

Executive Committee Agenda

Date: Wednesday, July 19, 2017
Time: 8:45 am
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

	Pages
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
2.2.1 Agenda Context Notes	4 - 4
3. ADOPTION OF MINUTES	
3.1 June 20, 2017	5 - 7
4. FOLLOW UP ACTION LIST AND UPDATES	
4.1 Follow Up Action List	8 - 11
4.2 Director/CAO Updates	
4.3 Local Trust Committee Chair Updates	
5. BYLAWS FOR APPROVAL CONSIDERATION	
5.1 North Pender Island Local Trust Committee Bylaws	12 - 82
5.1.1 North Pender Island LTC Bylaw No. 206 (LUB Amendment)	
THAT the Islands Trust Executive Committee approve Bylaw No. 206, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2016" in accordance with Section 27 of the Islands Trust Act.	
5.1.2 North Pender Island LTC Bylaw No. 207 (OCP Amendment)	
THAT the Islands Trust Executive Committee approve Bylaw No. 207, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 3, 2016" in accordance with Section 27 of the Islands Trust Act.	
5.1.3 North Pender Island LTC Bylaw No. 208 (LUB Amendment)	
THAT the Islands Trust Executive Committee approve Bylaw No. 208, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4, 2016" in accordance with Section 27 of the <i>Islands Trust Act</i> .	
5.1.4 North Pender Island LTC Bylaw No. 209 (OCP Amendment)	
THAT the Islands Trust Executive Committee approve Bylaw No. 209, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 4, 2016" in accordance with Section 27 of the Islands Trust Act.	

5.1.5	North Pender Island LTC Bylaw No. 210 (LUB Amendment) THAT the Islands Trust Executive Committee approve Bylaw No. 210, cited as "North Pender Island Land Use Bylaw 103, 1996, Amendment No. 5, 2016" in accordance with Section 27 of the Islands Trust Act.	
5.2	South Pender Island Local Trust Committee Bylaws	83 - 164
5.2.1	South Pender Island LTC Bylaw No. 113 (OCP Amendment) THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 113, cited as South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016 in accordance with Section 27 of the Islands Trust Act.	
5.2.2	South Pender Island LTC Bylaw No. 114 (LUB Amendment) THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 114, cited as South Pender Island Land Use Bylaw No. 114, 2016 in accordance with Section 27 of the Islands Trust Act.	
5.3	Gabriola Island Local Trust Committee Bylaw No. 295 (Meeting Procedures Amendment) THAT the Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 295, cited as "Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017", under Section 27 of the Islands Trust Act.	165 - 172
5.4	Denman Island Local Trust Committee Bylaw No. 222 (OCP Amendment) THAT the Executive Committee approve Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016", under Section 24 of the Islands Trust Act.	173 - 190
5.5	Thetis Island Local Trust Committee Bylaw No. 98 (LUB Amendment) THAT the Islands Trust Executive Committee approve Thetis Island Local Trust Committee Bylaw No. 98, cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016" in accordance with Section 27 of the Islands Trust Act.	191 - 206
6.	TRUST COUNCIL MEETING PREPARATION	
6.1	Post-June Trust Council	
6.1.1	June Trust Council Minutes	207 - 218
6.1.2	Roundtable	
6.1.3	Trustee Comments/ Feedback	
6.1.4	June 2017 Decision Highlights	219 - 220
6.2	September Trust Council - preliminary schedule	221 - 221
6.3	Trust Council Follow Up Action List	222 - 224
6.4	Continuous Learning Plan	225 - 226
7.	EXECUTIVE COMMITTEE PROJECTS	
7.1	Trust Council Initiated	
7.1.1	Islands Trust Act Amendment Process - Briefing	227 - 230
7.2	Executive Committee Initiated	

8. NEW BUSINESS

8.1 Trust Area Services

- 8.1.1 LTC Chairs Report on Local Advocacy Topics**
- 8.1.2 Referral letter regarding British Columbia Timber Sales (BCTS) Forest Stewardship Plan (FSP) for Bowen Island** 231 - 241
- 8.1.3 Supporting regional application for abandoned boats funding - RFD** 242 - 245
- 8.1.4 DFO Aquaculture Management Advisory Committee membership - Briefing** 246 - 249

8.2 Local Planning Services

8.3 Administrative Services

8.4 Executive/Trust Council

- 8.4.1 UBCM Registration** 250 - 252

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 Letter to Saanich CRD re Abandoned Boats Program** 253 - 253
- 11.2 SS LTC Memo re: Approach to Abandoned Boats Program** 254 - 255
- 11.3 Howe Sound Forum - Save the Date - Oct 13 2017** 256 - 256
- 11.4 David Price of Pender Island re Freedom Mobile Application** 257 - 258

12. WORK PROGRAM

- 12.1 Review and amendment of current work program** 259 - 260

13. NEXT MEETING

14. ADJOURNMENT

Revised: July 13/17

Agenda No.	From	Context Notes
7.1.1	CAO	Following Trust Councils direction to EC to develop a process for prioritizing legislative amendments to the Act, this report is a preliminary briefing outlining a potential process and is intended to introduce the topic to Executive Committee. A brief presentation on potential amendments will accompany the report at the meeting.
8.1.2	Clare Frater	This information is being provided for information. As per existing letters of understanding staff will respond to this referral after consultation with Trust Fund Board staff. Islands Trust staff have already provided BC Timber Sales with relevant Islands Trust mapping information. Staff have also shared the draft Bowen Island Vacant Crown Land Profiles (last edited 2011) with Bowen Island Municipality staff.
8.4.1	CAO	Attached is early registration notice of the UBCM in September in Vancouver. Given the ongoing high profile issues associated with the Trust, EC may wish to develop a plan for meeting with relevant Ministers and ensure that the Islands Trust is well represented at UBCM.
11		In accordance with the EC's policy (2.4.vi), correspondence items are for information only, unless raised for action by a member of the EC. In some instances, correspondence to others is included, if it relates to the Executive Committee's business.
11.1		Letter added to agenda per email request from George Grams.
12.1		The EC work program is amended before each meeting with suggested priorities proposed by staff. By resolution, the EC can provide direction regarding new items or the order of priorities.

Executive Committee

Minutes of Regular Meeting

- Date:** June 20, 2017
- Location:** Lasqueti Island Community Hall, Main Rd, Lasqueti Island, BC
- Members Present:** Peter Luckham, Chair
Susan Morrison, Vice Chair
George Grams, Vice Chair
Laura Busheikin, Vice Chair
- Staff Present:** Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director, Local Planning Services
Cindy Shelest, Director, Administrative Services
Clare Frater, Director, Trust Area Services
Emma Restall, Executive Coordinator (Recorder)
1. **CALL TO ORDER**
The meeting was called to order at 1:22 p.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**
None
 - 2.2 **Approval of Agenda**
By General Consent, the agenda was approved as presented.
 3. **ADOPTION OF MINUTES**
 - 3.1 **June 7, 2017 Executive Committee Meeting**
By General Consent, the Minutes of the June 7, 2017 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.

5. BYLAWS FOR APPROVAL CONSIDERATION

**5.1 BIM Bylaw No. 439 and 440 - Request for Decision
EC-2017-086**

It was MOVED and SECONDED,

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

CARRIED

EC-2017-087

It was MOVED and SECONDED,

THAT the Executive Committee advise Bowen Island Municipality that Bylaw No. 440, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 440, 2017" is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

6. EXECUTIVE COMMITTEE PROJECTS

6.1 Trust Council Initiated

6.2 Executive Committee Initiated

7. NEW BUSINESS

7.1 Trust Area Services

7.1.1 LTC Chairs Report on Local Advocacy Topics

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

7.1.2 Denman LTC request for aquaculture research

EC-2017-088

It was MOVED and SECONDED,

THAT the Executive Committee request staff to report on strategies to limit the harmful impacts of geoduck aquaculture in the Trust Area and to obtain legal clarification on whether Local Trust Committees may create an exception in their zoning bylaws such that geoduck cultivation will not be permitted as a part of shellfish aquaculture.

CARRIED

8. CLOSED MEETING (not applicable)

9. RISE AND REPORT DECISIONS FROM CLOSED MEETING (not applicable)

10. CORRESPONDENCE

10.1 Wilderness Committee to Council re Tar Sands

Received for Information. Forward to trustees.

10.2 AGM Minutes, June 23rd Deadline for UBC, Excellence Awards. UBC, Convention, Fortis Community Grants

Received for information.

11. **WORK PROGRAM**
12. **NEXT MEETING – July 19th in Victoria**
13. **ADJOURNMENT**

The meeting adjourned at 1:31 p.m.

Peter Luckham, Chair

Certified Correct

Emma Restall, Recorder

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Activity	Responsibility	Target Date	Status
06-Dec-2016	Legislative Changes to the Islands Trust Act Investigate the principle of amending the Islands Trust Act and decide when it is appropriate to adding a priority to this.	Russ Hotsenpiller	10-Mar-2017	On Going
20-Jun-2017	Develop a process for identification and prioritization of potential amendments to the Islands Trust Act.	Russ Hotsenpiller	12-Sep-2017	On Going

Director, Local Planning Services

Activity	Activity	Responsibility	Target Date	Status
15-Feb-2017	Undertake a review of applications across the islands trust for potential inclusion in a future annual report.	David Marlor	01-Mar-2017	On Going
02-Mar-2017	Forwarded from SSI LTC: SS-2017-16 It was MOVED and SECONDED,that the Salt Spring Island Local Trust Committee request the Executive Committee to explore and report regarding the under spending of the projects budget for Salt Spring Island and potentially for other Trust Areas.	David Marlor Cindy Shelest	20-Jun-2017	On Going
07-Jun-2017	Follow up with LTCs to ensure that an effective process is in place so that referral resolutions are coming through to Executive Committee.	David Marlor Clare Frater	20-Jun-2017	On Going
20-Jun-2017	Advise Bowen Island Municipality that Bylaws No. 439 and 440 are not contrary to or at variance with the Islands Trust Policy Statement.	David Marlor	30-Jun-2017	Done

Follow Up Action Report

Director, Trust Area Services

Activity	Activity	Responsibility	Target Date	Status
09-Nov-2016	Letter from BC Hydro Proposed Woodpole Maintenance Schedule Staff to advise BC Hydro that it is acceptable to proceed with the planned woodpole treatment plan in 2016/17 using boron/copper products only if BC Hydro advertises the program on the affected islands, and requests staff to work with BC Hydro and Bowen Island Municipality to prepare a briefing regarding potential cancellation of the Letter of Understanding Concerning the Use of Pesticides during the BC Hydro Woodpole Test and Treat Program.	Clare Frater		On Going
23-Nov-2016	Trustee Crumblehulme re Mayne Island Oil Spill Response Islands Trust staff member to attend the first general inter-agency meeting convened by the Mayne Island Conservancy for the express purpose of developing a local response plan.	Clare Frater		On Going
15-Feb-2017	Research the ability and appropriateness for Islands Trust to obtain membership with AMAC.	Clare Frater Karen Hurley	01-Mar-2017	On Going
05-Apr-2017	Refer the Penelakut Tribe Letter regarding Support for Eric McLays access request to the Salt Spring Island LTC and send a letter to Chief Joan Brown advising receipt.	Clare Frater	12-Apr-2017	Done
03-May-2017	Circulate correspondence from Richard Linzey re Japanese Canadian Historic Places in BC to the appropriate LTCs	Clare Frater	10-May-2017	On Going



Follow Up Action Report

07-Jun-2017	Introduction Letters to MLAs and Ministers Draft Chair correspondence to the Premier and new ministers, parliamentary secretaries and opposition critics responsible for portfolios relevant to the Islands Trust mandate to provide background information on the Islands Trust. Draft Chair correspondence to Members of the Legislative Assembly for the Islands Trust Area to request meetings and to provide background information on the Islands Trust. Remind trustees that when communicating with new MLAs, the distinct roles within the Islands Trust should be clarified.	Clare Frater	28-Jun-2017	On Going
07-Jun-2017	Forward the following letter to the appropriate LTCs for their consideration: Richard Linzey of FLNRO re Japanese Canadian Historic Places Project Results	Clare Frater	14-Jun-2017	On Going
07-Jun-2017	Michael Lowry re Oil Spill Response Exercise in the Gulf Islands Request a follow up report with respect to the oil spill response exercise on the gulf islands.	Clare Frater	14-Jun-2017	Done
07-Jun-2017	Investigate options for the Islands Trust to participate in the 2018 Salish Sea Ecosystem Conference and prepare/submit required materials for an Islands Trust submission.	Clare Frater	12-Jul-2017	On Going
20-Jun-2017	Report back to EC on strategies to limit the harmful impacts of geoduck aquaculture in the Trust Area.	Clare Frater	19-Jul-2017	On Going
21-Jun-2017	Investigate the potential impacts associated with geoduck aquaculture in the Islands Trust Area and, as appropriate, initiate advocacy and give advice on consultation with the Province.	Clare Frater	19-Jul-2017	On Going
21-Jun-2017	With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Introduction, Part I, Part II and Schedule 1.	Clare Frater	19-Jul-2017	On Going

Follow Up Action Report

Legislative Services Manager

Activity	Activity	Responsibility	Target Date	Status
15-Feb-2017	Amend Policy 2.2.ii and Policy 7.4.1 to require advance submission of speaker/delegation material intended for presentations at a Trust Council or Council Committee meeting so that all policies are consistent.	Carmen Thiel	29-Jun-2017	On Going

Planner 1

Activity	Activity	Responsibility	Target Date	Status
07-Jun-2017	Bowen bylaws 439 and 440 - deferred to June 20 meeting - obtain information on riparian area and reasons for not referring to First Nations.	Shelley Miller	15-Jun-2017	Done

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: NP-RZ-2016.2 and 2016.2 (Port Browning)
NP Bylaws 2016 to 210

DATE OF MEETING: July 19, 2017
TO: Islands Trust Executive Committee
FROM: Phil Testemale, A/Planner 2
SUBJECT: North Pender Island Local Trust Committee – Bylaws 206, 207, 208, 209 and 210 – Port Browning Marina and Resort

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Bylaw No. 206, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2016” in accordance with Section 27 of the *Islands Trust Act*.**
2. **THAT the Islands Trust Executive Committee approve Bylaw No. 207, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 3, 2016” in accordance with Section 27 of the *Islands Trust Act*.**
3. **THAT the Islands Trust Executive Committee approve Bylaw No. 208, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4, 2016” in accordance with Section 27 of the *Islands Trust Act*.**
4. **THAT the Islands Trust Executive Committee approve Bylaw No. 209, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 4, 2016” in accordance with Section 27 of the *Islands Trust Act*.**
5. **THAT the Islands Trust Executive Committee approve Bylaw No. 210, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 5, 2016” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

North Pender Island Local Trust Committee has referred Bylaws No. 206, 207, 208, 209 and 210 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaws as they are not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

There are no organisational implications of the recommendations.

Financial

There are no financial implications of the recommendations.

Policy

There are no Policy implications of the recommendations.

Implementation/Communications

Staff will advise the North Pender Island Local Trust Committee regarding the Executive Committee decision by July 19, 2017.

Other

There are no other implications of the recommendation.

PURPOSE

The overall purpose of the bylaws is to facilitate the redevelopment of the Port Browning Marina Resort and to relocate septic infrastructure on adjacent properties that services the resort. The specific purpose of each bylaw follows:

Bylaw 206 – Land Use Bylaw Amendment on DL107

The purpose of North Pender Island Bylaw No. 206, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2016” is to amend the North Pender Island Land Use Bylaw to rezone a portion of Water Lot DL 107 to Water 2 (W2) to permit the expansion of the Port Browning Marina. The Bylaw will also rezone the remainder of DL 107 to a site specific zone Water 2 (a) (W2 [a]) to permit floating wave attenuators as the sole use. Lastly, the Bylaw will change the definition of ‘Marinas’ in Section 1.1 of the Land Use Bylaw to include “marine sewage pump-out stations”, and amend the Water 2 zone to limit the maximum floor area of accessory buildings on docks to 37 m². Generally, Bylaw 206 will facilitate the following:

- Expanded Marina (67 to 87 slips)
- Sewage Pump Out
- Fuel Dock
- Accessory Buildings on Docks
- Attenuator (floating breakwater)

Bylaw 207- Official Community Plan Amendment on a Portion of Lot 3, Plan 7982

The purpose of Bylaw 207, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 3, 2016” is to amend the North Pender Island Official Community Plan to re-designate a portion of Lot 3, Plan 7982, except Part in Plan 21227 and 1772RW to Tourist Commercial – TC and a further portion to Tourist Commercial – TC.

