	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.
N/A	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	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	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	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	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	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	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.
5.5 Recreation		
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	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	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	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	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	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	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		
N/A	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		
N/A	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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

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: 18-Oct-2016

Reading:

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 221

A BYLAW TO AMEND THE DENMAN ISLAND LOCAL TRUST COMMITTEE FEES BYLAW, 2007

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Denman Island Local Trust Committee, being the trust committee having jurisdiction in respect of the Denman Island local trust area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation:

This bylaw may be cited for all purposes as “Denman Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2016”.

2. Denman Island Local Trust Committee Bylaw No. 181, cited as “Denman Island Local Trust Committee Fees Bylaw, 2007” is amended as shown on Schedule 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 18TH DAY OF OCTOBER, 2016

READ A SECOND TIME THIS 18TH DAY OF OCTOBER, 2016

READ A THIRD TIME THIS 18TH DAY OF OCTOBER, 2016

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____, 201X

ADOPTED THIS _____ DAY OF _____, 201X

Chair

Secretary

Denman Island Local Trust Committee

Bylaw No. 221

Schedule 1

1. Part 3, **Application Fees**, Section 3.1, **TABLE 2 – Permits**, is deleted in its entirety and replaced with the following:

TABLE 2 – Permits	
Column 1	Column 2
Development Permits	
1. Development Permit (protection areas)	\$440
2. Development Permit (form and character areas)	\$660
3. Development Permit amendment	\$165
Development Variance Permits	
4. Development Variance Permit (residential)	\$715
5. Development Variance Permit (commercial, industrial, or institutional)	\$935
Temporary Use Permits	
6. Temporary Use Permit (commercial and industrial uses)	\$1,100
7. Temporary Use Permit (other than commercial and industrial uses)	\$440
8. Temporary Use Permit renewal	\$165
Siting and Use Permits	
9. Siting and Use Permit	\$220
Companion Applications	
10. Development Permit in combination with a companion application for a Development Variance Permit (residential)	\$770
11. Development Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935
12. Siting and Use Permit in combination with a companion application for a Development Variance Permit (residential)	\$715
13. Siting and Use Permit in combination with a companion application for a Development Variance Permit (commercial, industrial, or institutional)	\$935

14.	Siting and Use Permit in combination with a companion application for a Development Permit (protection area)	\$550
15.	Siting and Use Permit in combination with a companion application for a Development Permit (form and character areas)	\$660
16.	Siting and Use Permit in combination with a companion application for a Temporary Use Permit (commercial and industrial uses)	\$1,100
17.	Siting and Use Permit in combination with a companion application for a Temporary Use Permit (other than commercial and industrial uses)	\$440

Trust Council Quarterly Meeting Schedule
December 6-8, 2016
Community Gospel Chapel, 147 Vesuvius Road, Salt Spring Island

DRAFT

Tuesday, December 6	Wednesday, December 7	Thursday, December 8
	7:30 Breakfast –	7:30 Breakfast –
Ferries to Salt Spring Island: Swartz Bay – lv 11:00 am; arv 11:40 am Crofton – lv 11:45 am; arv 12:05 pm Tsawwassen – lv 10:10 am; arv 1:30 pm Galiano – lv 11:15 am; arv 1:10 pm Mayne – lv 11:55 am; arv 1:10 pm Pender – lv 12:30 pm; arv 1:10 pm	8:30 New Business Items* 10:00 2017/18 Draft Budget Session 10:30 Break 11:00 2017/18 Draft Budget Session (continued) 12:00 Lunch/Tour 1:00 Community Presentations 2:00 Delegations & Town Hall 3:00 Break 3:30 Trust Area Services Director's Report * TPC Work Program Report Trust Fund Board Report 4:00 Administrative Services Director's Report FPC Work Program 5:00 Adjourn for the day 6:00 Dinner	8:30 Closed meeting 9:15 First Nations Legal Seminar 11:00 Break 11:30 Summary/Updates Trustee Updates Priorities Chart Proposed March TC Draft Agenda Program 12:00 Lunch – Community Gospel Chapel 12:30 Correspondence 1:00 Adjournment (approx.) Ferries from Salt Spring Island: Vesuvius to Crofton – 3:00 pm (1:55 pm DC) Long Harbour to Galiano/Mayne/Pender/Tsawwassen - 3:15 pm Fulford Harbour to Swartz Bay – 1:50 pm
12:00 Executive Committee Meeting 1:00 Lunch – Community Gospel Chapel 1:45 Call to Order and Approval of Agenda RWMs * Adoption of Minutes FUAL Trustee Round Table 2:45 Break 3:15 Visioning Follow Up Session 4:15 Executive CAO's Report * EC Work Program Continuous Learning Plan 4:45 Local Planning Services Director's Report * LPC Work Program Bylaw Enforcement Briefing 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.



Islands Trust Council Plan for Continuous Learning 2014-2018

(What other topics would trustees like to propose?)

2016-10-21

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2017	March (Denman)			Archaeological Site Protection	Effective Advocacy
	June (Lasqueti)			Species at Risk	
	September (Gabriola)				San Juan County U.S. and Canadian Consul Generals
	December (Victoria)				
2016	2015-16 Webinars (dates TBD)	Email management IT Website	Introduction to Roberts Rules of Order Introduction to Freedom of Information/Protection of Privacy		Making meetings work
	September (Sidney)	Visioning Housing Session			San Juan County U.S. Consul General
	December (Salt Spring)	Draft 2017/18 Budget Session	First Nations Legal Seminar	Visioning follow-up	Regional District(?)

POTENTIAL TOPICS/AGENCY LIAISON FOR CONSIDERATION FOR FUTURE SESSIONS:

Suggestions arising during 2014-2018 Term:

- Heritage Conservation Act session
- Office of the Ombudsperson session
- Making Online Meetings Work
- OneNote for meetings
- Public Consultation and Polling
- NMCA – implications for local zoning jurisdiction
- Options for a trustee network
- Introduction to the Island Trust Policy Statement
- Participatory decision-making (using expertise on Bowen Island)
- Effective Communications and Social Media
- Archaeological site training session
- First Nations legal session
- BC Water Sustainability Act session
- Strata Property Act/Bare Land Strata Regulations implications

	<i>SESSIONS/ITEMS COMPLETED IN 2015-18</i>				
Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2016	June (Pender)	Marine Shipping Safety / Anchorages	Governance/Staff relations	Visioning (prelim)	
	March (Hornby)	Budget Session	Trust Council Electronic Meeting Options		First Nations
2015	2015 Webinars (held)	Annual Budget in Depth			
	Mar (Gabriola)	Introduction to Strategic Planning Annual Budget Session	Standards of Conduct (legal session) Provincial Assessment of Impact on Islands Trust (re potential SSI incorporation)	Community Planning 101 (for newly-elected)	Working with First Nations (introduction)
	June (Galiano)	Visioning/Strategic Planning			San Juan County
	Sept (Bowen)	Introduction to Structured Decision-Making Adaptation Strategy workshop Victoria Office Location Review workshop	Strategic Planning		Working with Bowen Island Municipal Council
	Dec (Victoria)	Draft 2016/17 Budget Session Strategic Plan Implications	Introduction to the Islands Trust Policy Statement		Working with the Trust Fund Board

Suggestions from previous terms:

- Using Special Tax Requisitions
- Introduction to UBCM
- Effective Advocacy (Trustee Steeves suggestion) / advocacy policy
- Dealing with difficult people (Trustee Busheikin suggestion)
- Dispute Resolution for planners and trustees (Trustee Grove suggestion)
- Introduction to the Climate Action Charter
- Effective Conservation Covenants
- Demographics-Aging Population
- Dept. of Fisheries and Oceans – marine sewage, fish farming
- Private Managed Forests Council
- BC Assessment Authority
- Ministry of Transportation
- Local GHG Emissions Inventory (e.g. Lasqueti Island)
- Advocacy and Media Relations
- Succession Planning and Staff Retention
- Soil Removal
- Alternate Energy Sources
- Using Technology – document and information management
- Using Social Media
- Adapting to Sea Level Rise
- Local Government Liability

SESSIONS/ITEMS COMPLETED IN 2011-14

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
	<i>Webinar Sessions (held)</i>	<i>Email Management (Aug 2013) Carbon Offsets (June 2013)</i>			
2014	<i>Mar (Hornby)</i>	<i>Annual Budget Session</i>			<i>Provincial Treaty Negotiators</i>
	<i>June (Saturna)</i>	<i>Coastal Douglas Fir Zone Conservation Action Plan</i>	<i>Aquaculture Management</i>		<i>San Juan County Respectful Workplaces</i>
	<i>Sept (Gambier)</i>	<i>Term Review</i>	<i>Election Period Best Practices</i>		
	<i>Dec (Victoria)</i>	<i>Orientation Draft 2015/16 Budget Session</i>	<i>Orientation</i>	<i>Orientation</i>	<i>Orientation</i>
2013	<i>June (Mayne)</i>	<i>Carbon Neutral Policy</i>		<i>Making Difficult Decisions</i>	<i>Working with San Juan County</i>
	<i>Mar (Thetis)</i>	<i>Annual Budget Session</i>	<i>Legal Session Conflict of Interest</i>		<i>Working with the Islands Trust Fund</i>
	<i>Sept (Lasqueti)</i>	<i>Advocacy Policy</i>	<i>Freedom of Information and Protection of Privacy</i>	<i>Refresher on admin. fairness in application processes</i>	
	<i>Dec (Victoria)</i>	<i>Draft 2014/15 Budget Strategic Plan Review Invasive Species</i>		<i>Bylaw Enforcement Best Practices</i>	<i>Economic Sustainability Session</i>
2012	<i>Dec (Salt Spring)</i>	<i>Draft Budget Session</i>		<i>Greenshores for Homes re Shoreline Mapping</i>	<i>Agricultural Land Commission</i>
	<i>Sept (Bowen)</i>	<i>Strategic Planning Oil Spill Response</i>	<i>Standards of Conduct and Admin. Fairness Refresher</i>	<i>Best practices in public engagement</i>	<i>Bowen Island Municipality</i>
	<i>June (Penders)</i>	<i>Strategic Planning</i>	<i>Intro to Indemnification</i>		<i>First Nations San Juan County</i>
	<i>Mar (Gabriola)</i>	<i>Annual Budget Session Initial Strategic Planning</i>	<i>Standards of Conduct and Indemnification</i>	<i>Community Planning 101 (for new trustees)</i>	
2011	<i>Dec (Victoria)</i>	<i>Trustee Orientation</i>	<i>'Staying out of Trouble'</i>	<i>Planning Orientation</i>	<i>Making Fair Decisions Islands Trust Human Resources</i>

SESSIONS/ITEMS COMPLETED in 2008 – 2011 TERM					
Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2008	December (Victoria)	Intro to Budget Session Strategic Plan Discussion	General Orientation Governance (G. Cuff)	General Orientation	General Orientation
2009	Mar (Gabriola)	Annual Budget Session	Strategic Planning Legal Session	Intro to land use planning	
	June (N. Pender)		Procedural Fairness	Introduction to land use planning – part 2	Farm Industry Review Board San Juan County
	September (Mayne)	Climate Change – GHG Emission Reduction Targets		GHG Emission Reduction – planning policies actions	
	December (SaltSpring)	Intro Budget Session History of the Trust	Litigation 101	Comm. Housing Task Force Bill 27 Update	Trust Fund Board
2010	March (Hornby)	Strategic Plan Review Annual Budget Session	Update regarding court case	Comm. Housing Task Force Bill 27 Update	
	June (Saturna)	Marine Shipping Safety	Refresher on Orientation Topics	Refresher on Temporary Use Permits	San Juan County Parks Canada
	Sept (Bowen)	Strategic Plan Update and Review		Food Security through Land Use Planning RAR – QEP perspective	Bowen Island Council
	Dec (Victoria)	Intro Budget Session Strategic Plan Update		Good Planning Practice (Randall Arendt)	Trust Fund Board Regional Conservation Plan (RCP)
2011	March (Galiano)	Annual Budget Session		MAP IT demo Implementing RCP w/ LTCs	
	June (Denman)	Conservation Offsets	Operational Carbon Neutrality and Offsets	Rural By Design Practical examples	Electoral Area Director – Cortes Strathcona RD
	Sept (SaltSpring)	Term & Strategic Plan Review Advice to Incoming Council	Elections Period Best Practice		San Juan County



Islands Trust Council Minutes of Quarterly Meeting

Date:	September 13 – 15, 2016
Location:	Sidney Pier Hotel, 9805 Seaport Place, Sidney, BC
Members Present:	
Executive Committee:	Peter Luckham, Chair (Thetis) Laura Busheikin, Vice Chair (Denman) George Grams, Vice Chair (Salt Spring) Susan Morrison, Vice Chair (Lasqueti)
Local Trustees:	David Critchley, Denman Heather O'Sullivan, Gabriola George Harris, Galiano Sandy Pottle, Galiano Dan Rogers, Gambier Kate Louise Stamford, Gambier Alex Allen, Hornby Tony Law, Hornby Tim Peterson, Lasqueti Brian Crumblehulme, Mayne Jeanine Dodds, Mayne Dianne Barber, North Pender Peter Grove, Salt Spring Paul Brent, Saturna (Sept. 13 & 14) Lee Middleton, Saturna Bruce McConchie, South Pender Wendy Scholefield, South Pender Ken Hunter, Thetis Island
Municipal Trustees:	Sue Ellen Fast, Bowen Alison Morse, Bowen
Regrets:	Melanie Mamoser, Gabriola Derek Masselink, North Pender
Staff Present:	Russ Hotsenpiller, Chief Administrative Officer Clare Frater, Acting Director, Trust Area Services Cindy Shelest, Director Administrative Services (Sept. 13) David Marlor, Director Local Planning Services Fiona McRaid, Senior Intergovernmental Policy Advisor (Sept. 13 & 14) Justine Stark, Island Planner (Sept. 14) Carmen Thiel, Legislative Services Manager/Recorder

1. CALL TO ORDER

The meeting was called to order at 9:00 am.

2. APPROVAL OF AGENDA

Chair Luckham called for new business items to be added to the agenda. Trustee Scholefield requested that discussion of the relationship between the Agricultural Land Commission and Islands Trust be placed on a future Trust Council agenda. Trustee McConchie indicated that he had an addendum to item 16.1.6 Select Committee Briefing.

TC-2016-058

MOVED by Trustee Peterson, SECONDED by Trustee Crumblehulme,
to add *World Heritage Site Designation for Salish Sea Through UNESCO* as a new business item.

CARRIED

Trustee McConchie Opposed

By general consent the agenda was approved as amended.

3. GENERAL BUSINESS ARISING

3.1 Resolutions Without Meeting:

Resolutions Without Meeting TC-RWM-2016-002 and TC-RWM-2016-003 were provided for information.

3.2 June 14-16, 2016 Trust Council Draft Minutes

A number of amendments were suggested to the minutes:

- the names of Trustees Harris and Masselink should be noted under Regrets on page 1;
- since Trustee Masselink was at part of the meeting there should be an indication of when he arrived;
- at the top of page 8 of the minutes the first two bullets should make reference to the *Gabriola* Ferry Advisory Committee;
- following the outcome of the vote regarding TC-2016-053 on page 15 of the minutes, the words "Trustee Brent Opposed" should be changed to read "Trustee Brent In Favour".

The Chair recommended that pending confirmation of Trustee Masselink's time of attendance at the meeting, the minutes be adopted by Resolution Without Meeting.

3.3. Trust Council Follow Up Action List

Provided for information.

3.4 Trustee Round Table

Trustees participated in a round table session to discuss common issues, concerns and successes.

Chair Luckham introduced Fiona McRaid, recently hired as the Senior Intergovernmental Policy Advisor at Islands Trust. The Chair also acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

4. VISIONING SESSION

Beginning at 10:00 am Trust Council and select staff engaged in a visioning session, facilitated by Suzanne Hawkes and illustrated by Avril Orloff, to help Council describe its vision for the Islands Trust Area. To prepare for the session, Trust Council received an interim update on the "State of the Islands" project. Results of a poll conducted as part of the project provided Council with a snapshot of life on the islands. The poll and the vision workshop revealed that preserving and protecting the natural environment remains a top priority and that there is an increasing need for attention to water, housing and First Nations.

The visioning session concluded at 3:30 pm followed by a break. The meeting resumed at 4:00 pm with Trustee Scholefield absent, in addition to Trustees Mamoser and Masselink.

5. EXECUTIVE

5.1 Chief Administrative Officer's Quarterly Report – Information

CAO Hotsenpiller reviewed organizational considerations and current issues and noted two dominant concepts: human resource management and work on the transition plan.

5.2 Executive Committee Work Program

The top three priorities in the work program were:

1. Governance, Policy, Strategic Planning, Trust Council;
2. Communications, Advocacy, Policy Statement, Interagency and Public Relations; and
3. Organizational Improvements.

TC-2016-059

MOVED by Trustee Morrison, SECONDED by Trustee Brent,

that the Islands Trust Council approve the top priorities of the Executive Committee Work Program Report.

CARRIED

5.3 Continuous Learning Plan – Information

Trust Council reviewed the Continuous Learning Plan and suggested the following additions:

- *BC Water Sustainability Act* session;
- *Strata Property Act*/Bare Land Strata Regulations implications;
- Update on how Agricultural Land Commission works-Chair could be invited;
- Archaeology or species at risk session; and
- Guidance on how to work with regional districts, including invitations to regional district representatives.

5.4 Strategic Plan Update – Information

Speaking to the quarterly update, CAO Hotsenpiller noted that the Strategic Plan is updated on a continuous basis and that progress has been made in the areas of strengthening relations with First Nations, organizational effectiveness and Policy Statement work.

5.5 Amendment to Trust Council Procedures Bylaw to Allow for Electronic Participation

TC-2016-060

MOVED by Trustee Grams, SECONDED by Trustee Brent,

that Islands Trust Council Bylaw No. 166, cited as "Islands Trust Council Meeting Procedures

Bylaw, 2004, Amendment Bylaw No. 3, 2016" be read a first time.

CARRIED

TC-2016-061

MOVED by Trustee Morrison, SECONDED by Trustee Crumblehulme,

That Islands Trust Council Bylaw No. 166, cited as "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 3, 2016" be read a second time.

CARRIED

TC-2016-062

MOVED by Trustee Busheikin, SECONDED by Trustee Rogers,

that Islands Trust Council Bylaw No. 166, cited as "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 3, 2016" be read a third time.

CARRIED

6. TRUST AREA SERVICES

6.1 Director of Trust Area Services Report

Acting Director Frater highlighted several points in the report which was provided for information.

6.2 Trust Programs Committee Work Program Report

The top three priorities in the work program were:

1. Review the Islands Trust Policy Statement;
2. Amend Crown Land Cooperation Agreements; and
3. Protect Quality and Quantity of Water Resources.

TC-2016-063

MOVED by Trustee Crumblehulme, SECONDED by Trustee O'Sullivan,

that the Islands Trust Council approve the top priorities of the Trust Programs Committee Work Program Report.

CARRIED

6.3 Trust Fund Board Quarterly Report

Trustee Law presented the highlights of the report and noted that Richard Hoops Harrison was recently appointed to the Trust Fund Board by the Province. Staff members Jennifer Eliason and Kate Emmings were commended for their work in securing a substantial grant for species at risk and for registration of a covenant on Hornby Island protecting Garry oak ecosystems respectively.

6.4 Revising Policy Statement Amendment Process

TC-2016-064

1. MOVED by Trustee Grams, SECONDED by Trustee Morrison,

that the Islands Trust Council request the Executive Committee to propose amendments to section 9.1 of the Strategic Plan to include a new phase in the Policy Statement amendment process to:

- raise public awareness of the role and importance of the Policy Statement in shaping the future of the islands; and
- develop an effective and progressive program to establish a spirit of reconciliation with First Nations.

During discussion there was support for re-establishing rapport with island communities regarding the Policy Statement. It was noted that the formation of a First Nations advisory group would be advantageous for any process that leads to Policy Statement amendments.

The question on the motion was then called,

CARRIED

TC-2016-065

2. MOVED by Trustee Grams, SECONDED by Trustee Brent,

that the Islands Trust Council include a \$15,000 line item in the proposed 2017/18 budget for revised Policy Statement amendment process, subject to revision prior to Trust Council receiving a final 2017/18 budget in March.