Bylaw 208 – Land Use Bylaw Amendment on a Portion of Lot 3, Plan 7982 and on Lot A (DD G54184)

The purpose of Bylaw 208 cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4, 2016” is to amend the North Pender Island Land Use Bylaw to rezone portion of Lot 3, Plan 7982 except part in 21227 and 1772RW to Commercial 3 (C3) to permit the commercial development of this portion which, through

subdivision, will be included with the redevelopment of the Port Browning Marina Resort on Lot A (DD G54184). The Bylaw will also rezone Lot A (DD G54184) to Commercial 3 (C3) eliminating an unnecessary zone variation. The Bylaw will also amend the Commercial 3 (C3) zone to: reduce the maximum number of commercial guest accommodation units from 37 to 29; increase the maximum floor area of a commercial guest accommodation unit from 57 m² (by definition) to 121 m² and limits the total combined floor area for all of commercial guest accommodation units to 1876 m²; limit lot coverage to 15%; and increases the maximum height for a hotel from 9.7 metres to 10.7 metres. Generally, Bylaw 208 will facilitate the following:

- Facilitate the redevelopment of the upland portion of the Port Browning Marina Resort.
- Reduced density for commercial accommodation units (29 from 37).
- Increased lot coverage (15% from 8%)
- Increase in the maximum floor area for any commercial accommodation unit while lowering the net combined floor area of all units.
- Increasing the maximum allowable height to facilitate the design of a lodge accommodation building (9.7 m to 10.7 m)

Bylaw 209 - Official Community Plan Amendment on a Portion of Lots 3, Plan 7982

The purpose of Bylaw 209, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 4, 2016” is to amend the North Pender Island Official Community Plan to re-designate a portion of Lot 3, Plan 7982, except Part in Plan 21227 and 1772RW from Community Service – CS to Rural – R. The change will allow the relocation of existing septic infrastructure for sewage generated on Lot A (DD G54184), Section 11, Plan 7982 to be re-located on the same portion of the subject property.

Bylaw 210 - Land Use Bylaw Amendment on Lots 3 and 4, Plan 7982

The purpose of Bylaw 210, cited as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 5, 2016.” is to amend the North Pender Island Land Use Bylaw to rezone a portion of Lot 3, Plan 7982, except Part in Plan 21227 and 1772RW from Service Zone (a) (SD(a)) and Rural (R) to Rural (d) (R9d)), and to rezone Lot 4, Plan 7982 from Rural (R) to Rural (d) (R9d)). The bylaw is a technical amendment allow the realignment of existing septic infrastructure on Lots 3 and 4, Plan 7982 for sewage generated on Lot A (DD G54184), Section 11, Plan 7982.

BACKGROUND

On November 27, 2016, the North Pender Island Local Trust Committee gave Proposed Bylaw 206, 207, 208, 209 and 210 third reading.

As part of the Development Approval Information requirements, an Archaeological Impact Assessment was prepared by Madrone Environmental Services Ltd. (dated march 10, 2017) and submitted to the NPILTC. The recommendations for an expansion of the identified archaeological site on the subject properties and construction management will be incorporated by staff into a permanent Section 219 covenant that is required prior to Final Adoption by the LTC. A second, temporary covenant is also required to secure community amenities that have been volunteered by the applicants as part of the process.

The applicant held numerous 'open houses' in the community prior to making application. The NPILTC held community information meetings on North Pender Island (April 8, 2017 and May 25, 2017). The NPILTC held a public hearing on May 25, 2017.

The NPILTC considered the Islands Trust Policy Statement for Bylaws 206, 207 and 208 on April 27, 2017 and passed the following resolution:

NP-2017-036

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee endorse the Islands Trust Policy Statement Directive Policies Checklist for proposed Draft Bylaw Nos. 206, 207, and 208.

CARRIED

Further, the LTC considered the Islands Trust Policy Statement for Bylaws 209 and 210 on January 26, 2017 and passed the following resolution:

NP-2017-012

It was MOVED and SECONDED,

that the North Pender Island Local Trust Committee endorse the Islands Trust Policy Statement Directive Policies Checklist for proposed Draft Bylaw Nos. 209 and 210.

CARRIED

Issues Relating To Provincial Interest

There are no issues relating to the Provincial interest identified.

Issues Relating To First Nation Interest

In a more proactive approach to consultation, Staff sent preliminary referral letters for the application on October 11, 2016 to twelve First Nations. In addition, statutory referrals were sent to the same First Nations on February 14, 2017.

The Halalt and Lake Cowichan First Nations responded by deferring to other First Nations with priority interests.

Staff conducted a site visit on February 23, 2017 with Luschim (elder) and Tracy Fleming (staff) of Cowichan Tribes and the applicants and Local Trustees. . The Cowichan Tribes provided written response with 'no specific comments' about the bylaws. They did give comments about the proposal in terms of archaeology, dock construction and eelgrass and forage fish habitat. These have been addressed through required covenants, or will be part of the required Development Permit process, or are outside of the Islands Trust jurisdiction.

Issues Relating To Resources and Enforcement

There are no issues relating to enforcement or resourcing for these bylaws.

Public Comments

To date, no public comments to the Executive Committee for these Bylaws have been received.

Staff Comments

The bylaws are not contrary to or at variance with the Islands Trust Policy Statement; therefore, Staff recommends that the Executive Committee approve North Pender Island Local Trust Committee Bylaws 206, 207, 208, 209 and 210.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise North Pender Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. [NUMBER], cited as [CITATION] is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Name of Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Phil Testemale A/Planner 2	June 30, 2017
Concurrence:	David Marlor, MCIP, RRP Director of Local Planning Services	July 5, 2017

ATTACHMENTS

1. EC Submission Form (Att. 1-5)
2. Bylaw Submission Checklist (Att. 6-10)
3. Bylaw Referrals Report (Att. 11-15)
4. Islands Trust Policy Statement Directives Only Checklist (Att. 16-18)
5. EC Policy Checklist (Att. 19-23)
6. Bylaws No. 206, 207, 208, 209 & 210 (Att. 24-28)
7. First Nations follow-up Tracking (Att. 29)



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-206

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 25-May-2017

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

Recieved by Islands Trust Secretary:

Signature: Carmen Ghil
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

- *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



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-207

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 25-May-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Ghil
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
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Distribution: Executive Committee

Director, LPS

Local Trust Committee

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Planning Clerk



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-208

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 25-May-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Ghil
Secretary

Date: July 13, 2017

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Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-209

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 25-May-2017

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

Recieved by Islands Trust Secretary:

Signature: Carmen Thiel
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

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- *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



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-210

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 25-May-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Thiel
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

- *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: NP-206

Trust Area: North Pender Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: NP-206
Application No.: NP-RZ-2016.2
Trust Initiated: No

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 26-Jan-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 30-Jan-2017

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: Lloyd-deRosario, Sharon

Date: 09-May-2017

File complete and ready for Public review: Yes

Public Hearings:

Location: Pender Island Community Hall
Proofread By: Lloyd-deRosario, Sharon

Legal Paper: Gulf Island Driftwood
First Publish Date: 10-May-2017

Second Publish Date: 17-May-2017

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date: 03-May-2017

Delivery Notices: 10-May-2017
Date Public Hearing Held: 25-May-2017
Third Reading Date: 25-May-2017

Second Reading Date: 27-Apr-2017

Bylaw: NP-207

Trust Area: North Pender Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: NP-207
Application No.: NP-RZ-2016.3
Trust Initiated: No

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 26-Jan-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 30-Jan-2017

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Mailout Date: 03-May-2017

Delivery Notices: 10-May-2017
Date Public Hearing Held: 25-May-2017
Third Reading Date: 25-May-2017

Second Reading Date: 27-Apr-2017

Bylaw: NP-208

Trust Area: North Pender Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: NP-208
Application No.: NP-RZ-2016.3
Trust Initiated: No

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 26-Jan-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 30-Jan-2017

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Second Publish Date: 17-May-2017

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First Publish Date:

Second Publish Date:

Mailout Date: 03-May-2017

Delivery Notices: 10-May-2017
Date Public Hearing Held: 25-May-2017
Third Reading Date: 25-May-2017

Second Reading Date:

Bylaw: NP-209

Trust Area: North Pender Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: NP-209
Application No.: NP-RZ-2016.3
Trust Initiated: No

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 26-Jan-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web:

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: Lloyd-deRosario, Sharon

Date: 09-May-2017

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First Publish Date: 10-May-2017

Second Publish Date: 17-May-2017

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date: 03-May-2017

Delivery Notices: 10-May-2017
Date Public Hearing Held: 25-May-2017

Second Reading Date: 27-Apr-2017

Third Reading Date: 25-May-2017

Bylaw: NP-210

Trust Area: North Pender Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: NP-210
Application No.: NP-RZ-2016.3
Trust Initiated: No

Proofread By:

Clerk: No
Planner: No

Technical Staff: No

First Reading Date: 26-Jan-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 30-Jan-2017

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: Lloyd-deRosario, Sharon

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Mailout Date: 03-May-2017

Delivery Notices: 10-May-2017
Date Public Hearing Held: 25-May-2017
Third Reading Date: 25-May-2017

Second Reading Date: 27-Apr-2017



Referrals: Bylaw NP-206

Agency	Sent	Received
Pauquachin First Nation 9010 West Saanich Road: Henry, Danny Comment:	14-Feb-2017	
Tsartlip First Nation PO Box 70: Harry, Karen Comment:	14-Feb-2017	
Tsawwassen First Nation 1926 Tsawwassen Drive: McCarthy, Tom Comment:	14-Feb-2017	
Tseycum First Nation 1210 Totem Lane: Jones, Tanya Comment:	14-Feb-2017	
Malahat First Nation - Te'mexw Treaty Association 110 Thunder Road: Lewis, Lawrence Comment:	14-Feb-2017	
Lake Cowichan First Nation 313B Deer Road: Chief, & Council Comment: Deferred to other nations who are directly affected	14-Feb-2017	16-May-2017
Lyackson First Nation 7973A Chemainus Road: Aidnell, Linda Comment:	14-Feb-2017	
Penelakut Tribe Box 360: James, Denise Comment:	14-Feb-2017	
Tsawout First Nation PO Box 121, 7725 Tetayut Road: Underwood, Gwen Comment:	14-Feb-2017	
Songhees Nation 1500D Admirals Road: and Council, Chief Comment:	14-Feb-2017	
Cowichan Tribes Chief and Council: Flemming, Tracey Comment: Approval Recommended subject to conditions outlined	14-Feb-2017	13-Apr-2017
Halalt First Nation Chief and Council: Gladstone, Caroline Comment:	14-Feb-2017	
Stz'uminus First Nation 12611A Trans Canada Hwy: Akey, Chenoa Comment:	14-Feb-2017	



Referrals: Bylaw NP-206

Agency	Sent	Received
Semiahmoo First Nation 16049 Beach Rd: Coordinator, Referrals Comment:	14-Feb-2017	
Pender Island Fire Rescue PO Box 61: Boyte, Charlie Comment: Approval recommended subject to conditions outlined	02-Feb-2017	27-Feb-2017
Capital Regional District - All Referrals J. Arnet 625 Fisgard Street: Arnet, Jessica Comment:	02-Feb-2017	
Ministry of Transportation and Infrastructure Saanich Area Office: Koch, David Comment: Approval recommended for reasons outlined - MOTI interests will not be significantly impacted by this bylaw amendment.	02-Feb-2017	15-Feb-2017
Ministry of Forests, Lands & Natural Resource Operations -Archaeology Site Inventory PO Box 9816 Stn. Prov. Govt.: Cooper, Diana Comment: Approval recommended subject to conditions outlined	02-Feb-2017	22-Mar-2017
South Pender Island Local Trust Committee 200 - 1627 Fort Street: Luckham, Peter Comment:	02-Feb-2017	
Island Health Health Protection and Environmental Services: Laughlin, Christopher Comment:	02-Feb-2017	
Ministry of Forests, Lands and Natural Resource Operations - Water Protection # 142 - 2080A Labieux Road: Lapcevic, Pat Comment:	02-Feb-2017	
Ministry of Forests, Lands and Natural Resources - Crown Lands and Resources 1080-A Labieux Road: Harvey, Mark Comment: Interests unaffected by Bylaw	02-Feb-2017	10-Mar-2017
Mayne Island Local Trust Committee Islands Trust: Grams, George Comment:	02-Feb-2017	
Ministry of Forest, Lands & Natural Resources Operations - Ecosystems PO Box 9816 Stn Prov Govt: Roden, Jacqueline Comment: Approval Recommended subject to conditions outlined	02-Feb-2017	03-Feb-2017
Salt Spring Island Local Trust Committee 1 - 500 Lower Ganges Road: Luckham, Peter Comment:	02-Feb-2017	



Referrals: Bylaw NP-206

Agency	Sent	Received
Saturna Island Local Trust Committee 200 - 1627 Fort Street: Busheiken, Laura Comment:	02-Feb-2017	
Fisheries and Oceans Canada Fisheries & Oceans Canada: Collins, Chantal Comment:	02-Feb-2017	
Parks Canada 2220 Harbour Road: Morash, Marcia Comment:	02-Feb-2017	
Islands Trust Fund 200, 1627 Fort Street: Eliason, Jennifer Comment:	02-Feb-2017	
Pender Island Parks and Recreation Commission PO Box 86: Berry, Arne Comment:	02-Feb-2017	
Transport Canada Programs Property Services: Vonriedemann, Mario Comment:	02-Feb-2017	
Capital Regional District - Electoral Area Director Electoral Area: Howe, Dave Comment:	02-Feb-2017	
Capital Regional District Planning & Protective Services Building Inspection Division Headquarters: Gutierrez, Robert Comment:	02-Feb-2017	
Ministry of Community, Sport and Cultural Development Intergovernmental Relations and Planning Division: Nicholls, Eric Comment:	02-Feb-2017	



Referrals: Bylaw NP-207

Agency	Sent	Received
Tsartlip First Nation PO Box 70: Harry, Karen Comment:	14-Feb-2017	
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Tseycum First Nation 1210 Totem Lane: Jones, Tanya Comment:	14-Feb-2017	
Pauquachin First Nation 9010 West Saanich Road: Henry, Danny Comment:	14-Feb-2017	
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Lake Cowichan First Nation 313B Deer Road: Chief, & Council Comment: Deferred to other nations who are directly affected	14-Feb-2017	16-May-2017
Lyackson First Nation 7973A Chemainus Road: Aidnell, Linda Comment:	14-Feb-2017	
Penelakut Tribe Box 360: James, Denise Comment:	14-Feb-2017	
Songhees Nation 1500D Admirals Road: and Council, Chief Comment:	14-Feb-2017	
Cowichan Tribes Chief and Council: Flemming, Tracey Comment: Approval Recommended subject to conditions outlined	14-Feb-2017	13-Apr-2017
Halalt First Nation Chief and Council: Gladstone, Caroline Comment:	14-Feb-2017	
Stz'uminus First Nation 12611A Trans Canada Hwy: Akey, Chenoa Comment:	14-Feb-2017	