CARRIED

The order of business on the agenda was varied to address items 13.1 through 13.4., and items 14.1 through 14.5 ahead of item 7.

13. LOCAL PLANNING SERVICES

13.1 Director of Local Planning Services Report

Provided for information.

13.2 Local Planning Committee Work Program Report

The top three priorities in the work program were:

1. Community Housing Needs;
2. Shoreline Marine Planning; and
3. Appropriate Economic Development.

TC-2016-066

MOVED by Trustee Brent, SECONDED by Trustee Busheikin,

that the Islands Trust Council approve the top priorities of the Local Planning Committee Work Program Report.

CARRIED

13.3 Local Trust Committee Projects Budget Update

Provided for information.

13.4 Riparian Areas Regulation Implementation Update

Provided for information.

14. ADMINISTRATION AND FINANCIAL SERVICES

14.1 Director's Report

Provided for information.

14.2 Financial Planning Committee Work Program Report

The top three priorities in the work program were:

1. First Draft of the 2017/18 Budget;
2. Review Purchasing Procedure Policy 6.5.iii; and
3. Response to KPMG Information Technology Report.

TC-2016-067

MOVED by Trustee Grove, SECONDED by Trustee Grams,

that the Islands Trust Council approve the top priorities of the Financial Planning Committee Work Program Report.

CARRIED

14.3 June 30, 2016 Quarterly Financial Report

TC-2016-068

MOVED by Trustee Grove, SECONDED by Trustee Grams,

that the Islands Trust Council approve the June 30, 2016 Quarterly Financial Report as presented.

CARRIED

14.4 2015/16 Statement of Financial Information Report

Provided for information. Corrections were suggested as follows: change Stefan Cermak's position title on page 321; and rephrase the position of Ron Bertrand on page 319.

14.5 1st Draft 2017/18 Budget Assumptions and Principles

Provided for information.

The meeting recessed for the day at 5:00 pm.

Wednesday, September 14, 2016

The meeting resumed at 8:30 am with 24 trustees present. Trustees absent: Melanie Mamoser (Gabriola) Derek Masselink (North Pender).

The order of business on the agenda resumed at item 7.

7. NEW BUSINESS

7.1 Transition Plan

CAO Hotsenpiller provided an overview of the Transition Plan.

Discussion included the following points:

- the possible reduction of staff as one option to address anticipated revenue shortfall in the event of incorporation;
- potential Provincial funding for Islands Trust's transition costs;
- timing of the issuance of Letters Patent should be confirmed;
- the need to confirm how many positions a newly incorporated island municipality would initially hire; it may be three positions (Treasurer, Corporate Officer and Interim Administrator) and not just an interim administrator;
- the Salt Spring Island Incorporation Study Committee would not distribute communications materials on Islands Trust's behalf but would post links to the Transition Plan on the Incorporation Committee's website
- Islands Trust representatives would attend public meetings on Salt Spring Island in November 2016;

- the criteria to be used by the Incorporation Study Committee in determining whether to recommend a referendum is consideration of whether the people of Salt Spring Island have enough information in order to make an educated decision;
- guidelines or parameters provided to all trustees about how to respond to questions regarding potential Salt Spring Island incorporation would be helpful;
- Islands Trust will need a full time transition manager for six months to a year and should ask for more transition money from the Ministry of Community, Sport and Cultural Development;
- the merit of including a section in the report contemplating actions if the result of the vote is negative was questioned;
- during the last referendum there was confusion about what would happen to Islands Trust in the event of Salt Spring Island incorporation; at the request of the Local Trustees and the CRD Director, the Minister was asked to request an adaptation plan to facilitate the Incorporation Committee's recommendation based on factual and not conjecture information; and
- the report does not include dialogue about the Trust Fund Board and whether its operations might be scaled back in the event of an affirmative incorporation vote.

The CAO noted that he and the Executive Committee would be the spokespeople on this issue and that local trustees can be provided with speaking points.

TC-2016-069

1. **MOVED by Trustee Rogers, SECONDED by Trustee McConchie,**
that the Plan be amended to provide for funding for a full time temporary transition manager with the appropriate adjustment in costs.

CARRIED

TC-2016-070

2. **MOVED by Trustee Middleton, SECONDED by Trustee Brent,**
that Trust Council adopt the 2016 Islands Trust Transition Plan Regarding the Potential Incorporation of Salt Spring Island, subject to clarity on the ordering of letters patent in the adaptation plan.

TC-2016-071

- MOVED by Trustee Busheikin, SECONDED by Trustee Crumblehulme,**
that the motion be amended by adding the words “, and any other minor edits as required”.

CARRIED

The question on the motion, as amended, was then called,

CARRIED

TC-2016-072

3. **MOVED by Trustee Grams, SECONDED by Trustee Dodds,**
that Trust Council direct staff to refer the Transition Plan to the Ministry of Community, Sport and Cultural Development and the Salt Spring Island Incorporation Study Committee.

TC-2016-073

- MOVED by Trustee Morse, SECONDED by Trustee Dodds,**
that the motion be amended to remove “refer” and insert “provide”.

CARRIED

Trustee Brent Opposed

The question on the main motion, as amended, was then called.

CARRIED

TC-2016-074

4. MOVED by Trustee Morrison, SECONDED by Trustee Peterson,

that Trust Council direct staff to include the Transition Plan in communication materials provided to the public prior to a Salt Spring Island incorporation vote.

CARRIED

TC-2016-075

5. MOVED by Trustee Busheikin, SECONDED by Trustee Brent,

that the Trust Council direct staff to prepare a restructure/transition funding request to the Ministry of Community, Sport and Cultural Development for the implementation of the Transition Plan, should Salt Spring Island incorporation proceed.

CARRIED

7.2 2017 Trust Council Meeting Schedule

TC-2016-076

MOVED by Trustee Peterson, SECONDED by Trustee Brent,

that the Islands Trust Council establish the following meeting schedule for 2017:

March 14-16, 2017	Denman Island
June 20-22, 2017	Lasqueti Island
September 12-14, 2017	Gabriola Island
December 5-7, 2017	Victoria

Gambier Island and Saturna Island Trustees expressed an interest in hosting Trust Council in 2018.

CARRIED

8. San Juan County Council (Jamie Stephens (Chair), Rick Hughes (Vice Chair) and Bob Jarman (Councillor))

The delegation provided an overview of the San Juan County's seven *Leave No Trace Guiding Principles and Ethic* which are being used by their parks department and state and federal agencies.

Other items presented and discussed were:

- their affordable housing crisis and possible solutions;
- proposed improvements to international travel options such as direct flights from San Juan Islands to Sidney, Tofino and Nanaimo, including exploration of pre-clearance border processing;
- Salish sea vessel traffic risk assessment update;
- derelict vessel and prevention program;
- since San Juan County and Islands Trust are partners in the Salish Sea, as part of mutual economic development consider increased trade in local wine and beer and the promotion of an Appalachian type of wine region in the Salish Sea area; and

- a request to review the *Transborder Island Agreement between Islands Trust and San Juan County* dated June 2007; San Juan Councillors have ideas for some changes and could provide them to Trust Council.

Chair Luckham agreed that the changes to the transborder agreement could be placed on an Executive Committee agenda for further consideration and the possibility of a report to Trust Council. San Juan Councillors agreed to provide information to the Executive Committee with the goal of updating and modernizing the agreement. It was also suggested that the Executive Committee consider the goal of recognizing the significance of the Salish Sea in partnership with San Juan County.

The meeting recessed for a break at 10:40 am and resumed at 10:52 am.

The Chair acknowledged Elizabeth May, Member of Parliament for Saanich-Gulf Islands in the visitor's gallery. MP May welcomed US Consul General Lynne Platt and offered her services to Islands Trust if it needs support.

9. US CONSUL GENERAL LYNNE PLATT

Lynne Platt, the US Consul General, explained that the US Government appoints representatives in foreign countries around the world and her region includes BC and Yukon. She reviewed her function as Consul General and stated that she recognizes the special qualities of the Salish Sea and the friendship, shared values and challenges between the two countries, as showcased by Islands Trust and San Juan County. She spoke of the importance of transboundary cooperation to protect the health and vitality of the Salish Sea and the world's oceans. She encouraged consideration of trans-border trade of agricultural and local wine/craft beer products between the Islands Trust Area and San Juan County.

Chair Luckham thanked the Consul General for her attendance and presentation.

The meeting recessed for lunch at 11:45 am and reconvened at 1:30 pm.

10. COMMUNITY PRESENTATIONS

10.1 Mayne Island Syrian Refugee Support Group

Vicki Turay and Pam Withers from Mayne Island gave a presentation on their group, why they decided to help government-assisted refugees vs. private sponsorship and what they have accomplished. A slide show depicted a family day picnic, sponsored by the group on July 13, 2016, where 178 Syrians visited Mayne Island for the day.

11. DELEGATIONS AND PUBLIC PARTICIPATION

Paul LeBlond provided background on the Capital Regional District's Southern Gulf Islands Community Economic Sustainability Commission describing objectives, some of the various initiatives which the Commission is involved with, and reviewing the Commission's vision.

Gary Holman, MLA Saanich North and the Islands, was introduced by Chair Luckham.

John Kimantas, representing BC Marine Trails Network Association (BCMTNA), spoke about the Salish Sea Marine Trail proposal, a joint project of the Trans Canada Trail and the Association which proposes a plan for connectivity of a 257 km paddling route from Victoria to Vancouver via kayaking. One of the goals of the project is to make the waters of BC navigable for future generations and as part of this, a cooperative examination of coastlines and good public launch locations is necessary. Islands Trust was asked to collaborate with BCMTNA on a site evaluation/joint launch for the Gulf Islands.

Graham Brazier from Denman Island, representing the Gulf Islands Alliance (GIA), addressed the Islands Trust's visioning process and asked that future visions embrace and re-affirm the Islands Trust mandate. He provided background on the GIA and spoke of the inter-islands ROOTS gathering on Salt Spring Island eleven years ago and the recommendations that came out of that gathering. He also asked that Islands Trust rethink the pre submission requirement for presentation material.

Laurie Gourlay, Interim Director of the Salish Sea Trust, requested a letter of support from Trust Council to have the Salish Sea considered for designation as a World Heritage Site. He noted that the application for this designation would be submitted to Parks Canada for review by mid-December, with a submission to the United Nations Educational, Scientific and Cultural Organization completed by late January 2017. He noted that the process can take eight to ten years and is a chance to leave a legacy for future generations and reconcile with First Nations.

Public Participation:

John Aiken, Mayne Island, spoke about truth and healing and the approach of working together to get people talking about First Nations issues in order to improve relations. He noted that Mayne Island residents have acknowledged National Aboriginal Day for the second year and spoke to its value in relationship building. He proposed that healing be done with love, patience and acceptance and recommended the book *The Inconvenient Indian* by Thomas King.

Louise Decario, former Galiano Island Trustee, thanked John Aitkin and trustees for all they do for their islands and the Islands Trust as a whole. She noted that she had observed the illustrated visioning process and advised that she would put nature as a foundation across the bottom and an umbrella with clouds on top to emphasize that the environment is at the base of all activities.

Gary Holman, MLA Saanich North and the Islands, spoke to the Steelhead LNG Proposal for Saanich Inlet which could impact water within the Trust Area. He expressed his own opposition and reviewed First Nations and local governments which do not support the proposal. He asked Trust Council to go through due diligence with the project proposal and hoped it would support local governments and First Nations in opposing it. He noted that opponents could then inform the Provincial and Federal Governments of the inappropriate location of the proposal. In closing, MLA Holman indicated his appreciation for the Memorandum of Understanding between the Federal and Provincial Governments regarding the proposed Southern Strait of Georgia National Marine Conservation Area Reserve and advised that since 2003, 19 First Nations have been consulted on the proposal.

Michael Sketch, North Pender Island, raised numerous topics including the sincere attention First Nations' interests are receiving in the Trust Area; ways of improving the process of referrals to First Nations; deficiencies in the agreement between Islands Trust and the Agricultural Land Commission; and observations about the visioning session. Trust Council was encouraged to advocate for a

change to the Trust object to “preserve and protect the *natural* environment...”. He also recommended a new four part structure for the Trust Policy Statement. In closing he asked that the North Pender Local Trust Committee’s decision to amend the James Island Official Community Plan to prohibit non-public access be revisited.

The meeting recessed for a break at 3:05 pm and resumed at 3:22 pm. Trustee Brent chaired the Housing Session portion of the meeting.

12. HOUSING SESSION – Community Housing Report

Island Planner Justine Starke presented the findings from the June 13, 2016 Community Housing Forum attended by 80 members of the public, staff and trustees. The Request for Decision arising from the forum was also reviewed. Planner Starke and Trustees Law, Busheikin, Allen and Mamoser were recognized for their work at the housing forum.

Discussion included the following points:

- Gabriola is undertaking a housing options review project and had push back on using the term “affordable” versus “attainable” which it was felt can broaden the discussion;
- Canada Mortgage and Housing Corporation has a definition of affordable, ie. 30% of family income;
- Attainable rental housing is also an issue in the Islands Trust Area; and
- Housing affordability needs to be contextualized, i.e. the Southern Gulf Islands lie between two of the most expensive cities in Canada.

TC-2016-077

MOVED by Trustee Grove, SECONDED by Trustee Grams,

1. that the Islands Trust Council endorse a review of the Islands Trust Policy Statement to ensure that it includes a clear and well-thought out definition of ‘affordability’; includes a clearly articulated vision, goal and objectives for affordable housing; gives affordable housing a greater profile for its role in sustainable communities; and includes a reference to affordable housing in its policy direction to local trust committees and municipalities.

There was discussion about the use of the words “attainable housing” versus “affordable housing”.

CARRIED

TC-2016-078

MOVED by Trustee Morrison, SECONDED by Trustee O’Sullivan,

2. that the Islands Trust Council approve a coordination role for housing needs assessments between the various local trust areas and island municipalities to achieve efficiencies and compatibility, and to allow for consolidation.

CARRIED

TC-2016-079

MOVED by Trustee Grams, SECONDED by Trustee Crumblehulme,

3. that the Islands Trust Council establish a \$40,000 budget for housing needs assessments to be conducted island by island at the regional level and to be updated with each census.

TC-2016-080

MOVED by Trustee Fast, SECONDED by Trustee Rogers,

that the motion be amended to replace the words “island by island” with “for local trust areas”.

CARRIED

Trustee Scholefield Opposed

TC-2016-081

MOVED by Trustee Rogers, SECONDED by Trustee McConchie,

that the motion be amended to replace the words “establish a \$40,000 budget” with “develop a budget”.

CARRIED

Trustees Busheikin and Scholefield Opposed

The question on the following motion, as amended, was then called:

3. that the Islands Trust Council develop a budget for housing needs assessments to be conducted for local trust areas at the regional level and island municipalities, and to be updated with each census.

CARRIED

TC-2016-082

MOVED by Trustee Busheikin, SECONDED by Trustee Grove,

4. that the Islands Trust Council request Local Planning Committee to commission one or more regional housing needs assessment(s) that follow consistent methodologies, and can be updated with each census.

CARRIED

TC-2016-083

MOVED by Trustee Harris, SECONDED by Trustee Peterson,

5. that the Islands Trust Council allocate \$15,000 in the 2017-18 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

CARRIED

TC-2016-084

MOVED by Trustee Crumblehulme, SECONDED by Trustee Law,

6. that the Islands Trust Council explore the potential for expanding its advocacy role to other levels of government for increased funding for affordable housing in the Islands Trust Area.

CARRIED

TC-2016-085

MOVED by Trustee Peterson, SECONDED by Trustee Allen,

7. that the Islands Trust Council direct staff to explore and report back on the potential for Islands Trust entities to hold land for housing purposes.

CARRIED

TC-2016-086

MOVED by Trustee Law, SECONDED by Trustee Busheikin,

8. that the Islands Trust Council request the Local Planning Committee to conduct an analysis of alternative ways to measure density and to address related impacts in the context of enabling housing opportunities appropriate to community needs.

DEFEATED

Trustees O’Sullivan, Peterson, Law, Critchley and Middleton In Favour

Chair Luckham assumed the Chair. The order of business on the agenda was varied to address items 16.2, 16.3 ahead of item 16.1.

16. SUMMARY / UPDATES

16.2 Priorities Chart

By general consent the priorities chart was received for information.

16.3 Proposed Trust Council Agenda Program

Provided for information. The CAO stated that he will provide a visioning session follow up for the December meeting and likely a report on committee structure.

16.1 Trustee Updates

16.1.1 BC Ferries (Ferry Advisory Committee Chairs) no report

16.1.2 First Nations

Topics included:

- a question about whether Bowen Island was included in local trust committee invitations to neighbours in Howe Sound to visit islands;
- the Thetis Island Local Trust Area is having conversations about expanded mineral extraction on Valdes Island and an application from the West Vancouver Yacht Club to build a seawall on Kendrick Island.

16.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Middleton reported that the Advisory Committee met three or four months ago for the first time in two years. He noted that there was discussion about committee process and reimagining and reinvigorating how work is carried out with nineteen First Nations. The Committee has secured a social innovation funding grant for training and process considerations over the next several years to craft a co-management regime with First Nations for the National Park Reserve. It was suggested that if a new model is required, the Islands Trust should ensure that it has a function on that body or a revisited one.

16.1.4 Salt Spring Island Watershed Protection Authority

Trustee Grams advised that in addition to watershed protection, another major project underway is the review and assessment of water resources, how they are used and whether that is compliant with their Official Community Plan. He also noted that there has not been a singular place to store information so a new website library has been devised and documentation and all minutes are now on SSIWPA's dedicated website.

16.1.5 Howe Sound Community Forum

It was indicated that Transport Canada's Technical Review Process of Marine Terminal Systems and Transshipment Sites (TERMPOL) study for Woodfibre LNG is underway. It was also noted that development is busy on both sides of Howe Sound and that Vice Chair Morrison will attend the October 14th forum on behalf of the Executive Committee.

16.1.6 Update from Trust Council Select Committee for Review of Victoria Office Location

Trustee McConchie presented the briefing and addendum backgrounder, noting that the Select Committee passed a motion recommending that the management team, its administrative support staff and the Trust Fund Board remain within the Greater Victoria area for the foreseeable future. There was discussion regarding the Victoria office space usage compared to current provincial government standards. It was requested that the original motion which created the Select Committee be emailed to trustees to support continued discussion on this item tomorrow.

The meeting recessed for the day at 5:20 pm.

Thursday, September 15, 2016

The meeting reconvened at 8:31 am. There were 23 trustees in attendance. Absent were Trustee Brent (Saturna), Trustee Masselink (North Pender) and Trustee Mamoser (Gabriola).

15. CLOSED SESSION

TC-2016-087

MOVED by Trustee Morrison, SECONDED by Trustee Busheikin,

that the Islands Trust Council meeting be closed to the public subject to Section 90(1) of the Community Charter in order to consider matters related to:

(c) labour relations or other employee relations,

(g) litigation affecting the Islands Trust; and

(i) receipt of advice that is subject to solicitor-client privilege;

and that CAO Russ Hotsenpiller be invited to attend the closed session.

CARRIED

Trust Council closed the meeting at 8:32 am and reconvened in open meeting at 9:25 am without report.

16.1.6 Update from Trust Council Select Committee for Review of Victoria Office Location (cont'd.)

Available options on the briefing report were reviewed. It was pointed out that the report does not address a work plan, timeline, list of tasks or rationale regarding the goal of benefitting constituents of the Trust Area. There was discussion about the process used by the Select Committee in reviewing and analyzing possible office locations. The option of hiring a consultant to assist the committee in preparing its report was discussed.

TC-2016-088

MOVED by Trustee Grove, SECONDED by Trustee Crumblehulme,

that Trust Council direct the Select Committee to suspend further work until the Salt Spring Incorporation referendum initiative is resolved.

Debate ensued on the motion.

TC-2016-089

MOVED by Trustee Law, SECONDED by Trustee Crumblehulme,

that the motion be amended to add the words "after providing a report to Council on what has been accomplished to date".

CARRIED

Trustees Middleton, Critchley, McConchie, Grams, Barber and Rogers Opposed

Trustee McConchie indicated that he would like Committee to continue with its work, taking into consideration Trust Council's comments, and report back in December. It was suggested that Trust Council could look at the terms of reference to see if they need amendment to clarify the process.