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Ministry of Forests, Lands and Natural Resources - Crown Lands and Resources 1080-A Labieux Road: Harvey, Mark Comment: Interests unaffected by Bylaw	02-Feb-2017	10-Mar-2017
Mayne Island Local Trust Committee Islands Trust: Grams, George Comment:	02-Feb-2017	
Ministry of Forest, Lands & Natural Resources Operations - Ecosystems PO Box 9816 Stn Prov Govt: Roden, Jacqueline Comment: Approval Recommended subject to conditions outlined	02-Feb-2017	03-Feb-2017
Salt Spring Island Local Trust Committee 1 - 500 Lower Ganges Road: Luckham, Peter Comment:	02-Feb-2017	
Saturna Island Local Trust Committee 200 - 1627 Fort Street: Busheiken, Laura Comment:	02-Feb-2017	
Fisheries and Oceans Canada Fisheries & Oceans Canada: Collins, Chantal Comment:	02-Feb-2017	
Parks Canada	02-Feb-2017	



Referrals: Bylaw NP-207

Agency	Sent	Received
2220 Harbour Road: Morash, Marcia Comment:		
Ministry of Forests, Lands & Natural Resource Operations -Archaeology Site Inventory PO Box 9816 Stn. Prov. Govt.: Cooper, Diana Comment: Approval recommended subject to conditions outlined	02-Feb-2017	22-Mar-2017
Island Health Health Protection and Environmental Services: Laughlin, Christopher Comment:	02-Feb-2017	
Pender Island Parks and Recreation Commission PO Box 86: Berry, Arne Comment:	02-Feb-2017	
Islands Trust Fund 200, 1627 Fort Street: Eliason, Jennifer Comment:	02-Feb-2017	



Referrals: Bylaw NP-208

Agency	Sent	Received
Tsartlip First Nation PO Box 70: Harry, Karen Comment:	14-Feb-2017	
Tsawwassen First Nation 1926 Tsawwassen Drive: McCarthy, Tom Comment:	14-Feb-2017	
Tseycum First Nation 1210 Totem Lane: Jones, Tanya Comment:	14-Feb-2017	
Tsawout First Nation PO Box 121, 7725 Tetayut Road: Underwood, Gwen Comment:	14-Feb-2017	
Malahat First Nation - Te'mexw Treaty Association 110 Thunder Road: Lewis, Lawrence Comment:	14-Feb-2017	
Lake Cowichan First Nation 313B Deer Road: Chief, & Council Comment: Deferred to other nations who are directly affected	14-Feb-2017	16-May-2017
Lyackson First Nation 7973A Chemainus Road: Aidnell, Linda Comment:	14-Feb-2017	
Penelakut Tribe Box 360: James, Denise Comment:	14-Feb-2017	
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Stz'uminus First Nation 12611A Trans Canada Hwy: Akey, Chenoa Comment:	14-Feb-2017	
Semiahmoo First Nation 16049 Beach Rd: Coordinator, Referrals Comment:	14-Feb-2017	
Songhees Nation 1500D Admirals Road: and Council, Chief Comment:	14-Feb-2017	
Cowichan Tribes Chief and Council: Flemming, Tracey Comment: Approval Recommended subject to conditions outlined	14-Feb-2017	13-Apr-2017



Referrals: Bylaw NP-208

Agency	Sent	Received
Halalt First Nation Chief and Council: Gladstone, Caroline Comment:	14-Feb-2017	
Capital Regional District - All Referrals J. Arnet 625 Fisgard Street: Arnet, Jessica Comment:	02-Feb-2017	
Ministry of Transportation and Infrastructure Saanich Area Office: Koch, David Comment: Approval Recommended for reasons outlined - interests will not be significantly impacted by bylaw amendment	02-Feb-2017	15-Feb-2017
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Transport Canada Programs Property Services: Vonriedemann, Mario Comment:	02-Feb-2017	
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Ministry of Forests, Lands and Natural Resources - Crown Lands and Resources 1080-A Labieux Road: Harvey, Mark Comment: Interests unaffected by Bylaw	02-Feb-2017	10-Mar-2017
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Salt Spring Island Local Trust Committee 1 - 500 Lower Ganges Road: Luckham, Peter Comment:	02-Feb-2017	



Referrals: Bylaw NP-208

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Fisheries and Oceans Canada Fisheries & Oceans Canada: Collins, Chantal Comment:	02-Feb-2017	
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Malahat First Nation - Te'mexw Treaty Association 110 Thunder Road: Lewis, Lawrence Comment:	14-Feb-2017	
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Penelakut Tribe Box 360: James, Denise Comment:	14-Feb-2017	
Pauquachin First Nation 9010 West Saanich Road: Henry, Danny Comment:	14-Feb-2017	
Tsartlip First Nation PO Box 70: Harry, Karen Comment:	14-Feb-2017	
Tsawwassen First Nation 1926 Tsawwassen Drive: McCarthy, Tom Comment:	14-Feb-2017	
Tseycum First Nation 1210 Totem Lane: Jones, Tanya Comment:	14-Feb-2017	



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No 206 (LUB) and File NP-RZ-2016.2

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.
✓	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
✓	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.
✓	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
✓	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.
✓	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.
✓	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
✓	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.
✓	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.
✓	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
X	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.
X	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
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: Compliance with 5.6 has not been completed – Archaeological Impact Assessment pending.



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No 207 (OCP) & 208 (LUB) and File NP-RZ-2016.3

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.
	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.
	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
	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
	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.
	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
	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
	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
	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
	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
	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.
	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.
	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
	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.
	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
	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.
	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.
	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.
	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

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

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
	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
	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.
	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.
	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.
	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
	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
	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.
	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.
	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.
	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.
	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
	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.
	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No 209 (OCP) & 210 (LUB) and File NP-RZ-2016.3

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.

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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

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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.
✓	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.
	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.
✓	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.
✓	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
✓	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.
✓	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:

Status

Date Resolution Referred to Exective Committee: 25-May-2017

Reading:

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: 25-May-2017

Reading:

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: 25-May-2017

Reading:

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: 25-May-2017

Reading:

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: 25-May-2017

Reading:

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 206

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW 103, 1996

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 3, 2016”.

2. North Pender Island Local Trust Committee Bylaw No. 103, cited as “North Pender Island Land Use Bylaw 103, 1996,” is amended as follows:

2.1 Section 1.1 – Definitions, “marina” is amended by inserting a comma and the word “marine sewage pump-out stations”, after “walkways” and before “and”.

2.2 Clause 8.20.1 (1) (h) is amended by removing the word “and”.

2.3 Clause 8.20.1 (1) (i) is amended by removing the period after “buoys” and replacing it with a semi-colon and the word “and”.

2.4 Article 8.20.1 (1) is amended by inserting the following as clause 8.20.1 (1) (j):

“(j) accessory buildings on docks for which the maximum floor area of all accessory buildings on docks is not to exceed 37 m² within any one location in the W2 zone”.

2.5 Section 8.20 Water 2 (W2) is amended by the insertion of the following as Subsection 8.20.5:

“ 8.20.5 Site Specific Regulations

- (1) The regulations listed in Column 3 of the following table only apply to the land identified in column 2 of the same row. These lands are identified on the zoning map by the site-specific zoning reference listed in column 1.

Column 1	Column 2	Column 3
Site-Specific Zone Reference	Legal Description	Site Specific Regulations
W2(a)	Part of District Lot 107, Cowichan District and Unsurveyed Crown Land covered by water being part of the bed of Port Browning, Cowichan District.	Despite 8.20.1(1), the only use permitted in this area are floating wave attenuators.

2.6 Schedule “D” – Zoning Map, is amended by changing the zoning classification of District Lot 107, Cowichan District and Unsurveyed Crown Land covered by water being part of the bed of Port Browning, Cowichan District, from Water 1 (W1) to Water 2 (W2) and Water 2 (a) (W2 [a]), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 103 as are required to effect this change.

3. Severability

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.

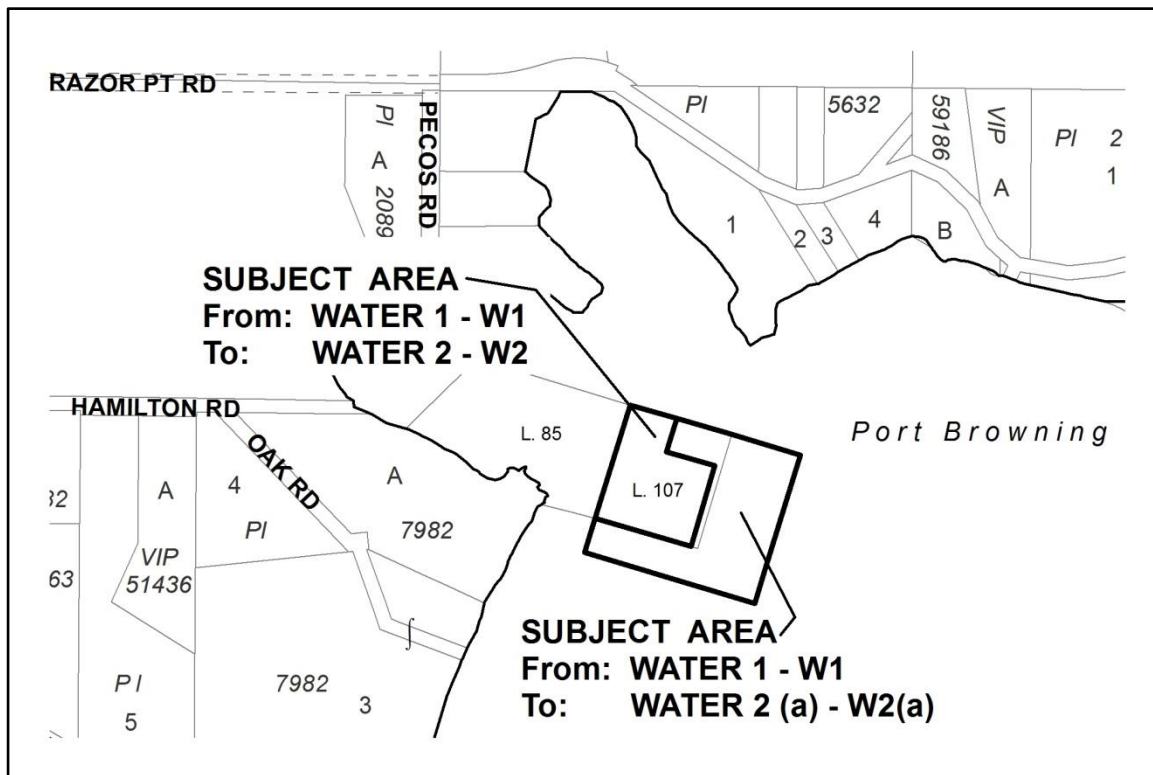
READ A FIRST TIME THIS	26 th	DAY OF	JANUARY	2017
READ A SECOND TIME THIS	27 th	DAY OF	APRIL	2017
PUBLIC HEARING HELD THIS	25 th	DAY OF	MAY	2017
READ A THIRD TIME THIS	25 th	DAY OF	MAY	2017
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	_____	DAY OF	_____	20____
ADOPTED THIS				
		DAY OF	_____	20____

Chair

Secretary

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 206

Plan No. 1



PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 207

A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

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

AND WHEREAS Section 29 of the *Islands Trust Act* gives the North Pender Island Local Trust Committee the same power and authority of a Regional District under Part 14, except sections 558 to 570 and 507 to 508, of the *Local Government Act*;

AND WHEREAS the North Pender Island Local Trust Committee wishes to amend the North Pender Island Official Community Plan Bylaw No. 171, 2007;

AND WHEREAS the North Pender Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the North Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 3, 2016”.

2. SCHEDULES

North Pender Island Official Community Plan No. 171, 2007 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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.

READ A FIRST TIME THIS 26th DAY OF JANUARY 2017
 READ A SECOND TIME THIS 27th DAY OF APRIL 2017
 PUBLIC HEARING HELD THIS 25th DAY OF MAY 2017
 READ A THIRD TIME THIS 25th DAY OF MAY 2017
 APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
 _____ DAY OF _____ 20____
 APPROVED BY THE MINISTER COMMUNITY, SPORT AND CULTURAL
 DEVELOPMENT THIS _____ DAY OF _____ 20____
 ADOPTED THIS _____ DAY OF _____ 20____

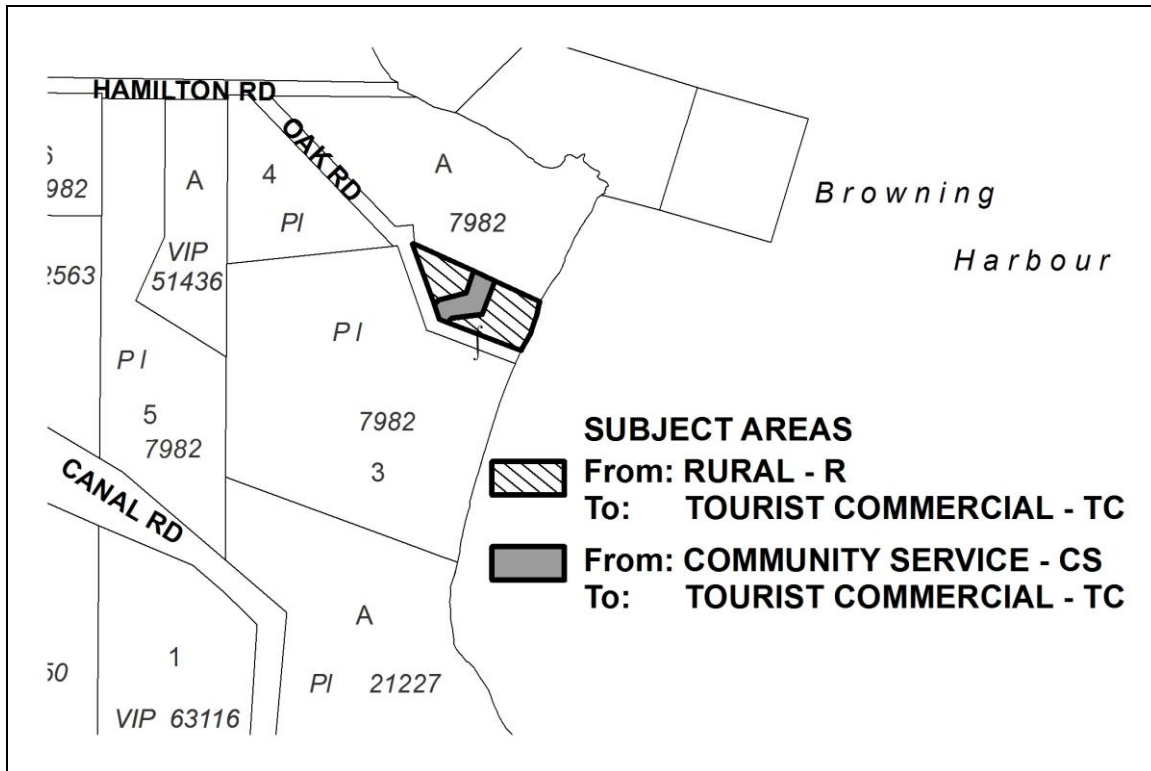
Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 207**

SCHEDULE 1

The North Pender Island Official Community Plan No. 171, 2007 is amended as follows:



PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 208

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW 103, 1996

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 4, 2016”.

2. North Pender Island Local Trust Committee Bylaw No. 103, cited as “North Pender Island Land Use Bylaw 103, 1996,” is amended as follows:

2.1 Article 8.6.3 (1) is amended by inserting a comma and the words “manager, operator or caretaker”, after “owners” and before “of”.

2.2 Subsection 8.6.3 is amended by inserting the following as article 8.6.3 (3):

“(3) The accessory dwelling for employees is to be located either within one (1) accessory dwelling unit or occupy a maximum floor area no greater than 140 m² within buildings used for commercial accommodation”.

2.3 Article 8.6.4 (2) is deleted and replaced with, “The maximum number of commercial accommodation units permitted in the Commercial 3 zone is 29.”

2.4 Subsection 8.6.4 is amended by adding a new article (3), which reads: “Despite the definition of *commercial guest accommodation unit*, the maximum floor area of a commercial guest accommodation unit is 121 square metres, with the total floor area of all commercial guest accommodation units in the Commercial 3 zone not exceeding 1876 square metres.”