The question on the motion, as amended, was then called,

DEFEATED

TC-2016-090

MOVED by Trustee McConchie, SECONDED by Trustee Morse,
that Trust Council receive the briefing for information at this time.

CARRIED

Trustee Crumblehulme Opposed

Trustee Grove left the meeting at 10:07 am.

16.4 Disposition of Delegations and Town Hall Requests

By general consent the Chair was directed to write letters thanking delegates.

Trustee Grams left the meeting 10:08 am.

World Heritage Site Designation for Salish Sea Through UNESCO

TC-2016-091

Moved by Trustee Peterson, Seconded by Trustee Rogers,

Given the Islands Trust Council's emerging reconciliatory relationships with First Nations and the Islands Trust Council's sensitivity to the national prerequisite that local Indigenous interests be well respected in the World Heritage Site designation application process, the Islands Trust Council request that the Salish Sea Trust approach Islands Trust Area First Nations regarding World Heritage Site designation application process.

Trustee Grams returned to the meeting and Trustee Dodds left the meeting at 10:12 am.

During debate there was discussion about the feasibility of the Salish Sea Trust consulting with all First Nations in such a time restricted process, the application process and how it fits with UN Biosphere designation process.

It was recommended that Islands Trust look at all the various initiatives regarding marine protection options and legal protection tools before supporting designation requests of this nature.

The question on the motion was then called,

DEFEATED

TC-2016-092

MOVED by Trustee Busheikin, SECONDED by Trustee Morrison,

that Trust Council request Trust Area Services staff to include consideration of United Nations World Heritage Site designation in its work program item re marine protection initiatives.

CARRIED

It was suggested that a trustee may wish to consider being a candidate, as an individual, for the Board of Directors for the Salish Sea Trust which is leading the World Heritage Site designation initiative.

Steelhead LNG Proposal

Trust Council was advised that MLA Holman will send information on this topic for consideration by Executive Committee and Trust Council in December.

Agricultural Land Commission

There was general discussion about the upcoming meeting between the Executive Committee and the Agricultural Land Commission (ALC) panel, at the suggestion of the ALC Chair. Chair Luckham explained that the purpose of the meeting is to discuss how the panel makes its decisions, how to better facilitate ALC referrals at the local trust committee level and for the Executive Committee to provide information about agriculture on the islands. The Chair stated that a report on the meeting will be placed on the December Trust Council agenda. It was suggested that the Chair of ALC be invited to attend a Trust Council meeting.

Trustee Grams left the meeting at 10:34 am.

17. CORRESPONDENCE

17.1 Gabriolans Against Freighter Anchorages Society re Proposed Gabriola Island Anchorages

By general consent the letter was received for information.

18. NEXT MEETING: December 6-8, 2016 on Salt Spring Island

19. ADJOURNMENT

TC-2016-093

MOVED by Trustee Scholefield, **SECONDED** by Trustee Fast,
that the meeting be adjourned at 10:35 am.

CARRIED

Peter Luckham, Chair

Certified Correct

Carmen Thiel, Legislative Services Manager (Recorder)

To: Executive Committee

For the Meeting of: October 26, 2016

From: Clare Frater, Senior Policy Advisor

File No.:

SUBJECT: STRATEGIC PLAN FORMAT AND IMPLEMENTATION

DESCRIPTION OF ISSUE:

The purpose of this briefing is to provide the Executive Committee with background on Strategic Plan implementation challenges and opportunities, and to assist with achievement of work priorities in a timely manner.

BACKGROUND:

To develop the 2014-2018 Strategic Plan Trust Council undertook strategic planning workshops in March and June 2015 and then endorsed a draft list of objectives and strategies for the purposes of public consultation. In July and August 2015, almost 200 community members participated in a public survey about potential priorities and close to 50 sent their suggestions in individual emails and other correspondence. Trust Council's committees reviewed public input before they finalized their recommendations to Trust Council regarding the Strategic Plan. Trust Council adopted the Plan in September 2015.

Trust Council's policies give the Executive Committee responsibility for facilitating the review and amendment of Trust Council's Strategic Plan. With Trust Council at the mid-way point of the term staff have identified challenges and opportunities associated with implementing the plan.

Challenges:

- The activities in the Strategic Plan are not consistently integrated into committee work programs resulting in a lack of attention and prioritization. A list of activities that are delayed or likely to be delayed by March 2017 is attached.
- The timing of activities set out in the Strategic Plan is not always consistent with organizational needs or emerging priorities.
- The plan does not identify the staff resources required to undertake the activities so at times Council committees have had insufficient staff resources available to undertake the Strategic Plan activities according to the defined timeframes.

Opportunities:

- Staff have recently converted committee follow-up action lists, the priorities matrix and the Executive Committee's consolidated work program into database form with easily customizable reports. The database can be configured to integrate strategic planning activities into work program reports.
 - The Computer Application Support Technician has begun work on identifying the elements required to develop improved reports with input from the Management Team.

- The 2017/18 budget process provides an opportunity to review and refine Strategic Plan activities and to determine the staff and financial resources required for implementation in accordance with given timeframes.

ATTACHMENT(S):

1. List of Strategic Plan activities delayed/at risk of delay
 2. Priority Setting/Review Guidelines Policy (6.2.i)
 3. Work Program, Follow-up Action Lists and Priorities Chart Policy (6.7.i)
-

AVAILABLE OPTIONS:

1. Receive this briefing for information
2. Request follow-up work/briefings on the following topics:
 - a. Options for increasing resources to Council Committees to support Strategic Plan priorities. This could be done as part of the upcoming briefing to Trust Council on the Council Committee System
 - b. Revising the *Work Program, Follow-up Action Lists and Priorities Chart Policy* (6.7.i) and the *Priority Setting/Review Guidelines Policy* (6.2.i) to incorporate Strategic Plan implementation and reporting, and to better address prioritization of Council priorities.

FOLLOW-UP:

- At the November 9, 2016 Executive Committee meeting staff will provide:
 - a sample revised committee work program report that is linked to the Strategic Plan; and
 - a revised Strategic Plan generated by a database that will be sortable by fiscal year/committee.
 - Staff will follow-up on additional work as directed.
-

Prepared By: Clare Frater, Senior Policy Advisor

Reviewed By: Russ Hotsenpiller, Chief Administration Officer

Date: October 21, 2016

2014-2018 Strategic Plan Items
Expected to be Delayed by End of 2016/17

Executive Committee

FY 2015/16

- Encourage CRD to develop a (non-native) fallow deer management plan on Mayne Island (T.1.8.1)
- Encourage Canadian oil spill response agencies to coordinate spill response strategies with American counterparts (T.2.3.3)
- Hold an educational Trust Council session about archeological site protection concerns. (T.6.2.1)

FY 2016/17

- Develop project charter and budget requests to build organizational capacity (knowledge and time) related to shellfish aquaculture advocacy (T.2.5.1)
- Develop project charter and budget request re Biosphere Reserve (T.8.2.1)

Trust Programs Committee

FY 2016/17

- Develop project charter for water conservation advocacy and education (T.4.3.2)
- Implement project charter for water conservation advocacy and education (T.4.3.3)
- Develop project charter and budget requests to build organizational capacity (knowledge and time) regarding advocacy for sustainable and appropriate agricultural policies (T.5.4.1)

Local Planning Committee

FY 2015/16

- Develop a project charter to guide the work of LPC regarding shoreline/marine planning advice for LTCs/BIM (T.2.1.1)

FY 2016/17

- Develop a planning tool kit to illustrate how to protect Coastal Douglas-fir and associated ecosystems (T.1.7.1)
- Undertake work outlined in project charter regarding shoreline/marine planning (T.2.1.2)

Select Committee to Review Victoria Office Location

FY 2016/17

- Develop Scope of Work as a basis for a Request for Proposals for Trust Council approval (T.5.5.2)
- Seek proposals for study and identify budget needs (T.5.5.3)
- Undertake study regarding Victoria office and/or job locations and make recommendations to Trust Council (T.5.5.4)

6.2.i. Guidelines

PRIORITY SETTING/REVIEW GUIDELINES

Trust Council: June 6, 1992

Amended: June 10, 2004

A: PURPOSE:

- 1.1. To outline priority setting and review, within the Islands Trust's strategic planning function.
- 1.2. To focus political and administrative attention, in a results-oriented fashion, to the realistic pursuit and achievement of the Trust's, policies and organizational strategic plans, long term goals, objectives and current issues/opportunities.
- 1.3. To provide a basis for budgeting, resource allocation and work programming decisions by the Trust's political bodies and management.
- 1.4. To monitor, adjust and evaluate the Trust's progress toward and achievement of performance targets.

B: REFERENCES:

- 1.1. Policy Manual: Work Program, Follow-up Action Lists and Priorities Chart (6.7.i.)

C: DEFINITIONS:

- 1.1. **Priorities/Strategies Matrix** - the summary document of Trust Council endorsed strategies to respond to key priority areas in pursuit of the Trust's identified policy statements, policies, goals, objectives and current issues/opportunities.
- 1.2. **Work Programs** - the working document of specific organizational units of the Trust outlining their key priorities and listing of future topics to be considered.
- 1.3. **Priorities** - matters which have been assessed as being of key importance for response.
- 1.4. **Strategy** - a preferred course of action among alternative responses to respond to and/or implement a priority.
- 1.5. **Action Plan** - an outline of activities, considerations and resource requirements to implement a specific strategy.
- 1.6. **Organizational Units** - the following specific bodies of the Islands Trust which have some form of direction-setting authority including political units: Trust Council, Local

Trust Committees (13), Council Committees (3), and Executive Committee; and the Management Unit: 2 Directors and the Chief Administrative Officer.

D: POLICY:

1. PRIORITIES/STRATEGIES MATRIX

- 1.1. The priorities/strategies matrix summarizes the top priorities of the Islands Trust's various structural units work programs:
 - i. 3 from the Executive Committee.
 - ii. 3 from each of Trust Council's 3 Committees.
 - iii. 3 from each of the Islands Trust's 13 Local Trust Committees.
 - iv. 3 from the Trust Fund Board.
- 1.2. The top priorities of an organizational unit must be those of the Trust Council's top priorities that fall within their terms of reference.
- 1.3. At each quarterly Trust Council meeting the Trust Council will review and update the matrix based on recommendations from the above organizational units via the Executive Committee in consideration of management's advice.
- 1.4. The Chief Administrative Officer is responsible for coordinating the priority setting/review process.
- 1.5. The Executive Committee is responsible for monitoring and reviewing the priority setting/review process.

2. WORK PROGRAMS

- 2.1. Each of the Trust's organizational units is required to develop and maintain a work program to reflect:
 - i. those items which it has identified.
 - ii. items referred to it by Trust Council.
 - iii. those of Trust Council's top priorities that fall within its terms of reference.
- 2.2. Work program priorities of each organizational unit including activities, responsibilities, targets and status must be reported to Council on a quarterly basis.
- 2.3. Work program processes are coordinated by designate staff in consultation with the appropriate Chairperson.

- 2.4. Concerns regarding Local Planning team work programs are to be addressed first by the Regional Planning Manager, the Director of Local Planning Services and then by the Local Planning Committee if required.
- 2.5. Concerns regarding all other work programs are to be addressed by the Chief Administrative Officer and then the Executive Committee if required.

3. ACTION PLANS

Action plans for the implementation of specific strategies may be prepared and/or requested as necessary to enhance decision-making.

4. THE PROCESS

- 4.1. On a quarterly basis, all organizational units are required to submit to the Chief Administrative Officer their current work programs with their top priorities provided on page 1 of this document.
- 4.2. The Chief Administrative Officer will consolidate the top priorities of each organizational unit into the Priorities/Strategies Matrix for review by the Executive Committee.
- 4.3. The Executive Committee will present a Priorities/Strategies Matrix; a consolidation of each operational unit's priorities with a recommendation at each quarterly Trust Council meeting.
- 4.4. At the September quarterly Trust Council meeting, Council will conduct a major review of the Priorities/Strategies Matrix, in particular, its top priorities, as the basis for the annual budget process.
- 4.5. Any organizational unit may, at any time, make a recommendation to Trust Council at its quarterly meeting via the Executive Committee for reconsideration and/or change to Trust Council's top three priorities.

6.7.i. Policy**WORK PROGRAM, FOLLOW-UP ACTION LISTS AND PRIORITIES CHART**

Management Group: December 17, 1992

A: PURPOSE:

1. To provide guidelines for the use of Work Program, Follow-up Action List and Priorities Matrix formats as tools to allocate resources to tasks and projects, to prioritize work activities relative to available resources and to focus on the achievement of specific results.

B: REFERENCES:

1. Policy Manual: Priority Setting/Review Guidelines (6.2.i.)

C: DEFINITIONS:

1. The Islands Trust's work program system is comprised of three working documents which are linked to the Trust's annual budget and organizational strategic planning process in terms of day-to-day and/or short range activity projections.
 - 1.1. The **Follow-up Action List** is designed to deal with matters to be dealt with during the next three months that arise from meetings, to highlight matters arising from day-to-day activities, and to define specific tasks associated with work program items.
 - 1.2. The **Work Program** is designed to identify a long list of specific projects or activities that are not items for the Follow-up Action List, to identify the priority items for attention, and to define specific tasks to be accomplished for the top three priority items.
 - 1.3. The **Priorities Matrix** is designed to highlight the specific activities to be pursued for the organizational unit's top priorities that are consistent with available resources for endorsement by Trust Council at its quarterly meetings.
 - 1.4. The **Organizational Unit** includes any political or staff entity identified on the Priorities Matrix.

D: POLICY:**1. FOLLOW-UP ACTION LIST**

- 1.1. The Follow-up Action List should only include specific tasks and that can be reasonably done over the next three months.
- 1.2. The Follow-up Action List entry should include only the key words required to prompt recall of the item and/or a reference (i.e. report, resolution number or minutes) as to where to obtain more detailed information.
- 1.3. Follow-up Action List entry notations should only be completed - key words, responsibility assignment, target date and time budget estimates, upon agreement between the person responsible to complete the task and the person(s) or entity responsible for reviewing to ensure the task has been completed.
- 1.4. Whenever possible, Follow-up Action List entries should note the expected time to complete the task in the responsibility assignment column as [1 hour or 2 days] and/or actual time to complete the task in the Target/Status column as [1 hour or 2 days].
- 1.5. The Follow-up Action List should be updated on a continual basis, distributed on a regular basis as determined by the relevant organizational unit, and reviewed at regular meetings of the relevant organizational unit.
- 1.6. Follow-up Action List entries should not be deleted as complete or no longer required, and/or transferred to the work program unless so decided by the organizational unit (not an individual).
- 1.7. Follow-up Action List entries should be separated chronologically according to the organizational unit's regular meetings or bi-weekly, to easily track when they were identified.

2. WORK PROGRAM

- 2.1. The Work Program is comprised of two components - top priorities and long list.
- 2.2. The long list may be categorized by broad topic areas for the convenient indexing of specific work program topics.
- 2.3. Any potential project or future discussion topic may be included in the long list for the purposes of maintaining a record of topics raised.
- 2.4. Action on the long list items is subject to the organizational unit's assignment of its assigned available time and/or assigned resources.
- 2.5. The Work Program's top three priorities should be identified within the long list and then listed on the top page of the Work Program.

- 2.6. Specific activities that are to be pursued over the next 3-6 months to complete an element of a priority should be highlighted for the top three priorities on page 1 of the Work Program.
- 2.7. Implementation of activities for top priorities is subject to available staff resources and assigned fiscal resources through the annual budget.
- 2.8. A Work Program should be forwarded by the organizational unit's designated staff person to the Administrative Secretary when it is updated.

3. PRIORITIES MATRICES

- 3.1. Each organizational unit is assigned a number of three priorities (Trust Council and Trust Fund Board have five) which it may present on a quarterly basis for Trust Council's input and endorsement.
- 3.2. The top priorities of each organizational unit are extracted from the top page of the organizational unit's current Work Program.
- 3.3. An organizational unit may update its portion of the Priorities Matrix at any time through the Administrative Secretary.
- 3.4. The Executive Committee will review the current Priorities Matrix prior to presentation to quarterly Trust Council meetings for its recommendations relative to the listed priorities' compatibility with available resources.
- 3.5. The Accomplishments Matrix is intended to document the accomplishments of priorities previously listed on the Priorities Matrix.

REQUEST FOR DECISION

To: Executive Committee

For the Meeting of: October 26, 2016

From: Seth Wright, Planner 2

Date Prepared: October 20, 2016

SUBJECT: REQUEST FOR VARIANCE FROM TRUST COUNCIL FEES BYLAW

RECOMMENDATION:

That the Executive Committee has no concerns with the variance from the Trust Council Model Fees Bylaw for the Salt Spring Island Local Trust Committee to allow a Temporary Use Permit for residential purposes at a fee of \$600.

SENIOR STAFF COMMENTS:

Approval of the request to reduce the Temporary Use Permit fee for residential uses would result in a reduction in revenue from applications; it would support the recent initiative of Council to support community housing (Strategic Plan Objective “Enhance (protect/restore) community character, socio-economic diversity and economic stability”).

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

As the Salt Spring Island Official Community Plan Bylaw No. 434 presently only considers Temporary Use Permit applications for commercial and industrial uses, the quantity of applications cannot confidently be estimated. If many applications are made, planning resources in the Salt Spring Island office may become strained, above and beyond current resources.

FINANCIAL:

If approved, processing Temporary Use Permits for residential uses would create an operational deficit. The proposed \$600 fee would finance the cost of the statutory advertisement in the newspaper, but not cover any of the staff costs (estimated in a 2011 Trust Council Fee Review Analysis to average \$1395 per application) or any of the additional hard costs, which may range from an estimated \$500 to \$3000 according to the scale and nature of the application. Additional hard costs include statutory notification (notice delivery and mail-out), site visits (staff time and mileage), and on occasion a community information meeting. If application processing demands exceed staffing resources, contract staff may be engaged.

POLICY:

Trust Council Policy 5.6.i [Application Processing Services] requires Executive Committee approval for adjustments greater than 20% from the Trust Council’s Model Fee Schedule. The Model Fee Bylaw, updated last in 2004, contains a fee of \$1000 for Temporary commercial and industrial use permit and \$150 for a renewal. In 2011, the Director of Local Planning Services reviewed average costs of application processing. The 2011 Fee Review indicated that Temporary Use Permit applications have the lowest rate of cost recovery from fees at 26%.

However, no changes were made and the Model Fee Schedule remains at levels established in 2004.

IMPLEMENTATION/COMMUNICATIONS:

If the Executive Committee adopts the resolution, staff will draft an amendment to the Salt Spring Island Fees Bylaw No. 428. The Salt Spring Island Local Trust Committee (SSI LTC) may also proceed with consideration of SSI LTC Bylaw 471 to allow Temporary Use Permits for secondary suites and cottages.

BACKGROUND

TUPs for Secondary Suites and Cottages is a Salt Spring Island Local Trust Committee (SSI LTC) top priority. On October 24, 2013, the Salt Spring Island Local Trust Committee gave first reading to Bylaw 471. Bylaw 471 proposes to amend the Salt Spring Island Official Community Plan to enable a Temporary Use Permit to permit residential uses, such as secondary suites or cottages, where they are not permitted by zoning. Bylaw 471 is attached as Appendix 1 for reference.

The SSI LTC has indicated desire for a fee structure that is fiscally responsible but will also lessen the burden of application costs, so as to support an increase in housing stock and the supply of affordable housing. Salt Spring Island Fees Bylaw 428 currently allows a reduced fee for the following rezoning applications:

1. Application to amend a Land Use Bylaw for the purpose of rezoning a property to permit a seasonal cottage for use as affordable housing.
2. Application from a non-profit organization or society to amend a Land Use Bylaw for the purpose of rezoning a property for use as affordable housing.

Temporary Use Permit fees are generally \$1100 and \$165 for a renewal across the Islands Trust Area, but some variation exists in certain Local Trust Areas, as indicated in the table below.