2.5 Article 8.6.5 (1) is deleted and replaced with, “Lot coverage may not exceed 15%.”

2.6 Subsection 8.6.7 is amended by adding a new article (2), which reads: “Despite 8.6.7(1), the maximum height for a hotel is 10.7 metres.”

2.7 Subsection 8.6.9 -- “Site Specific Regulations,” is deleted.

2.8 Schedule “D” – Zoning Map, is amended by changing the zoning classification of a portion of the Lot 3, Section 11, Pender Island, Plan 7982 except Part in Plan 21227 and 1772RW from SD (a) (Service Zone (a)) and Rural (R), to Commercial 3 (C3), and by changing the zoning classification of Lot A (Dd G54184) Of Section 11, Pender Island, Cowichan District, Plan 7982 from Commercial 3 (a) to Commercial 3, as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “D” to Bylaw No. 103 as are required to effect this change.

3. Severability

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.

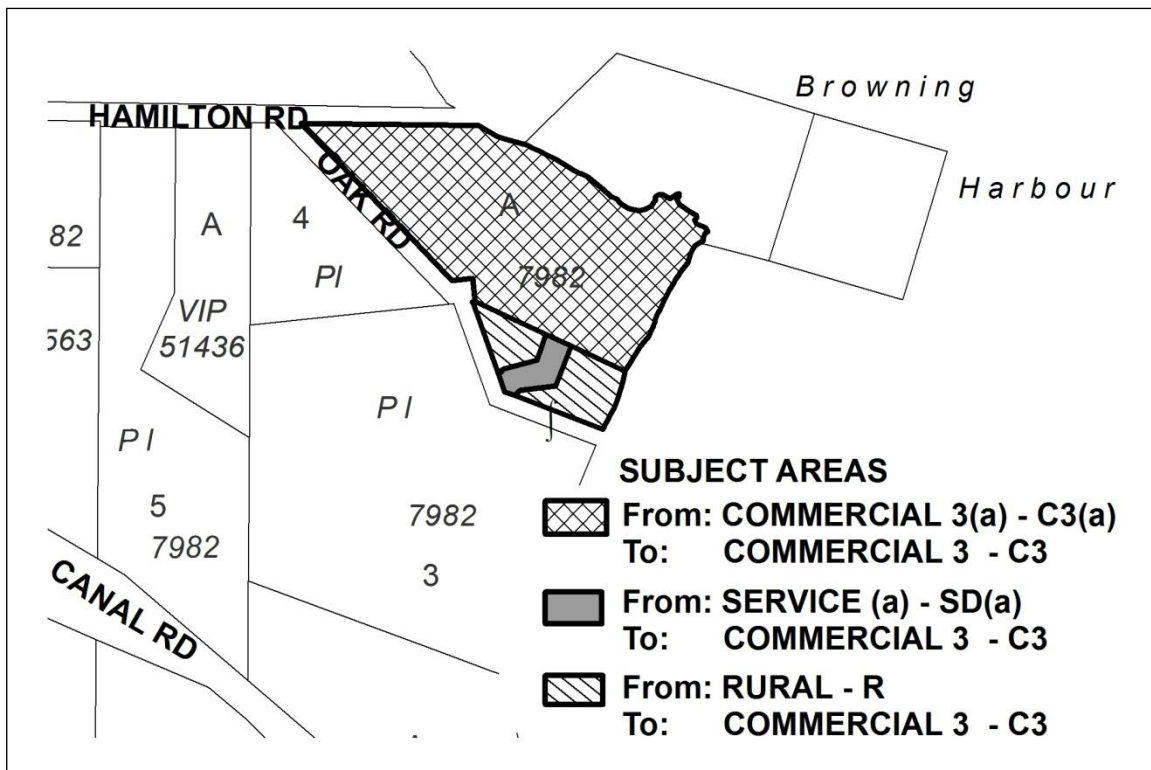
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READ A SECOND TIME THIS	27 th	DAY OF	APRIL	2017
PUBLIC HEARING HELD THIS	25 th	DAY OF	MAY	2017
READ A THIRD TIME THIS	25 th	DAY OF	MAY	2017
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 208**

Plan No. 1



PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 209

A BYLAW TO AMEND NORTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 171, 2007

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

AND WHEREAS Section 29 of the *Islands Trust Act* gives the North Pender Island Local Trust Committee the same power and authority of a Regional District under Part 14, except sections 558 to 570 and 507 to 508, of the *Local Government Act*;

AND WHEREAS the North Pender Island Local Trust Committee wishes to amend the North Pender Island Official Community Plan Bylaw No. 171, 2007;

AND WHEREAS the North Pender Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the North Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 4, 2016”.

2. SCHEDULES

North Pender Island Official Community Plan No. 171, 2007 Schedule” B” – Land Use Map - is amended, as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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.

READ A FIRST TIME THIS 26th DAY OF JANUARY 2017
 READ A SECOND TIME THIS 27th DAY OF APRIL 2017
 PUBLIC HEARING HELD THIS 25th DAY OF MAY 2017
 READ A THIRD TIME THIS 25th DAY OF MAY 2017
 APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
 _____ DAY OF _____ 20____
 APPROVED BY THE MINISTER COMMUNITY, SPORT AND CULTURAL
 DEVELOPMENT THIS _____ DAY OF _____ 20____
 ADOPTED THIS _____ DAY OF _____ 20____

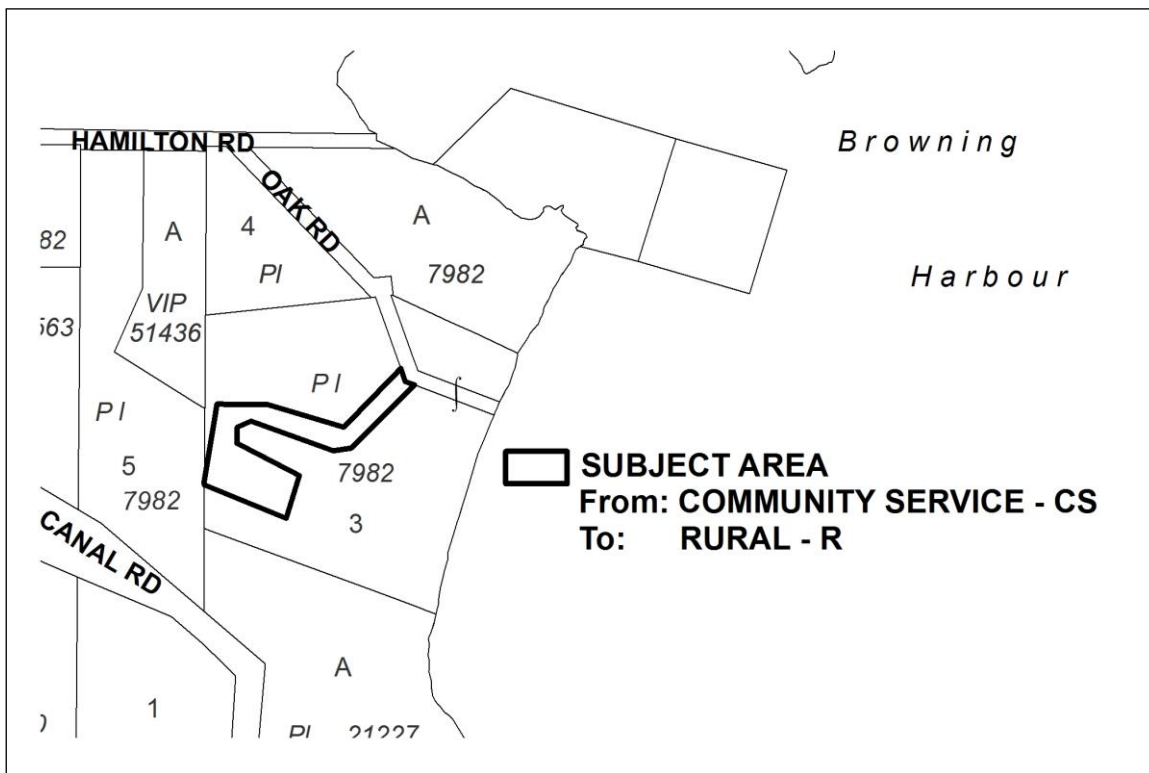
Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 209**

SCHEDULE 1

The North Pender Island Official Community Plan No. 171, 2007 is amended as follows:



PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 210

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW 103, 1996

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw 103, 1996, Amendment No. 5, 2016”.

2. North Pender Island Local Trust Committee Bylaw No. 103, cited as “North Pender Island Land Use Bylaw 103, 1996,” is amended as follows:

2.1 Subsection 8.2.8 – “Site Specific Regulations”, is amended by adding a new Site Specific Zone Reference R(d) as follows:

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Site-Specific Zone Reference	Legal Description	Site Specific Regulations
R(d)	Lot 3, Section 11, Plan 7982 except Part in Plan 21227; and Lot 4, Section 11, Pender Island, Cowichan District, Plan 7982.	(1) In addition to the uses permitted by 8.2.2 the following use is permitted: (a) the treatment and disposal of sewage generated on Lot A (DDG54184), Section 11, Plan 7982.

2.2 Schedule “D” – Zoning Map, is amended by changing the zoning classification of Lot 3, Section 11, Plan 7982 except Part in Plan 21227 and 1772RW from SD (a) (Service Zone (a)) and Rural (R), to Rural (d) (R(d)), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 103 as are required to effect this change.

2.3 Schedule “D” – Zoning Map, is amended by changing the zoning classification of Lot 4, Section 11, Pender Island, Cowichan District, Plan 7982 from Rural (R) to Rural (d) (R(d)), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 103 as are required to effect this change.

2.4 And by making such consequential numbering alterations to effect this change.

3. Severability

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.

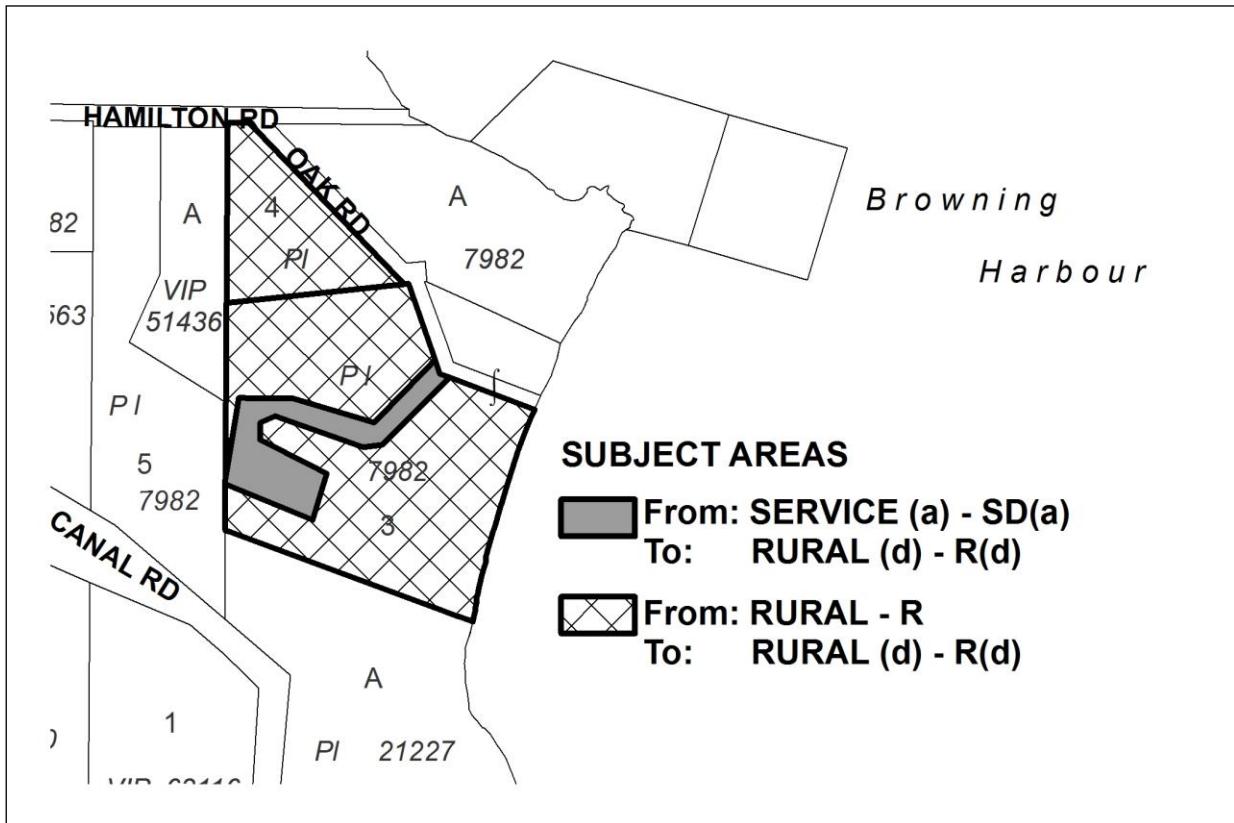
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READ A THIRD TIME THIS	25 th	DAY OF	MAY	2017
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

Chair

Secretary

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 210**

Plan No. 1



First Nation Engagement

Referral of: Bylaw No.206, 207, 208, 209, 210

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Nov. 1/16	Received an email - significant aboriginal interests within the application area - Would like to attend a site visit with the planner - Site visit took place Feb. 23/17	SLD
Feb. 14/17	Sent bylaw referral	SLD
Apr 11/17	Letter of response stating no comments on bylaws; they request archeological monitoring be present while build/excavating is happening to protect shorelines for reasons outlined.	SLD
May 24/17	IT responded via email to April 11/17 email from FN where Planner addressed Archaeology, dock construction & eelgrass topics; made assurances on 4 other points & attached Archaeological Impact Assessment study.to his response.	SLD

First Nation: Halalt First Nations

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Oct. 13/16	Received email response-deferring response to other local FN with interests.	SLD
Feb. 14/17	Sent bylaw referral – see previous response of no interests	SLD

First Nation: Lake Cowichan First Nations

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Spoke with contact and resent Feb 14/17 referral via email for comment	SLD
May 16/17	Received response that Lake Cowichan defers to other nations whose title are directly effected	SLD

First Nation: Lyackson First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Lyackson advised that they require funding from Islands Trust if a response is to be made – no response received	SLD

First Nation: Pauquachin First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Spoke with contact and resent Feb 14/17 referral via email for comment	SLD

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Spoke with contact advising of Public Hearing coming up - Will reply if they have any concerns	SLD

First Nation: Semiahmoo First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Left voice msg to call me back re Public Hearing & asked for comments	SLD

First Nation: Stz'uminus First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Advised via phone of Public Hearing – no comments	SLD

First Nation: Tsartlip First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Left voice msg advising of Public Hearing & asked for comment.	SLD

First Nation: Tsawout First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Left voice msg advising of Public Hearing & asked for comment.	SLD

First Nation: Tsawwassen First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Left voice msg advising of Public Hearing & asked for comment.	SLD

First Nation: Tseycum First Nation

Date	Comment/Action	Initial
Oct. 11/16	Sent Letter of Pre-Referral	RR
Feb. 14/17	Sent bylaw referral	SLD
May 15/17	Left voice msg advising of Public Hearing & asked for comment.	SLD

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REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: SP LUB Review

DATE OF MEETING: July 19, 2017
TO: Islands Trust Executive Committee
FROM: Robert Kojima, RPM
SUBJECT: South Pender Island Local Trust Committee – Bylaws 113 and 114

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 113, cited as South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016 in accordance with Section 27 of the *Islands Trust Act*.**
2. **THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 114, cited as South Pender Island Land Use Bylaw No. 114, 2016 in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

South Pender Island Local Trust Committee has referred Bylaws No. 113 and 114 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaws as not contrary to or at variance with the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

The adoption of Bylaw 114 would make several changes to the Land Use Bylaw that would result in increased application processing time and increased applications:

1. The new LUB would establish maximum floor area limits for all buildings and for dwellings on lots in the Rural Residential zones. This will require more information from applicants for building permits in the form of surveys and building plans, beyond those required by Building Inspection, which will result in more time for planning staff in responding to building permit referrals. Overall this is expected to be minimal given the limited number of building permit referrals received for the South Pender Island Local Trust Area (3 to 5 per year).
2. The new LUB would no longer zone the water off South Pender Island to permit private docks as an outright use. Owners wishing to install a private dock will henceforth be required to apply for and obtain a site-specific rezoning of the proposed tenure area of the dock. However, based on the limited number of dock tenure applications referred to Islands Trust in the past, rezoning applications are anticipated to be received rarely.