Local Trust Committee	TUP Application	TUP Renewal	TUP for non-profit & home-based business < 3 months per annum
Trust Council Model Fee Bylaw (2004)	1000	150	
Ballenas-Winchelsea	1100	165	-
Denman	1100	165	440
Gabriola	900	150	-
Galiano	1100	165	-
Gambier	1100	165	440
Hornby	1100	165	440
Lasqueti	770	165	-
Mayne	1100	165	-
N. Pender	1100	165	-
S. Pender	1100	165	-
Salt Spring	1100	165	-
Saturna	1100	165	-
Thetis	1100	165	-

At their regular meeting of October 24, 2013, the SSI LTC passed the following resolutions:

SSI-239-13

It was MOVED and SECONDED that the Salt Spring Island Local Trust Committee request staff to review the fees bylaw and in particular the application fee for a Temporary Use Permit in order to make small housing applications more affordable. CARRIED

REPORT/DOCUMENT:

- Appendix 1: SSI LTC Bylaw 471
- Appendix 2: Trust Council Model Fee Bylaw

KEY ISSUE(S)/CONCEPT(S):

- Affordable housing on Salt Spring Island
- Application fee cost recovery

RELEVANT POLICY:

- Trust Council Policy 5.6.i [Application Processing Services]

DESIRED OUTCOME:

- Increasing housing options with prudent fiscal and resource management

RESPONSE OPTIONS

Recommended:

That the Executive Committee has no concerns with the variance from the Trust Council Model Fees Bylaw for the Salt Spring Island Local Trust Committee to allow a Temporary Use Permit for residential purposes at a fee of \$600.

Alternative:

1. That the Executive Committee decline the variance from the Trust Council Model Fees Bylaw for the Salt Spring Island Local Trust Committee.

Prepared By: Seth Wright, Planner 2,
Local Planning Services

Date:
October 20, 2016

Reviewed By:

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 471

A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 434, 2008

WHEREAS the Salt Spring Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Salt Spring Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Salt Spring Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption;

AND WHEREAS the Salt Spring Island Local Trust Committee wishes to amend the Salt Spring Island Official Community Plan Bylaw No. 434, 2008;

AND WHEREAS the Salt Spring Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Salt Spring Island Local Trust Committee enacts as follows:

CITATION

1. This Bylaw shall be cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2013".

ORGANIZATION

2. Salt Spring Island Local Trust Committee Bylaw No. 434, 2008 is altered as shown on Schedule 1 of this amending bylaw.

SEVERABILITY

3. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

PROPOSED

READ A FIRST TIME this 24th day of October , 2013

PUBLIC HEARING HELD this ay of , 20__

READ A SECOND TIME this 10th day of April , 2014

READ A THIRD TIME this day of , 20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 20__

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL
DEVELOPMENT this day of , 20__

ADOPTED this day of , 20__

SECRETARY

CHAIRPERSON

PROPOSED

SALT SPRING ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 471

SCHEDULE 1

Salt Spring Island Official Community Plan Bylaw No. 434, 2008 is amended as follows:

1. By replacing the words “Temporary Commercial and Industrial Use Permits” with the words “Temporary Use Permits” wherever they appear in Official Community Plan Bylaw No. 434, 2008.
- 2, By amending Schedule A, Volume 2, Part G – Temporary Commercial and Industrial Use Permits and Development Approval Information – by replacing Parts G.1.1, G.1.2, and G.1.3 with new Parts G.1.1, G.1.2, and G.1.3.as follows:

“PART G TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION

G.1.1 Areas where Temporary Use Permits can be issued

The following Designations are areas where the Local Trust Committee may issue Temporary Use Permits.

Agriculture Designation
Channel Ridge Village Designation
Educational Designation
Forestry Designation
Fulford Harbour Village Designation
Ganges Village Designation
Health Services Designation
Industrial and Commercial Services Designation
Park and Recreation Designation
Residential Neighbourhoods Designation
Rural Neighbourhoods Designation
Shoreline Development Designation
Uplands Designation

G.1.2 Objectives for issuing Temporary Use Permits

Permits for temporary uses should only accommodate uses that are consistent with this Plan. Permits could be issued for uses such as:

- G.1.2.1 The temporary use of land for commercial community events such as festivals, fairs or markets on land where commercial use may not be appropriate permanently.
- G.1.2.2 The temporary use of land by local businesses to provide essential community services not provided by local government. Such uses may include waste disposal or transfer, communications or transportation.

PROPOSED

- G.1.2.3 The temporary use of land for industrial or commercial uses that are compatible with land use designations, but are not specifically allowed by the local zoning bylaw. Such uses may be transitional or there may be uncertainty as to their appropriateness or viability. It may be premature or inappropriate to decide upon rezoning and long-term land use changes.
- G.1.2.4 Farm-oriented commercial uses consistent with agriculture which enhance the economic viability of an existing farm operation. Examples may include farm fairs, farm-oriented tourism or educational activities, and food service or market events serving local farm products. Such uses are subject to approval of the Agricultural Land Commission for property in the Agricultural Land Reserve. Temporary Use Permit applications for uses in the Agricultural Land Reserve that are not permitted in the ALR Use, Subdivision, and Procedure Regulation require the approval of the Agricultural Land Commission.
- G.1.2.5 The temporary use of a secondary suite for residential use. For the purpose of this section, a secondary suite means an accessory, self-contained dwelling unit, located within a permitted - building or single-family dwelling unit, and having a lesser floor area than the building's primary use. For certainty, a secondary suite may not be a standalone building. This use may be transitional or there may be uncertainty as to its appropriateness outside of the area where secondary suites are permitted by zoning. It may be premature or inappropriate to decide upon rezoning and long-term land use changes, and the use may be considered as part of a pilot program to permit secondary suites.
- G. 1.2.6 Temporary affordable housing units such as care cottages for those that are disabled or in demonstrated need of family care may be considered.

G.1.3 Permit Guidelines

Conditions included in Temporary Use Permits should follow the guidelines below to achieve the objectives of this Plan.

- G.1.3.1 Permits can be issued for any period up to three years and could be considered for renewal once for any further period up to three years.
- G.1.3.2 Permit conditions should be generally consistent with applicable Development Permit Area guidelines, while recognizing the temporary nature of structures and site development.
- G.1.3.3 Permit conditions should ensure that temporary uses are compatible with adjacent land uses. Noise, traffic, parking, general activity levels and any disturbance that may be apparent beyond the property's boundaries should be considered.
- G.1.3.4 Applications for Temporary Use Permits should ensure that there is sufficient supply of potable water consistent with the Canadian Drinking Water Standards.
- (a) Where a lot is supplied by groundwater, applicants must demonstrate there is sufficient available groundwater for the temporary use. A minimum supply of 2730 litres per day

PROPOSED

- (0.5 US gallons per minute) is required for each dwelling unit on the property as proven by a recent well log or pump test.
- (b) Where a lot is supplied by rainwater collection, the rainwater system must be capable of supplying a sufficient quantity of potable water for the temporary use. A minimum supply of 151 litres per person per day (40 US gallons per person per day) is required.
 - (c) Where a lot is supplied by a combination of sources, a written plan for the supply of water that demonstrates an adequate supply of potable water for the temporary use must be attached to the permit. . A minimum supply of 2730 litres per day (0.5 US gallons per minute) is required for each dwelling unit on the property.
 - (d) Where a lot is supplied by a community water system, the operator of the community water system must provide written confirmation that it has sufficient capacity for the temporary use.
 - (e) Where a lot is supplied from a surface water body, a water license, issued or amended after November 30, 1994, must permit the withdrawal of the required amount of water for the temporary use.
- G.1.3.5 Applications for Temporary Use Permits should ensure that where a lot is serviced by an on-site septic disposal system, applicants may be required to have the onsite sewage capacity reviewed by an authorized person to determine if the addition will require the onsite sewage system to be upgraded. Applicants may also be requested to provide a copy of the approved septic filings from the Vancouver Island Health Authority; where serviced by a community sewer system, the operator of the community sewer system must provide written confirmation that it has sufficient capacity to service the temporary use.
- G.1.3.6 Permit conditions should ensure that the entrance to the secondary suite from the exterior of the building is separate from the entrance to the principal dwelling unit.
- G.1.3.7 Permit conditions should ensure that the maximum floor area of a secondary suite is 90m² (968 ft²).
- G.1.3.8 Permit conditions should ensure that care cottages are limited in floor area, and subject to the Salt Spring Island Local Trust Committee agreeing on a mechanism to ensure the use of the unit is affordable for someone who is disabled or in need of family care.
- G.1.3.9 Permit conditions should ensure that that the owner or a person other than the owner with responsibility for managing the property, including dealing with complaints of neighbours, is resident on the property where a Temporary Use Permit is for a residential use.
- G.1.3.10 Permit conditions should ensure that a care cottage or a secondary suite is not used for short term commercial accommodation.
- G.1.3.11 Permit conditions should ensure that a care cottage or a secondary suite is not located in a sensitive ecosystem, according to the Official Community Plan. If there is uncertainty as to the exact location or extent of a known sensitive ecosystem, the

PROPOSED

applicant may be required to provide a report from an applicable registered professional indicating the extent of the sensitive ecosystem and recommendations for maintaining its integrity.

- G.1.3.12 Permit conditions should ensure that a care cottage or a secondary suite should not be allowed in areas that drain into community water system supply watersheds or in community well capture zones. The applicant may be required to provide a report from an applicable registered professional to ensure drainage on the property does not flow into the water supply of a community water system.
- G.1.3.13 Permit conditions should ensure that building safety issues are addressed through compliance with the B.C. Building Code and applicable health standards. Applicants may be requested to demonstrate proof of an application with the Capital Regional District Building Inspection Office.
- G.1.3.14 Permit conditions should ensure that off-street parking is provided in a way that is consistent with local bylaws.
- G.1.3.15 Permits applications for commercial and industrial uses should include evidence that suitable alternate sites with appropriate zoning are not available.
- G.1.3.16 Permits should not be issued for commercial and industrial uses in excess of 60 days unless it is a new venture that does not directly compete with an existing business in a legal zone and there is a demonstrated need or market for the proposed use. Consideration could also be given to the temporary relocation of an existing business in emergency or hardship situations.
- G.1.3.17 Permitted uses should be consistent with the objectives of this Plan.
- G.1.3.18 Permitted uses should not preclude or compromise future permitted uses on the land parcel affected.
- G.1.3.19 Uses should not be allowed if they conflict with any on-going or intended planning policies or programs.
- G.1.3.20 Where appropriate, permit conditions should outline operational plans, including hours and days of operation and staffing to ensure compatibility with neighbouring land uses.
- G.1.3.21 Permits can include, as a condition, the provision of an undertaking by the owner of the affected land to remove buildings or a secondary suite and restore the land to a condition specified in the permit by a date specified in the permit.
- G.1.3.22 Permits can include, as a condition, the provision of security deposit or security bond to guarantee the performance of the terms of the permit."

MODEL FEES BYLAW

_____ ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. _____

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

WHEREAS Section 931 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the _____ Island Local Trust Committee, being the trust committee having jurisdiction in respect of the _____ Island local trust area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation

- 1.1 This bylaw may be cited as the "_____ Island Local Trust Committee Fees Bylaw, 2004".

2. Interpretation

- 2.1 In this bylaw:

"Applicant" means the person authorized under the _____ Island Trust Committee Procedures Bylaw No. __, _____ to make the application;

"Islands Trust" means the Director of Local Planning or his/her authorized representative;

"Application Fee" means the monetary amount payable to the "Islands Trust".

3. Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to the Islands Trust the corresponding application fee in the amount shown in Column 2 of Table 1, Table 2, Table 3 or Table 4.

TABLE 1 – Bylaw Amendments	
Column 1	Column 2
1. Official Community Plan amendment	\$4,000
2. Official Community Plan amendment in combination with a consistent application for amendment to a Land Use Bylaw	\$4,500
3. Land Use Bylaw amendment	\$4,000
4. Land Use Contract amendment	\$4,000

5.4

TABLE 2 – Permits	
Column 1	Column 2
1. Development permit in respect of a protection area	\$400
2. Development permit in respect of a commercial revitalization area	\$500
3. Development permit in respect of form and character area	\$600
4. Development permit amendment	\$150
5. Development permit in combination with a companion application for a development variance permit in respect of a residential development	\$700
6. Development permit in combination with a companion application for a development variance permit in respect of a commercial, industrial or institutional development	\$900
7. Development variance permit in respect of a residential development	\$650
8. Development variance permit in respect of a commercial, industrial or institutional development	\$850
9. Temporary commercial and industrial use permit	\$1,000
10. Temporary commercial and industrial use permit renewal	\$150
11. Siting and Use Permit	\$500
12. Siting and Use Permit in combination with a companion application for a development variance permit in respect of a residential development	\$650
13. Siting and Use Permit in combination with a companion application for a development variance permit in respect of a commercial, industrial or institutional development	\$850
14. Siting and Use Permit in combination with a companion application for a development permit in respect of a protection area	\$500
15. Siting and Use Permit in combination with a companion application for a development permit in respect of a commercial revitalization area	\$500
16. Siting and Use Permit in combination with a companion application for a development permit in respect of a form and character area	\$600

TABLE 3 – Subdivision Referrals	
Column 1	Column 2
1. Application for subdivision review – first parcel	\$1,000

5.4

2.	Application for subdivision review - every additional parcel that would be created by the proposed subdivision	\$100
3.	Application for subdivision review - parcel line adjustments only, creating no additional parcels	\$300

TABLE 4 – Other Applications		
Column 1		Column 2
1.	Board of Variance	\$900
2.	Strata Conversion	\$1,000
3.	Liquor Control and Licensing Branch	\$750

- 3.3 An application administration fee in the amount of \$100.00 being a portion of the fee referred to Table 1 is not refundable in any event.
- 3.4 An application administration fee in the amount of \$50.00 being a portion of the fee referred to Table 2, Table 3 and Table 4 is not refundable in any event.
- 3.4 Subject to Section 3.3 and Section 3.4, if an application is not processed for any reason, the Islands Trust must refund to the applicant the application.

4. Extraordinary Costs

- 4.1 In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by the Islands Trust to exceed 150% (percent) of the applicable fee, the Applicant shall pay to the Islands Trust prior to the processing of the application the estimated actual costs of processing, site inspection, advertising and administration.
- 4.2 To the extent the amount paid under Subsection 4.1 exceeds the actual costs of processing, inspection, advertising and administration related to the application, the Islands Trust shall refund the excess amount to the Applicant.
- 4.3 To the extent the amount paid under Subsection 4.1 is less than the actual costs of processing, inspection, advertising and administration, the Islands Trust shall invoice the Applicant for the excess amount which shall become a debt due and payable to the "Islands Trust".

5. Severability

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

6. Repeal

- 6.1 _____ Island Local Trust Committee Fees Bylaw No. __, _____. is repealed upon adoption of this bylaw.

READ A FIRST TIME this _____ day of _____, 2004.

5.4

READ A SECOND TIME this day of , 2004.

READ A THIRD TIME this day of , 2004.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this day of , 2004.

ADOPTED this day of , 2004.

_____	_____
Chairperson	Secretary
G:\EXEC\Council\2004\June\RFDs and Briefings\Attachment Model Fees Bylaw June 2004.doc	

Mr. Peter Luckham
 Chair
 Islands Trust
 200 - 1627 Fort Street
 VICTORIA BC V8R 1H8



Files Closed from July 1 to September 30, 2016

Islands Trust

1. Requests for Information or Assistance	0
2. Complaints with No Investigation	2
<i>a. Assistance and/or referral</i>	2
<i>b. Refused (discretion)</i>	
• More than one year between event and complaint	0
• Insufficient personal interest	0
• Available remedy	0
• Frivolous/vexatious/trivial matter	0
• Can consider without further investigation	0
• No benefit to complainant or person aggrieved	0
• Complaint abandoned	0
• Complaint withdrawn	0
<i>c. Statute barred (FIPPA, Police Act, etc.)</i>	0
<i>d. Not a matter of administration</i>	0
<i>e. Pre-empted by existing statutory right of appeal, objection or review</i>	0
3. Complaints Investigated	0
<i>a. Not a matter of administration</i>	0
<i>b. Pre-empted by existing statutory right of appeal, objection or review</i>	0
<i>c. Investigation ceased (discretion) - No findings</i>	
• More than one year between event and complaint	0
• Insufficient personal interest	0
• Available remedy	0
• Frivolous/vexatious/trivial matter	0
• Can consider without further investigation	0
• No benefit to complainant or person aggrieved	0
• Complaint abandoned	0
• Complaint withdrawn	0
• Complaint settled	0

d. Investigation completed - Findings - Substantiated

- Remedied in whole 0
- Remedied in part 0
- Not remedied 0
- Recommendations made - remedy to be implemented over time 0

e. Investigation completed - Findings - Not substantiated 0**4. Ombudsperson Initiated Investigations 0****a. Investigation ceased (discretion) - No findings 0****b. Investigation completed - Findings - Substantiated**

- Remedied in whole 0
- Remedied in part 0
- Not remedied 0
- Recommendations made - remedy to be implemented over time 0

c. Investigation completed - Findings - Not substantiated 0


Jay Chalke
Ombudsperson
Province of British Columbia

12/10/2016

**Top Priorities****Executive Committee**

No.	Description	Activity	R/Initiated	Responsibility	Target Date
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Chief Administrative Officer

1	CAO Transition Planning/Orientation	Initial orientation complete	01-May-2015	Russ Hotsenpiller	30-Jun-2016
2	Islands Trust Transition Plan and Adaption Strategy	Draft Transition Plan complete.	25-Jun-2015	Russ Hotsenpiller	30-Jun-2016
3	Amend Provincial Protocol re: Municipal Incorporation	Receipt of amendments from MCSCD.	25-Jun-2015	Russ Hotsenpiller	30-May-2016

Director, Local Planning Services

1	First Nations Relationship Building	Development of Project Charter for Reconciliation Principles Development of Project Charter for Archaeology advocacy	31-Aug-2016	David Marlor	01-Dec-2016
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Director, Trust Area Services

1	2015-16 Annual Report	Trust Council approval received. With graphic designer. Send to Minister.		Lisa Gordon	01-Oct-2016
2	Revisions to Crown Land protocol agreements and letters of understanding	Meeting held with BIM, LPS, TAS, CSCD and FLNRO.	19-Jun-2014	Lisa Gordon	01-Dec-2016
3	Oil Spill and Shipping Safety	Staff to attend Oil Spill Risk Mitigation Workshop in Bellingham on October 18-19, 2016	01-Apr-2014	Lisa Gordon	31-Oct-2016

Legislative Services Manager

1	TC Electronic Meetings	Presentation to Trust Council re considerations for bylaw amendments	01-Sep-2015	Carmen Thiel	01-Dec-2016
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**Executive Committee**

No.	Description	Activity	R/Initiated	Responsibility	Target Date
2	Staff support to CAOHC	Meeting minutes and agenda for CAOHC meetings	01-May-2015	Carmen Thiel	01-Jun-2016

Projects**Executive Committee**

Description	Activity	R/Initiated
Chief Administrative Officer		
Litigation Defense	Ongoing instruction to Counsel re Ellis and Stoneman	01-Aug-2012
Seek legislative change regarding TFB name	2015 11 03 Meeting with Minister	12-Sep-2012
Trust Council and Executive Committee Orientation Program	2015 08 05 EC Review of own orientation schedule and materials	04-Feb-2014
Manage Hwlitsum Litigation Case	On-going instruction to Counsel	10-Nov-2014
Documentation about prep of RFDs and briefings	Staff workshop held on August 12, 2014	08-Dec-2012
Provide advice about amendments to Policy 2.2.1 (RFDs)		15-Feb-2015
Policy/Procedures regarding litigation defense		08-Dec-2012
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.	18-May-2016
Improve policy and procedure process	Updated numbering in policies. Directors need to review anomalies that came to light as a result of updating numbering.	08-Dec-2012

Director, Local Planning Services



Executive Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Rural Status for Southern LTC Grant Eligibility	Ask staff to review and report back on options for legislative change.			02-Nov-2015
	Review process for development of RD/LTC protocol agreements	Development of a process to review development of RD/LTC protocol agreements.			12-Aug-2012
	Application Sponsorship Policy	Provide advice on amendments to the Application Sponsorship Policy in relation to government bodies.			20-Nov-2012
	Provincial Tenure Referrals Process	Review and report on provincial tenure process regarding tenure referrals			12-Aug-2012