Financial

none

Policy

No conflicts were identified. The new LUB would introduce the following new regulations:

- Maximum floor area for all buildings per lot, for dwellings, and for accessory buildings would address Policy Statement Growth and Development policies 5.2.3 and 5.2.5.
- New private docks would not be permitted outright, but would require a rezoning application, consistent with guidelines that would be established in the OCP, addressing Policy Statement Coastal and Marine Ecosystems policies 3.4.4 and 3.4.5 and Coastal Areas, Marine Shorelands policies 4.5.10 and 4.5.11, and Recreation policies 5.5.4 and 5.5.5.
- New dwellings would be required to install a rainwater catchment system and cistern with a minimum volume of 9,000 litres, addressing Freshwater Resources policy 4.4.2.
- Subdivision applications would be required to demonstrate proof of potable water for each lot, addressing Freshwater Resources policy 4.4.2.

Implementation/Communications

Communication to South Pender Island Local Trust Committee regarding the Executive Committee decision by July 21, 2017 .

Other

None

PURPOSE

South Pender Island Local Trust Committee Bylaw No. 113, cited as South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016 (Attachment 6) is intended to amend the OCP consequentially to Land Use Bylaw 114 by updating the definition of cottage to reflect a larger floor area, providing policy direction to establish maximum floor area for dwellings and accessory buildings, and to establish guidelines and criteria for rezoning applications for private docks.

South Pender Island Local Trust Committee Bylaw No. 114, cited as South Pender Island Land Use Bylaw No. 114, 2016 (Attachment 7) is intended to replace the current Land Use Bylaw with an updated bylaw. In addition to technical and minor amendments throughout, the new LUB would:

- Change maximum floor area of a cottage from 56m² to 70m²
- Permit a non-residential building to be built prior to a residence
- replace lot coverage with a maximum floor area for all buildings, along with a maximum floor area for dwellings, depending upon lot size, in the RR zones.
- Establish a maximum floor area of 560m² (6028ft²) in the A, F and NR zones for any dwelling
- Replace maximum floor area limits for all accessory buildings with a maximum floor area for any one accessory building of 140m² (1506ft²) in the RR zones

- Increase the permitted height of accessory buildings from 4.6 m to 7.6 m
- Permit private docks only within existing tenured locations
- Cisterns and rainwater catchment systems would be required for new dwellings in the residential (RR) zones
- Inclusion of provisions requiring proof that there is a sufficient quantity of potable water at the time of subdivision
- Farmers Market would be defined and permitted in the S1 zone
- Lot coverage would be reduced to a maximum of 1% in Heritage Community Park zone
- The acquisition and addition to Brooks Point Regional Park would be re-designated and re-zoned

BACKGROUND

South Pender Island Local Trust Committee Bylaws No. 113 and 114

The project to undertake a comprehensive LUB review was initiated last term and a project charter was endorsed at the beginning of the current term. Technical and legal review was conducted in early 2015, consultation undertaken later in 2015, extensive review and revisions were made through 2016, along with additional community consultation. The bylaws received First Reading in January 2017, Second Reading on April 11th, along with endorsement of the Policy Statement Checklist. The Public Hearing was held on May 6th, with Third Reading on May 30th.

Issues Relating To Provincial Interest

None

Issues Relating To First Nation Interest

None (attachment 8)

Issues Relating To Resources and Enforcement

None

Public Comments

None

Staff Comments

Staff recommend Executive Committee approval of the two bylaws. They are not considered to be contrary to or at variance with the Island Trust Policy Statement and would proactively address several policies, as detailed above.

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*
- Islands Trust Policy Statement Directive Policies

- Islands Trust Policy 1.3.i [Policy Statement Implementation Policy]

ALTERNATIVE

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

THAT the Executive Committee request that staff advise South Pender Island Local Trust Committee in writing that the Executive Committee considers that Bylaws No. 113 and 114 are contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the South Pender Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Robert Kojima, RPM	June 2, 2017
Concurrence:	David Marlor, Director Local Planning Services	June 15, 2017

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 113
7. Bylaw No. 114
8. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: South Pender Island Local Trust Committee

Bylaw No.: SP-113

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 30-May-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Ghil
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

- *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



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: South Pender Island Local Trust Committee

Bylaw No.: SP-114

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 30-May-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Thiel
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

- *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"*
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Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: SP-113

Trust Area: South Pender Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: SP-113
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 16-Jan-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 17-Jan-2017

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: Lloyd-deRosario, Sharon

Date: 05-Apr-2017

File complete and ready for Public review: Yes

Public Hearings:

Location: Poets Cove Resort & Spa, Pender Island
Proofread By: Lloyd-deRosario, Sharon

Legal Paper: Gulf Island Driftwood
First Publish Date: 19-Apr-2017

Second Publish Date: 26-Apr-2017

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:
Second Reading Date: 11-Apr-2017

Delivery Notices:
Date Public Hearing Held: 06-May-2017
Third Reading Date: 30-May-2017

Trust Area: South Pender Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: SP-114
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 16-Jan-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 17-Jan-2017

Resolutions:

Resolution Waiving Public Hearing: No
Resolution Authorizing Public Hearing: Yes
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Second Reading Date: 11-Apr-2017

Delivery Notices:
Date Public Hearing Held: 06-May-2017
Third Reading Date: 30-May-2017



Referrals: Bylaw SP-113

Agency	Sent	Received
Lake Cowichan First Nation 313B Deer Road: Chief, & Council Comment:	01-Jun-2016	
Lyackson First Nation 7973A Chemainus Road: Aidnell, Linda Comment:	26-May-2016	
Penelakut Tribe Box 360: James, Denise Comment:	26-May-2016	
Ministry of Agriculture P.O. Box 9120: Fox, Alison Comment:	26-May-2016	
Ministry of Forests, Lands and Natural Resource Operations - Water Protection # 142 - 2080A Labieux Road: Lapcevic, Pat Comment:	26-May-2016	
Ministry of Forests, Lands and Natural Resources - Crown Lands and Resources 1080-A Labieux Road: Lapcevic, Pat Comment:	26-May-2016	
North Pender Island Local Trust Committee Islands Trust: Grams, George Comment: Interests Unaffected by bylaw	26-May-2016	30-Jun-2016
Saturna Island Local Trust Committee 200 - 1627 Fort Street: Busheiken, Laura Comment: Interests unaffected by bylaw	26-May-2016	17-Jun-2016
Parks Canada 2220 Harbour Road: Morash, Marcia Comment:	26-May-2016	
Semiahmoo First Nation 16049 Beach Rd: Coordinator, Referrals Comment:	26-May-2016	
Pender Island Fire Rescue PO Box 61: Boyte, Charlie Comment:	26-May-2016	
Cowichan Tribes Chief and Council: Flemming, Tracey Comment:	26-May-2016	
Halalt First Nation	26-May-2016	



Referrals: Bylaw SP-113

Agency	Sent	Received
Chief and Council: Gladstone, Caroline Comment:		
Capital Regional District - All Referrals J. Arnet 625 Fisgard Street: Arnet, Jessica Comment: Interests unaffected; see comments	26-May-2016	27-Jun-2016
Ministry of Transportation and Infrastructure Saanich Area Office: Koch, David Comment: Interests Unaffected by bylaw	26-May-2016	31-May-2016
Agricultural Land Commission Rm. 133 4940 Canada Way: Bednard, Gordon Comment:	26-May-2016	
BC Assessment Authority Policy, Audit and Legal Services: McIntyre, Cathie Comment:	26-May-2016	
Ministry of Community, Sport and Cultural Development Intergovernmental Relations and Planning Division: Nicholls, Eric Comment:	26-May-2016	
Pauquachin First Nation 9010 West Saanich Road: Henry, Danny Comment:	26-May-2016	
Pender Island Parks and Recreation Commission PO Box 86: Berry, Arne Comment: Approval Recommended for Reasons Outlined	26-May-2016	24-Sep-2016
Tsartlip First Nation PO Box 70: Harry, Karen Comment:	26-May-2016	
Tsawout First Nation Box 121: Underwood, Floyd Comment:	26-May-2016	
Tsawwassen First Nation 1926 Tsawwassen Drive: McCarthy, Tom Comment:	26-May-2016	
Tseycum First Nation 1210 Totem Lane: Jones, Tanya Comment:	26-May-2016	
Islands Trust, Bylaw Enforcement 200 - 1627 Fort Street: Drew, Miles Comment:	26-May-2016	
School District No. 64 (Gulf Islands) 112 Rainbow Road: Scotvold, Rod	26-May-2016	



Referrals: Bylaw SP-113

Agency	Sent	Received
Comment:		
Ministry of Forests, Lands & Natural Resource Operations -Archaeology Site Inventory PO Box 9816 Stn. Prov. Govt.: Cooper, Diana Comment: Interests Unaffected	26-May-2016	01-Jun-2016
Comment:		
Malahat First Nation - Te'mexw Treaty Association 110 Thunder Road: Lewis, Lawrence Comment:	26-May-2016	
Comment:		
Stz'uminus First Nation 12611 A Trans Canada Hwy: Gauthier, Ray Comment:	26-May-2016	



Referrals: Bylaw SP-114

Agency	Sent	Received
Lake Cowichan First Nation 313B Deer Road: Chief, & Council Comment:	01-Jun-2016	
Lyackson First Nation 7973A Chemainus Road: Aidnell, Linda Comment:	26-May-2016	
Penelakut Tribe Box 360: James, Denise Comment:	26-May-2016	
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Halalt First Nation Chief and Council: Gladstone, Caroline Comment:	26-May-2016	
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Ministry of Transportation and Infrastructure Saanich Area Office: Koch, David Comment: Interests Unaffected by bylaw	26-May-2016	31-May-2016

**Referrals: Bylaw SP-114**

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BC Assessment Authority Policy, Audit and Legal Services: McIntyre, Cathie Comment:	26-May-2016	
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Pauquachin First Nation 9010 West Saanich Road: Henry, Danny Comment:	26-May-2016	
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Tsawout First Nation Box 121: Underwood, Floyd Comment:	26-May-2016	
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Ministry of Forests, Lands & Natural Resource Operations -Archaeology Site Inventory PO Box 9816 Stn. Prov. Govt.: Cooper, Diana Comment: Interests Unaffected	26-May-2016	01-Jun-2016
Malahat First Nation - Te'mexw Treaty Association	26-May-2016	



Referrals: Bylaw SP-114

Agency	Sent	Received
110 Thunder Road: Lewis, Lawrence Comment:		
Stz'uminus First Nation 12611 A Trans Canada Hwy: Gauthier, Ray Comment:	26-May-2016	
Cowichan Tribes 5760 Allenby Rd: Flemming, Tracey Comment:	26-May-2016	



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 113 (OCP) & 114 (LUB) LUB Review

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust 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.
✓	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.
✓	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
✓	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
✓	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.
✓	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
✓	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
✓	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
✓	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
✓	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.
✓	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
✓	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.
✓	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.
✓	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.
✓	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
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	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
✓	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.
✓	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.
✓	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.
✓	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
✓	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.
✓	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	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:

Status

Date Resolution Referred to Exective Committee: 30-May-2017

Reading:

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:

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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: 30-May-2017

Reading: 30-May-2017

Third Reading

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO.113

A BYLAW TO AMEND SOUTH PENDER ISLAND OFFICIAL COMMUNITY PLAN, 107, 2011

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

AND WHEREAS Section 29 of the *Islands Trust Act* gives the South Pender Island Local Trust Committee the same power and authority of a Regional District under Part 14 except sections 558 to 570 and 507 to 508 of the *Local Government Act*;

AND WHEREAS the South Pender Island Local Trust Committee wishes to amend Bylaw No. 91, Official Community Plan, 2002;

AND WHEREAS the South Pender Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the South Pender Island Local Trust Committee enacts in open meeting assembled as follows:

- A. Bylaw No. 107, cited as "South Pender Island Official Community Plan, 107, 2011" is altered as shown in Schedules 1 to 2 of this amending bylaw.
- B. This Bylaw may be cited for all purposes as "South Pender Island Official Community Plan, 107, 2011, Amendment No. 1, 2016."
- C. 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.

READ A FIRST TIME this 16th day of January, 2017.

READ A SECOND TIME this 11th day of April, 2017.

PUBLIC HEARING HELD this 6th day of May, 2017.

READ A THIRD TIME this 30th day of May, 2017.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST
this day of, 201.

APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT
this day of 201.

ADOPTED this day of, 201.

SECRETARY

CHAIR

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 113

SCHEDULE 1

“South Pender Island Official Community Plan, Bylaw No. 107, 2011” Schedule A is amended as follows:

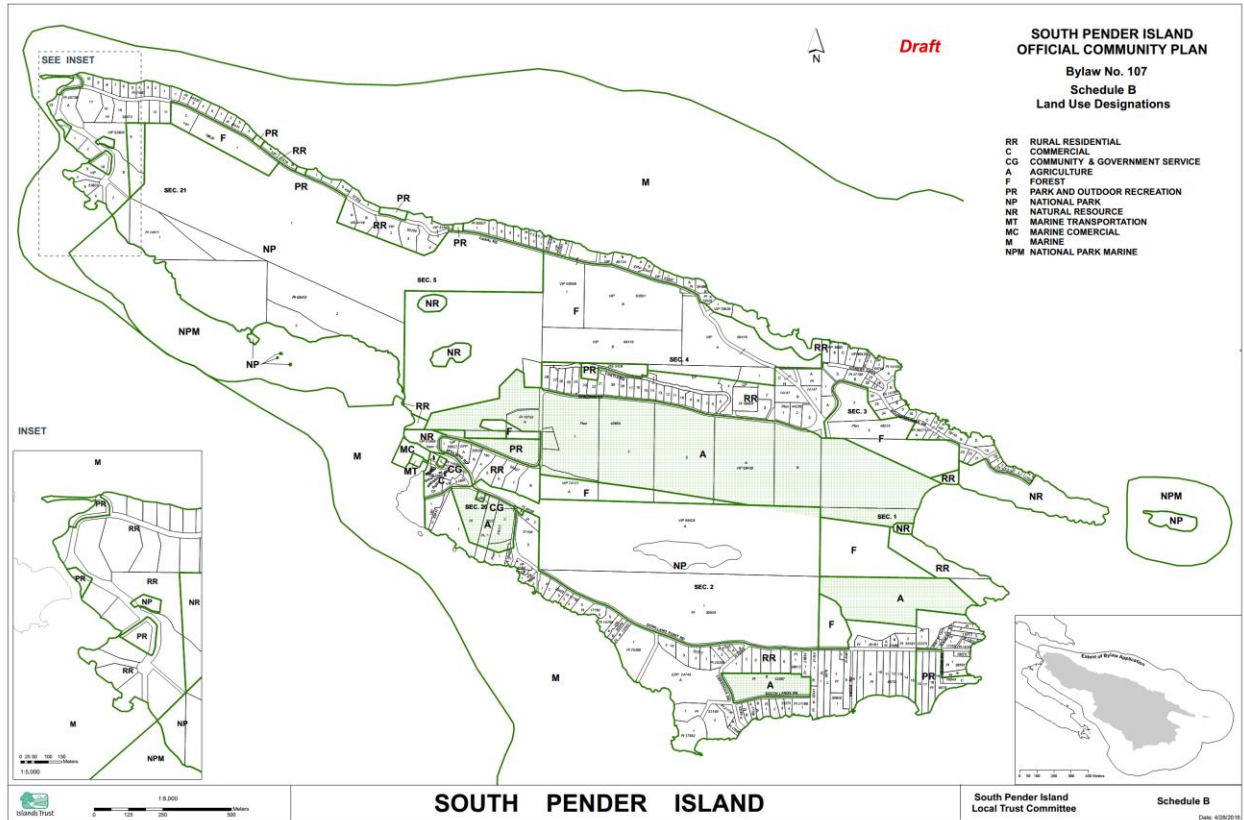
1. The definition of “cottage” in Section 1.6 (Definitions) is amended by deleting “56m² (603ft²)” and replacing it with “70m²”.
2. Subsection 2.4.3 (General Policies) is amended by inserting “maximum floor area,” following the phrase “number of buildings,” and preceding “lot site coverage,”.
3. Clause 4.2(b)(iv) is amended by deleting it in its entirety and replaced with the following:

“iv) existing private moorage for docks permitted on a site-specific basis in those areas designated as Marine (M) on Schedule “B”. New applications for private moorage for docks may be considered by site-specific rezoning subject to:

 - the proposal demonstrating minimal impacts on the marine environment, including eelgrass, bull kelp, forage fish, or other important habitat;
 - the proposal demonstrating minimal impacts on upland sensitive ecosystems or habitat;
 - the proposal demonstrating no impacts on archaeological or cultural sites or resources;
 - structures being appropriately sited and of a scale to minimize visual impacts;
 - structures incorporating current best practices for dock construction;
 - consideration being given to providing for shared or common moorage; and
 - consideration being given to the cumulative impacts of private moorage.”
4. Article 4.2(c) is deleted and replaced with the word “*rescinded*”.

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 113
SCHEDULE 2**

“South Pender Island Official Community Plan, Bylaw No. 107, 2011” amended by deleting Schedule B in its entirety and replaced with a new Schedule B as follows:





Islands Trust

PROPOSED

**SOUTH PENDER ISLAND
LOCAL TRUST COMMITTEE**

LAND USE BYLAW No. 114, 2016

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
LAND USE BYLAW No. 114, 2016**

A Bylaw to establish regulations and requirements respecting the use of land, including the surface of water, the use, siting and size of buildings and structures, the provision of parking, landscaping and screening and the subdivision of land within the South Pender Island Local Trust Area.

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

1. This Bylaw may be cited for all purposes as the “South Pender Island Land Use Bylaw No. 114, 2016”
2. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Land Use Bylaw for that part of the South Pender Island Local Trust Area as shown on Schedule C:
 - (1) Schedule A (Land Use Bylaw Text)
 - (2) Schedule B (Zoning Map)
 - (3) Schedule C (Bylaw Area Map)
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.
4. Bylaw No. 92 cited as “South Pender Island Land Use Bylaw No. 92, 2003” and all of its amendments are repealed.

READ A FIRST TIME this 16th day of January, 2017.

READ A SECOND TIME this 11th day of April, 2017.

PUBLIC HEARING HELD this 6th day of May, 2017.

READ A THIRD TIME this 30th day of May, 2017.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this _____ day of _____, 20xx.

ADOPTED this _____ day of _____, 20xx.

SECRETARY

CHAIRPERSON

SCHEDULE A

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PART 1 INTERPRETATION

1.1 Definitions

Information Note: where defined terms appear in the body of the bylaw they are denoted by the use of *italics*.

"accessory use" means a use that is incidental, secondary and exclusively devoted to a principal use expressly permitted by this Bylaw on the same lot.

"accessory building or structure" means a building or structure that is incidental, secondary and exclusively devoted to a principal building or structure expressly permitted by this Bylaw on the same lot.

"agriculture" means the use of land for the growing, rearing, harvesting, or production of plants, crops, livestock and other farm animals.

"Approving Officer" means the Approving Officer for South Pender Island appointed pursuant to the *Land Title Act*.

"bed and breakfast" means a home business comprising the provision of sleeping accommodation and includes provision of only a morning meal to paying guests.

"building" means a roofed structure, wholly or partially enclosed by walls, used or intended to be used for supporting or sheltering any use or occupancy.

"buoy" means a device that is secured to the bed of the sea to mark a location or provide a moorage point.

"church" means a building or structure used for religious worship, which does not provide for overnight accommodation or residential use.

"cottage" means a dwelling with a floor area of 70m² or less that is located on the same parcel as another dwelling.

"dock" means a structure or set of structures, accessory to the residential or agricultural use of an upland lot, typically consisting of a pier, ramp, and float, constructed on or over the water and connected to the shore, that is used as a landing or moorage place for private marine transport or for private recreational purposes.

"dwelling" means a building, including a mobile home used as a residence for a single household and containing sleeping and living areas plus a single set of facilities for food preparation and eating.

"ecological reserve" means an area of land or water established as an ecological reserve under the *Ecological Reserve Act*.

"farm use" means an occupation or use of land for farm purposes, including farming of land, plants and animals and any other activity designated as farm use by the *Agricultural Land Commission Act* or its regulation and includes a farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*.

"farmer's market" means an occasional or periodic temporary market held in the open air or in a building where individual sellers offer for sale to the public items such as fresh or seasonal produce, agricultural products, arts and craft items, or food or beverages.

"fence" means a structure used as a barrier to separate, prevent escape or intrusion or mark a boundary and includes gate, screen and freestanding wall.

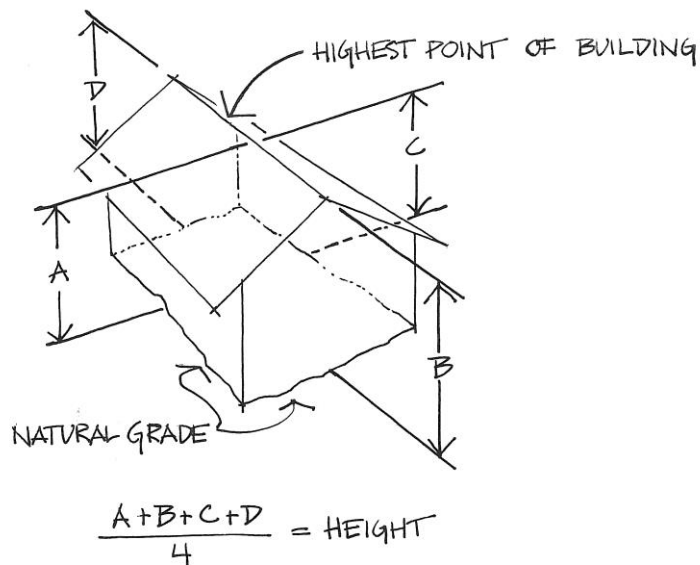
"fitness facility" means an indoor facility equipped and used for physical activities related to fitness, health and well-being.

"float" means a floating non-roofed structure that is used as a landing or wharfage place for watercraft and which is free to rise and fall with sea level change and, for all tidal conditions, does not rest on the sea floor.

"floor area" means the sum of the horizontal areas of all storeys in a building, measured to the outer surface of the exterior walls, exclusive of any floor area occupied by a cistern used for the storage of water for domestic use or fire protection, and exclusive of all areas of a storey having a floor and a ceiling less than 1.5 metres apart.

"frontage" means the length of that lot boundary which abuts a highway, other than a lane or a walkway, or an access route in a bare land strata plan.

"height" means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the distance between the natural grade and the highest point of a building or structure measured at the midpoints of all the exterior walls.



"highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property.

"home business" means a commercial use that is accessory to a permitted residential use on the same lot and includes, where permitted, the use of a cottage for short term vacation rental.

"hotel, resort" means a building, or a set of buildings, used exclusively for hotel accommodation and other uses set out in paragraphs (b) and (c) of this definition, which contains areas accessible to the

public and to transient occupants for lobby check-in and registration, restaurant, licensed neighbourhood pub, café food services, lounge, beer parlour, public assembly and retail sales uses, including liquor sales, and which hotel:

- (a) may comprise hotel cottages, hotel rooms, hotel villas or a combination thereof;
- (b) may include or contain areas that are accessible to the public and to transient occupants for indoor or outdoor recreation use ;
- (c) may include or contain other uses set out in Section 11.1;
- (d) shall not include a video arcade, video lottery terminal, slot machine or any machines or devices used for games of chance;

"hotel accommodation" means the successive occupancy by different persons, whether by licence, rental, or otherwise, of a hotel villa, hotel room or hotel cottage where the same person does not occupy a sleeping unit for more than 87 days in a calendar year, except that

- (a) such occupancy in the case of any particular person is limited to not more than:
 - (i) 29 days in the period commencing June 1 and ending the following September 30, and
 - (ii) two 29 day terms in the period commencing October 1 and ending the following May 31, and
- (b) that person does not occupy a sleeping unit for 30 days prior to or after any occupancy on:
 - (i) the first or last of the 29 days during the period referred to in clause (a)(i); or
 - (ii) the first or last of either of the 29 day periods referred to in clause (a)(ii).

"hotel cottage" means a building that forms part of a resort hotel use, which building:

- (a) contains one, two or three sleeping units;
- (b) may contain cooking facilities; and
- (c) is used only for temporary accommodation.

"hotel room" means a set of one or two sleeping units that:

- (a) is not a hotel cottage and is not located in a hotel cottage;
- (b) is not a hotel villa and is not located in a building containing hotel villas;
- (c) is located with other hotel rooms in a building housing all or part of a hotel use;
- (d) has access or egress to a common hotel interior corridor, hall or lobby;
- (e) may not contain cooking facilities; and
- (f) is used only for temporary accommodation.

"hotel villa" means a set of one, two or three sleeping units that:

- (a) is not a hotel cottage and is not located in a hotel cottage;
- (b) is not a hotel room and is not located in a building containing hotel rooms;
- (c) is located with other hotel villas in a building housing all or part of a hotel use;
- (d) may have access or egress to an interior corridor, hall or lobby, and
- (e) may have a second means of access or egress to a common exterior veranda or patio;
- (f) may contain cooking facilities; and
- (g) is used only for temporary accommodation.

"landscape screen" means a visual barrier consisting of natural vegetation, trees, shrubs, fencing or a combination of those elements, which may be broken solely by necessary access ways for pedestrians and vehicles and screening land uses from abutting land and highways.

"Local Trust Committee (LTC)" means the South Pender Island Local Trust Committee.

"lot" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Strata Property Act*.

"lot coverage" means the total area of those portions of a lot that are covered by buildings and structures, divided by the area of the lot, for this purpose the area of a lot that is covered by a roofed building or structure is measured to the drip line of the roof and for the purpose of lot coverage regulations in Part 5 the common property in a bare land strata plan is a "lot" if it is used for accessory buildings or structures.

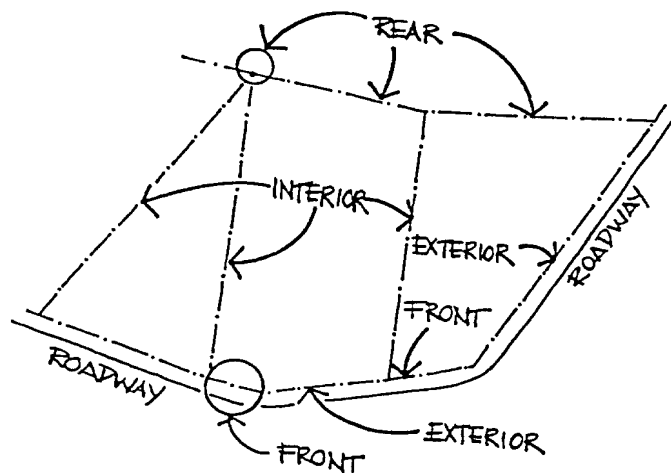
"lot line" means the boundary of a lot as shown on a plan of survey registered in the land title office, and

"front lot line" means the lot line that is common to the lot and an abutting highway or an access route in a bare land strata plan, and where there are two or more such lot lines, not including corner cuts, the shortest is deemed the front lot line;

"rear lot line" means the lot line that is opposite the front lot line in the case of a lot having four sides, and where the rear portion of a lot is bounded by intersecting side lot lines, means the point of intersection of those lot lines;

"exterior side lot line" means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan; and

"interior side lot line" means a lot line that is not a front, rear or exterior side lot line.



"marina" means the use of a water area for the temporary storage of boats and includes the use of floats, wharves, piers, ramps and walkways and the provision of wharfage services to the general boating public, but specifically excludes the rental or sale of personal water craft, the use of boats and vessels as live-aboards, and roofed structures used or intended for use in sheltering or storing boats or vessels.

"mobile home" means a dwelling suitable for year-round occupancy, designed, constructed or manufactured to CAN/CSA Z240 standards, to be moved from one place to another by being towed or carried

"mooring" means the securing of a boat to a buoy or similar object that is in turn secured to the bed of the sea.

"natural boundary" means the visible high water mark of the sea, a lake, a stream or other body of water, where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil or rock of the bed of the body of water a character distinct from that of its banks, as well as in the nature of the soil itself.

"outbuilding" means a building or structure that may be constructed or placed on a lot prior to a principal dwelling and which may be used for uses ordinarily accessory to a principal residential use.

"panhandle lot" means a lot that fronts on a highway by means of a strip of land that is narrower than the main portion of the lot.

"park" means any land dedicated as park under the *Park Act*, the *Land Title Act* or the *Local Government Act*, which is open to the general public and reserved for outdoor recreational, scenic, or nature conservation purposes.

"personal service use" means a commercial use of a building in which services are provided to the body or the clothing of a person.

"personal watercraft" means a vessel less than 5 metres (16 feet) in length that is propelled by machinery, commonly a jet pump, and designed to be operated by a person standing, kneeling or sitting on the vessel rather than standing or sitting inside the vessel.

"principal use" means the main or primary use conducted on a lot.

"principal building" or "principal structure" means the main or primary building or structure constructed on a lot.

"pump/utility house" means an accessory building or structure with a maximum floor area of 2.9 square metres (32 square feet) containing only equipment for pumping and processing of water or sewage, electrical equipment, or communication service equipment.

"recreational vehicle" means a tent trailer, travel trailer, motor home or other self-propelled vehicle containing sleeping, cooking and sanitary facilities, and includes a park model recreational vehicle.

"residence" means a home, abode or place where an individual is living at a specific point in time.

"restaurant" means the use of a building for the preparation and serving of alcoholic beverages and meals.

"retail sales" means the selling of goods or merchandise other than liquor to the general public for personal or household consumption

"school" means a public or private educational institution not including residential accommodation or dormitories.

"setback" means the minimum horizontal distance by which this bylaw requires a building or structure to be separated from a specified lot line, building or other feature.

"sign" means any device or medium, including its supporting structure that is visible from any highway or lot other than the one on which it is located and used to attract attention for advertising, information or identification purposes.

"short term vacation rental" means the commercial use of a dwelling or a cottage to provide accommodation for periods of less than 30 consecutive days to persons who normally maintain a residence elsewhere.

"sleeping unit" means a room intended for sleeping, which contains not more than two beds and does not contain any facilities for cooking.

"structure" means a construction or portion thereof of any kind that is fixed to, supported by or sunk into land or water, but excludes septic fields, septic tanks, and related appurtenances below ground, wells, landscaping, concrete and asphalt paving, and similar surfacing of the land, and retaining structures less than 1.2 metres (4 feet) in height at all points.

"third party sign" means a sign conveying information that does not pertain to the lot on which it is located.

"usable site area" means the total area of a lot excluding:

- (a) land below the natural boundary of the sea;
- (b) land where the natural slope exceeds 30 percent; and
- (c) land within 7.6 metres (25 ft.) of the natural boundary of the sea or 15.2 metres (50 ft.) of the natural boundary of a watercourse.

"use" means the purpose or activity for which land or buildings are designed, arranged or intended, or for which land or buildings are occupied or maintained.

"utilities" mean broadcast transmission, electrical, telecommunications, sewer or water services and facilities and navigation aids and does not include private telecommunication facilities.

"watercourse" means a naturally formed area of land that usually or periodically contains surface water, including a lake, river, creek, spring, ravine, wetland, salt water marsh, and bog, but does not include a constructed ditch, or surface drain, or the sea.

"wharf" means a structure consisting of a fixed platform extending beyond the natural boundary of the sea over water which is used as a landing or wharfage place for watercraft, and includes the railings and supporting structure embedded in the sea.

"wharfage" means the tying of a boat or seaplane to a wharf, float or dock that is in turn connected to an upland lot by a ramp or walkway.

"zone" means a zone established by Part 5 of this Bylaw.

1.2 Referencing

- (1) In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the parenthetical numbers subsections, the lower case letters articles and the roman numerals clauses:

Part: 1

Section: 1.1

Subsection: (1)

Article: (a)

Clause (i)

1.3 Units of Measure

- (1) Metric dimensions are used in this Bylaw. Imperial equivalents, where shown in parentheses are approximate, are provided for convenience only, and do not form part of this Bylaw.

1.4 Information Notes

- (1) Where a paragraph or sentence in this Bylaw is preceded by the words "Information Note", the contents of the paragraph or sentence are provided only to assist in understanding of the bylaw and do not form a part of it.

PART 2 ADMINISTRATION

2.1 Application

- (1) This Bylaw shall apply to that part of the South Pender Island Local Trust Area as shown on Schedule C. Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters and air spaces.

2.2 Conformity

- (1) No person may use or occupy or permit any land, water surface, *building* or *structure* to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- (2) No person may construct, reconstruct, place, alter, extend or maintain any *building*, *structure* or *sign* except as permitted by this Bylaw.
- (3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their *use* of land, *buildings* or *structures* or the subdivision of land.
- (4) The *use* of land, *buildings* or *structures* that is lawful at the time of adoption of this Bylaw, although not conforming to the provisions of this Bylaw, may be continued subject to Section 528 of the *Local Government Act*.
- (5) Any existing *lot* that has less area than the minimum *lot* area specified in the applicable *zone* for the creation of *lots* by subdivision may be used for any *use* permitted in that *zone* unless otherwise specified in this Bylaw.
- (6) No land may be subdivided, no *building*, *structure* or land may be used, and no *building* or *structure* may be sited in a manner which renders any existing *use*, *building* or *structure* illegal or non-conforming.

2.3 Inspection

- (1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of inspecting and determining whether the regulations, prohibitions and requirements are being met.

2.4 Violation

- (1) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have committed an offence under this Bylaw. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.5 Penalty

- (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty, pursuant to the *Offence Act* and the costs of prosecution.

2.6 Covenants

- (1) Where under this Bylaw an owner of land is required or authorized to grant a covenant restricting subdivision or development, the covenant must be granted to the *Local Trust Committee* pursuant to Section 219 of the *Land Title Act* in priority to all financial charges and delivered in registerable form satisfactory to the *Local Trust Committee* prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the *Local Trust Committee* in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenanter.

2.7 Owner's Cost

- (1) If any provision of this Bylaw requires a report, study, covenant, plan or similar item to be prepared, unless otherwise stated, the owner shall pay all costs.

2.8 Enforcement of Siting Regulations

- (1) Every applicant for a development permit or a development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the *lot* of all existing and proposed *buildings, structures* and sewage absorption fields in relation to *lot* and *zone* boundaries, *watercourses*, wells and the sea, and in relation to other *buildings* on the *lot*, unless the *Local Trust Committee* or the official assigned to provide planning services to the Local Trust Area determines that the provision of such a plan is not reasonably necessary to establish whether the proposed *buildings, structures* and sewage absorption fields comply with the siting requirements of this or any other Bylaw.

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

The following *uses*, *buildings* and *structures* are permitted in any *zone*, except where specifically prohibited:

- (1) Underground infrastructure for the provision of *utility* services and above-ground hydro and telecommunications cabling.
- (2) Hiking, equestrian and bicycle trails.
- (3) *Ecological reserves* and other habitat reserves.
- (4) Marine navigation aids.
- (5) *Parks* and public open space.
- (6) *Fences* in any land *zone*, subject to regulations under Section 3.8.
- (7) *Signs*, subject to regulations under Part 6.
- (8) *Pump/utility houses*.

3.2 Prohibited in All Zones

Only the *uses*, *buildings* and *structures* expressly permitted in Part 5 of this Bylaw are permitted in the relevant *zones*. Without limiting the generality of the foregoing, the following *uses*, *buildings* and *structures* are prohibited in all *zones*:

- (1) Airport and airstrip facilities and related *accessory buildings and structures*.
- (2) Heliports and helipads, other than for emergency evacuation *use*.
- (3) The *use* of the water area adjoining a residential *zone*, *park*, ecological and other habitat reserve for a sea plane facility, excepting those sea plane facilities associated with permitted uses in the Commercial Resort (C), Marina (W3), and Marine Transportation Service (W4) Zones.
- (4) *Marinas*, the *use* of which is restricted to members of a private club.
- (5) Disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the *Public Health Act* or the *Environmental Management Act*.
- (6) Junkyards, auto wrecking yards, and storage of derelict vehicles, subject to Section 3.11.
- (7) Landfills and areas of land used for disposal or storage of hazardous or toxic waste.
- (8) The *use* of land for motorized trail bike, motor cycle, or all- terrain vehicle paths or trails.
- (9) The rental, sale or commercial storage of *personal watercraft*.

- (10) The *use* of an anchored, moored or docked vessel as a *residence*.
- (11) The *use* of a *buoy, float, dock, wharf*, ramp or related *structure* for any commercial or industrial *use*, excepting commercial *use* of such facilities within the Marina (W3) and Marine Transportation Service (W4) Zones.
- (12) *Buildings* and *structures* for uses prohibited in this Part.
- (13) *Dwellings* and *cottages* located on land comprising common property in a strata plan.
- (14) Boathouses, on the surface of the sea or within a *building setback* area on land adjacent to the sea.
- (15) Floatplane hangars.
- (16) Retail sale or wholesaling of groundwater extracted on South Pender Island.

3.3 Siting and Setback Regulations

- (1) All siting measurements must be made on a horizontal plane from the *natural boundary, lot line* or other feature specified in this Bylaw to the nearest portion of the *building* or other *structure* in question.
- (2) *Buildings* or other *structures*, except a fence or *pump/utility house*, shall not be sited within 15 metres (50 feet) of the *natural boundary* of any *watercourse*, lake or other body of fresh water or within 30 metres (98 feet) of any *watercourse*, lake or other body of freshwater used as a source of domestic water supply and, for this purpose only, paved areas of asphalt, concrete or similar material are "*structures*".
- (3) *Buildings* or other *structures*, except a fence, *pump/utility house*, stairway, wharf and *dock* ramps or their footings, shall not be sited within 7.6 metres (25 feet) of the *natural boundary* of the sea and, for this purpose only, paved areas of asphalt, concrete or similar material are "*structures*".
- (4) An underground sewage disposal system, including all septic tanks, absorption fields and related appurtenances shall not be sited within 30 metres (98 feet) of a *watercourse*, well or source of domestic water supply.
- (5) Steps, eaves, gutters, cornices, sills, chimneys, retaining walls, balconies, decks, sunshades and similar features may project up to 1.0 metres (3 feet) into a required *setback* area.

3.4 Height Regulations

Except as may be otherwise provided for in any *zone*, the following regulations apply:

- (1) A *dwelling* or *cottage* shall not exceed 9.2 metres (30 feet) in height.
- (2) A *building* or *structure* accessory to a *dwelling* shall not exceed 7.6 metres (25 feet) in height.

- (3) An *accessory building* or *structure* used for agricultural purposes may exceed 7.6 metres (25 feet) in height where the provisions of subsection 3.7(1) apply.
- (4) The height regulations for *buildings* and *structures* specified elsewhere in this Bylaw do not apply to radio, telecommunications and television antennas, chimneys, flag poles, lightning poles, fire and hose towers, *utility* poles, solar collectors, farm silos and grain bins or water storage tanks.

3.5 Accessory Buildings and Structures

- (1) A *building* *accessory* to a *dwelling*, other than a *cottage*, shall not be used for human habitation, except as provided for in Subsections 3.5(2) or as permitted by the zoning regulations in Part 5 of this Bylaw.
- (2) An *accessory building* may be constructed or placed on a *lot* and occupied as a temporary *dwelling* prior to the construction of a *dwelling* on the same *lot*, subject to:
 - (a) a *building* permit being issued, and remaining in effect, for the *dwelling*;
 - (b) the connection of the *accessory building* to sewage disposal facilities complying with the *Public Health Act*;
 - (c) the provision of a domestic water supply to the *building*;
 - (d) compliance with the *use*, density and siting requirements of this Bylaw for *dwelling*s and *cottages*; and
 - (e) the occupancy of the *accessory building* ceasing prior to or concurrently with occupancy of a *dwelling* on the *lot*.
- (3) One *outbuilding* may be constructed or placed on a *lot* prior to the construction of a *dwelling* on the same *lot*, subject to:
 - (a) the *floor area* not exceeding 70m² (753 ft²), or in the case of an open-sided *structure*, the *lot coverage* of the *outbuilding* not exceeding 70m² (753 ft²).
 - (b) a maximum of one *outbuilding* per *lot*.
 - (c) the *height* not exceeding 4.6 metres (15 feet).
- (4) Unless a *building*, excluding an attached deck and patio, is attached to a *principal building* by a *structure* having walls, roof, and a floor, it is for the purposes of this Bylaw deemed not to be part of the *principal building*, but is deemed to be an *accessory building* or *structure*.
- (5) The *floor area* occupied by any cistern used for the storage of water for domestic, irrigation, or fire protection purposes may be excluded from the calculation of the *floor area* of any *accessory building* or *structure*.

3.6 Home Businesses

- (1) *Home businesses* permitted by Part 5 include any home craft, repairing of goods, professional practice, services to a client, creation of a product, short-term vacation rental of *cottages*, *bed and breakfasts*, the retail or wholesale sale of goods or products provided that at least 70% of the goods or products for sale are produced, processed or repaired as part of the *home business*, and the retail sale of articles directly related to the provision of a *personal service* provided as a *home business*.
- (2) Without limiting the generality of subsection 3.6(1), the following activities are specifically not permitted as a *home business*:

- (a) The serving of food or drink products on the premises as part of a *home business*, except for the serving of a morning meal as part of *bed and breakfast home business*;
 - (b) Commercial water bottling or sales;
 - (c) Boarding kennels, except where permitted as a *Farm use*.
- (3) *Home businesses* must be conducted entirely within an occupied *dwelling* or a permitted *accessory building* on a *lot* with an occupied *dwelling*, except that outdoor areas may be used for storage of articles used in the *home business* if the storage area is enclosed by a *fence* or by a *landscape screen* at least 2.0 metres (6.6 feet) in *height* conforming with the provisions of Section 3.9.
- (4) The combined *floor area* used in all *home businesses* on a *lot*, except a *bed and breakfast*, must not exceed 65 m² (700 ft²).
- (5) The business owner or operator or at least one of the employees of a *home business* must be resident on the *lot* on which the *home business* is conducted at the time the *home business* is operated.
- (6) Not more than two persons per property may be employed in any *home business* in addition to any residents of the *lot* on which such business is conducted.
- (7) Off-street parking spaces for *home business uses* are to be provided in accordance with the regulations contained in Part 7.
- (8) The following additional regulations apply to *bed and breakfast home businesses*:
 - (a) *bed and breakfast home businesses* are permitted only in the Rural Residential One, Rural Residential Two, Rural Residential Three, Agricultural, Natural Resource and Forest Zones;
 - (b) part or all of a *bed and breakfast home business* may be undertaken within a permitted *cottage*;
 - (c) the total number of bedrooms used to accommodate overnight guests may not exceed three;
 - (d) despite Subsection 3.6(6) not more than one non-resident person may be engaged or employed in a *bed and breakfast home business*;
 - (e) meals may only be provided to *bed and breakfast* guests in the morning;
 - (f) off-street parking spaces for a *bed and breakfast home business use* shall be provided in accordance with the requirements contained in Part 7; and
 - (g) a *bed and breakfast home business* may not be undertaken within an *accessory building*
- (9) The following additional regulations apply to the short-term vacation rental of a *cottage* as a *home business*:
 - (a) *Short-term vacation rental* of a *cottage* is permitted in the Rural Residential One, Rural Residential Two, Rural Residential Three, Agriculture, Natural Resource and Forest zones only;
 - (b) a *cottage* shall not be used for *short-term vacation rental* at the same time as a *dwelling* on the same *lot* is being used for *short-term vacation rental*; and,
 - (c) only one *cottage* per *lot* may be used for *short-term vacation rental*.

3.7 Agricultural Buildings and Structures

- (1) An *accessory building or structure* used for agricultural purposes may exceed 7.6 metres (25 feet) in height where the following apply:
 - (a) the *building or structure* used for agricultural purposes is located in the Agricultural Land Reserve;
 - (b) the *building or structure* used for agricultural purposes is sited a minimum of 7.6 metres (25 feet) from all *lot lines*; and
 - (c) the height of the *building or structure* does not exceed 12.2 metres (40 feet) .

3.8 Fences

- (1) The height of *fences* shall not exceed 2.0 metres (6.6 feet) in any *zone*.
- (2) *Landscape screens* and protective netting or wire used to control animal nuisances are exempt from Subsection 3.8(1).

3.9 Landscape Screening

- (1) Where vegetative *landscape screening* is required by this Bylaw, it shall be provided in the form of:
 - (a) Existing vegetation of the required height that provides a complete visual screen between the uses being separated in all seasons of the year; or,
 - (b) A row of drought-tolerant evergreen plants that will attain the required height, planted and maintained continuously so as to provide a complete visual screen in all seasons of the year between the uses being separated;and such screening shall be continuous, except for points of vehicular or pedestrian entrance and exit.
- (2) Where a non-vegetative screen is required by this bylaw, it shall be provided in the form of either a solid or latticed wooden fence, or a brick or stone wall which is continuous, except for points of vehicular or pedestrian entrance and exit.

3.10 Use of Recreational Vehicles as a Dwelling

- (1) The *use* of a *recreational vehicle* as a temporary *dwelling* prior to the construction of a *dwelling* on the same *lot* is permitted in the any *zone* where a *dwelling* is a permitted *use*, subject to:
 - (a) the connection of the *recreational vehicle* to sewage disposal facilities complying with the *Public Health Act*;
 - (b) the provision of a domestic water supply to the vehicle;
 - (c) compliance with the *use*, density and siting requirements of this Bylaw for *dwellings* and *cottages*, as if the vehicle were a *cottage*; and
 - (d) the occupancy of the *recreational vehicle* ceasing prior to or concurrently with the occupancy of a *dwelling* on the property.

Nothing in this Subsection prohibits the storage on a *lot* of *recreational vehicles* that are not being used as *dwellings*.

3.11 Derelict Vehicles

- (1) A *lot* shall not be used for the storage of more than one unlicensed motor vehicle, other than farm and forestry vehicles, that is not completely enclosed in a permanent *building* or *structure* and for this purpose a motor vehicle is unlicensed if it does not display:
 - (a) Motor vehicle number plates and the current licence year decal, or
 - (b) An interim vehicle licence issued pursuant to the *Motor Vehicle Act* Regulations.
- (2) No land shall be used for the storage of unusable, disassembled, detached, stripped, non-functional or abandoned vehicles or vessels, including but not limited to automobiles, all-terrain vehicles, golf carts, tractors, campers, trailers, or parts of such vehicles, which are not completely enclosed in a permanent *building*.

3.12 Lots Divided by a Zone Boundary

- (1) If a *lot* is divided by one or more *zone* boundaries, the residential density permitted must be calculated by reference to the areas of the portions of the *lot* lying within each *zone*, and the *dwellings* and *cottages* may only be constructed on any portion of the *lot* if and to the extent that the minimum *lot* area or density regulation for that portion is complied with.
- (2) If a *lot* is divided by one or more *zone* boundaries, *lot coverage* and *maximum floor area* must be calculated by reference to the areas of the portions of the *lot* lying within each *zone*.
- (3) Despite Subsection 3.12(1), if one of the portions of the *lot* is in the Agricultural (A) Zone, the *dwelling* or *cottage* permitted in respect of that portion of the *lot* may be sited on another portion of the *lot*.

3.13 Use of Common Property

- (1) Land comprising the common property in a strata plan is not a *lot* for the purposes of the density regulations in this Bylaw but may be used for permitted *uses*, *buildings* or *structures accessory* to *principal uses* located on strata *lots* in the same strata plan.

3.14 Groundwater Protection

- (1) A building permit shall not be issued for a new building to be used as a *dwelling* on a lot in the RR(1), RR(2) or RR(3) zones unless a *building* on the lot is equipped with a rainwater catchment system and cistern(s) for the storage of rainwater with a minimum cistern capacity of 9,000 litres (1980 gallons).

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

- (1) The South Pender Island Local Trust Area is divided into the following *zones*, the geographic boundaries of which are as shown on the Zoning Map designated as Schedule "B" that forms part of this Bylaw:

<u>Zone Name</u>	<u>Zone Abbreviation</u>
Rural Residential One	RR1
Rural Residential Two	RR2
Rural Residential Three	RR3
Commercial Resort	C
Community Service	S1
Government Service	S2
Agriculture	A
Forestry	F
Natural Resource	NR
Passive Recreation Community Park	P1
Heritage Community Park	P2
Natural Area Community Park	P3
National Park	NP
Conservation	RC
Marine General	W1
Marine Protection	W2
Marina	W3
Marina Transportation Service	W4
National Park Marine	W5

4.2 Zone Boundaries

- (1) Where *zone* boundaries on Schedule "B" coincide with *lot* boundaries, the *lot* boundary is the *zone* boundary.
- (2) Where a *zone* boundary is shown on Schedule "B" as following any highway, right-of-way or stream, the centre line of such highway, right-of-way, or stream is the *zone* boundary.
- (3) Where land based and water based *zones* shown on Schedule "B" share a boundary, the boundary shall be the surveyed boundary as shown on a plan registered in the land title office, and where there is no such plan the *natural boundary* of the sea is the boundary.
- (4) Where a *zone* boundary shown on Schedule "B" does not follow a legally defined line, no dimensions are shown by which the boundary could otherwise be located, and subsection (3) does not apply, the location of the boundary must be determined by scaling from Schedule "B" and in that case the *zone* boundary is the midpoint of the line delineating the *zone* boundary on Schedule "B".

4.3 Zoning Tables

- (1) The table titles and column headings are part of the bylaw.
- (2) A check mark in a column headed by the zoning code indicates that the *uses* listed to the left, and no others, are permitted in that *zone*.
- (3) The absence of a check mark in a column headed by the zoning code indicates that the *use* listed to the left is not permitted in that *zone*.
- (4) A check mark in a column headed by the zoning code indicates that the density, siting or size, or other conditions apply within that *zone*.
- (5) Regulations listed under the heading "Subdivision Lot Size Requirements" apply to subdivision of land under the *Land Title Act* or the *Strata Property Act*.

PART 5 ZONE REGULATIONS

5.1 Rural Residential Zones

Permitted Uses

	RR1	RR2	RR3
(1) The following <i>uses</i> are permitted, subject to the regulations set out in this Section and the general regulations, and all other <i>uses</i> are prohibited:			
(a) <i>Dwelling</i> ;	✓	✓	✓
(b) <i>Cottage</i> ;	✓	✓	✓
(c) <i>Agriculture</i> ;	✓	✓	✓
(d) <i>Short-term vacation rental of a dwelling</i> ;	✓	✓	✓
(e) <i>Accessory uses, buildings and structures</i> , including, but not limited to, <i>home businesses</i> and roadside stands for the sale of produce grown on the same <i>lot</i> .	✓	✓	✓

Density

	RR1	RR2	RR3
(2) On a parcel less than 0.8 hectares (2 acres) in area, one (1) <i>dwelling</i> is permitted and no <i>cottage</i> is permitted.	✓	✓	✓
(3) On a parcel 0.8 hectares (2 acres) or greater in area, but less than 4.0 ha (10 acres) in area, one (1) <i>dwelling</i> and one (1) <i>cottage</i> are permitted.	✓	✓	✓
(4) On a parcel 4 hectares (10 acres) or greater in area, two (2) <i>dwellings</i> and two (2) <i>cottages</i> are permitted.	✓	✓	✓

Siting and Size

Siting and Size

(5)

Maximum *Floor Area* per *lot*:

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000ft ²)	353 m ² (3800ft ²)
0.4 ha to 0.79 ha (1 to 2 acres)	557 m ² (6000ft ²)	418 m ² (4500ft ²)
0.8 ha to 1.59 ha (2 to 4 acres)	743 m ² (8000ft ²)	520 m ² (5600ft ²)
1.6 ha to 3.9 ha (4 to 10 acres)	836 m ² (9000 ft ²)	543 m ² (5845ft ²)
4.0 ha (10 acres) or greater	1858 m ² (20000ft ²)	560 m ² (6030ft ²)

(6)

The minimum *setback* for any *building* or *structure*, except a fence or *pump/utility house*, shall be:

(a)

7.6 metres (25 ft.) from any front or rear *lot line*;

RR1

RR2

RR3

✓

✓

✓

✓

✓

✓

- | | | | | |
|-----|--|---|---|---|
| (b) | 3.0 metres (10 ft.) from any interior side <i>lot line</i> ; | ✓ | ✓ | ✓ |
| (c) | 4.5 metres (15 ft.) from any exterior side <i>lot line</i> . | ✓ | ✓ | ✓ |
- (7) The *floor area* of any *accessory building* may not exceed 140 m² (1507 ft²).

Conditions of Use

- | | RR1 | RR2 | RR3 |
|--|-----|-----|-----|
| (8) Only one <i>dwelling</i> or <i>cottage</i> may be used for <i>short-term vacation rental</i> on a <i>lot</i> at the same time. | ✓ | ✓ | ✓ |

Subdivision Lot Size Requirements

- | | RR1 | RR2 | RR3 |
|--|--------|--------|--------|
| (9) Subject to subsection 5.1(10), the minimum and average <i>lot</i> area requirements for any <i>lot</i> created by subdivision are: | 0.4 ha | 0.8 ha | 4.0 ha |

Site-Specific Regulations

- (10) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the *zone* abbreviation and the lower-case letter reference the notation on the zoning map. The second column describes the location where the specific regulations set out in the third column apply:

Site-Specific Zone	Location Description	Site Specific Regulations
RR1(a)	<i>Lots 1 through 7, inclusive, of Plan VIP53829, Section 21, Pender Island, Cowichan District</i>	(a) Despite 5.1(10), the minimum <i>lot</i> area is 0.76 hectares (1.90 acres) and the average <i>lot</i> area is 1.05 hectares (2.6 acres)
RR1(b)	<i>Lots 8 and 9 of Plan VIP53829, Section 21, Pender Island, Cowichan District</i>	(a) Despite 5.1(10) the minimum <i>lot</i> area is 0.8 hectares (2 acres) and the average <i>lot</i> area is 2.3 hectares (5.7 acres)

5.2 Commercial Resort (C)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
- (a) *Resort hotel*;
 - (b) Boat ramp, boat, bicycle and sport equipment rental, resort activity centre, *fitness facility*; and,
 - (c) *Uses accessory* to the *principal use* permitted under 5.2(1)(a) and (b): *retail sales*, administrative offices and business facilities, child care and service, maintenance, laundry, shower and housekeeping facilities, marine related sales and service, cold beer and wine *retail sales*; accommodation of individual persons employed at the resort by the hotel operator for wages or salary, in respect of permitted uses, in a dormitory *building accessory* to the hotel use.

Density

- (2) All *buildings* and *structures* are not to cover more than 33% of the *usable site area* of all *lots* in the C Zone.
- (3) A *building* or *structure* is not to cover more than 33% of the *usable site area* of the *lot* on which it is located.

Siting and Size

- (4) The minimum *setback* for any *building* or *structure*, except a fence, shall be:
- (a) 7.6 metres (25 ft.) from any front or rear *lot line*;
 - (b) 3.1 metres (10 ft.) from any interior side *lot line*;
 - (c) 4.6 metres (15 ft.) from any exterior side *lot line*.
- (5) Despite Section 3.4, the maximum *height* of any *building* or *structure* is 9.15 metres (30 ft.).

Resort Hotel Conditions of Use

- (6) In respect of a *resort hotel* in the C Zone:
- (a) The total *floor area* of a *hotel cottage* is to:
 - (i) In the case of a *hotel cottage* containing two *sleeping units* not exceed 78.5 square metres (845 sq. ft.); and,
 - (ii) In the case of a *hotel cottage* containing three *sleeping units* not exceed 88 square metres (947 sq. ft.).
 - (b) The total *floor area* of a *hotel room* is to:
 - (i) In the case of one *sleeping unit* not exceed, 37 square metres (400 sq. ft.); and,
 - (ii) In the case of two *sleeping units* not exceed 65 square metres (700 sq. ft.).
 - (c) The total *floor area* of a hotel villa shall not exceed 197 square metres (2,120 sq. ft.) and the average *floor area* of hotel villas shall not exceed 130 square metres (1405 sq. ft.);
 - (d) Nothing in this bylaw prohibits a permitted *hotel cottage* from being physically attached in one *building* to not more than one other allowed *hotel cottage*;

- (e) Nothing in this bylaw prohibits an allowed *hotel room* containing one *sleeping unit* from being physically accessible internally to not more than one other allowed *hotel room* containing one *sleeping unit*;
- (f) Each *hotel cottage* and each hotel villa is to contain not more than one set of cooking facilities;
- (g) The density of hotel temporary accommodation *use* in the C Zone is not to exceed:
 - (i) Eight hotel villas, each containing no more than two *sleeping units*;
 - (ii) One hotel villa, containing no more than three *sleeping units*;
 - (iii) Eleven *hotel rooms*, each containing no more than two *sleeping units*;
 - (iv) Twelve *hotel cottages*, each containing no more than two *sleeping units*; and
 - (v) Three *hotel cottages*, each containing no more than three *sleeping units*.
- h) The total *floor area* of employee dormitory accommodation shall not exceed 372 square metres (4,004 sq. ft.). An accommodation *building* is not to be used for other purposes, except hotel administrative offices and service areas.

Subdivision Lot Size Requirements

- (7) The minimum and average *lot* area requirements are 0.20 hectares (0.5 acres) for any *lot* created by subdivision.

5.3 Community Service (S1)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Community halls, fire halls, libraries, museums, schools, and *churches*;
 - (b) Cemeteries;
 - (c) *Farmer's Market*;
 - (d) *Accessory uses, buildings and structures*, other than *dwellings*.

Density

- (2) The *lot coverage* of all *buildings and structures* may not exceed 25 percent.

Siting and Size

- (3) The minimum *setback* for any *building or structure*, except a fence or *pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (4) Despite Section 3.4, the maximum height of any *building or structure* is 9.2 metres (30 ft.).

Subdivision Lot Size Requirements

- (5) Minimum and average *lot area* requirements are 0.4 hectares (1.0 acre) for any *lot* created by subdivision.

5.4 Government Service (S2)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) Customs agency employee housing;
 - (b) *Accessory uses, buildings, and structures.*

Density

- (2) The *lot coverage* of all *buildings* and *structures* may not exceed 25 percent.

Siting and Size

- (3) The minimum *setback* for any *building* or *structure*, except a fence or *pump/utility house*, shall be 7.6 metres (25 ft) from any *lot line*.
- (4) Despite Section 3.4, the maximum height of any *building* or *structure* is 9.2 metres (30 ft.).

Subdivision Lot Size Requirements

- (5) Minimum and average *lot* area requirements are 0.4 hectares (1.0 acre) for any *lot* created by subdivision.

5.5 Agriculture (A)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) *Farm Use*;
 - (b) *Dwelling*;
 - (c) *Cottage* or other *dwelling* for the housing of persons engaged in on-going agricultural activities;
 - (d) *Short-term vacation rental of a dwelling*;
 - (e) *Accessory uses, buildings and structures*, including, but not limited to, *home businesses* and roadside stands for the sale of produce grown on the same *lot*.

Density

- (2) Only one (1) *dwelling* is permitted on each *lot*.
- (3) One *cottage* or other *dwelling* is permitted on each *lot* for the housing of persons engaged in on-going agricultural activities on the *lot*.
- (4) For a parcel less than 4.0 ha (10 acres) in area, the *lot coverage* of all *buildings and structures* may not exceed 8 percent.
- (5) For a parcel 4.0 ha (10 acres) or greater in area, the *lot coverage* of all *buildings and structures* may not exceed 3 percent.

Siting and Size

- (6) The minimum *setback* for any *building or structure*, except a *fence or pump/utility house*, shall be:
 - (a) 7.6 metres (25 ft.) from any front or rear *lot line*;
 - (b) 6.1 metres (20 feet) of any side *lot line*.
- (7) Despite Subsection 5.7(6), *buildings or structures* used for housing livestock, poultry or for manure storage may not be located within 30 metres (98 feet) of:
 - (a) a front *lot* or exterior side *lot line*;
 - (b) an interior side *lot line* or rear *lot line* abutting a residential, *park* or institutional *use*;
 - (c) a lake or natural *watercourse*; or
 - (d) a well or source of domestic water supply.
- (8) Despite Article 5.5(6)(a), roadside stands for *accessory* sale of farm products may be sited within the setback from a front *lot line* or exterior side *lot line*.
- (9) The *floor area* of a *dwelling* may not exceed 560 m² (6028 ft²).

Conditions of Use

- (10) Only one *dwelling* or *cottage* may be used for short-term vacation rental on a *lot* at the same time.

Subdivision Lot Size Requirements

- (11) Minimum and average *lot* area requirements are 4 hectares (10 acres) for any *lot* created by subdivision.

5.6 Forestry (F)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) Timber production, harvesting, silviculture and forest protection;
 - (b) Portable sawmills;
 - (c) *Dwelling*;
 - (d) *Cottage*;
 - (e) *Short-term vacation rental of a dwelling*;
 - (f) *Accessory uses, buildings and structures*, including, but not limited to, *home businesses*.

Density

- (2) One (1) *dwelling* and one *cottage* is permitted on each *lot*.
- (3) For a parcel less than 4.0 ha (10 acres) in area, the area of a *lot* covered by *buildings and structures* shall not exceed 4 percent.
- (4) For a parcel 4.0 ha (10 acres) and greater in area, the area of a *lot* covered by *buildings and structures* shall not exceed 2.5 percent.

Siting and Size

- (5) The minimum *setback* for any *building or structure*, except a *fence or pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (6) Despite Section 3.4, the maximum height of any *building or structure* is 9.2 metres (30 ft.).
- (7) The *floor area* of a *dwelling* may not exceed 560 m² (6028 ft²).

Conditions of Use

- (8) Only one *dwelling or cottage* may be used for short-term vacation rental on a *lot* at the same time.
- (9) Despite 5.6(5) above, the minimum *setback* for a portable sawmill permitted by 5.6(1)(b) above shall be 20 metres (66 feet).

Subdivision Lot Size Requirements

- (10) Minimum and average *lot* area requirements are 4 hectares (10 acres) for any *lot* created by subdivision.

5.7 Natural Resource (NR)

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Short term vacation rental of a dwelling*;
 - (d) *Accessory uses, buildings and structures*, including, but not limited to, *home businesses*.

Density

- (2) One (1) *dwelling* is permitted on each *lot*.
- (3) For a parcel 8 ha (20 acres) and greater in area, one (1) *dwelling* and one (1) *cottage* is permitted on each *lot*.
- (4) The area of a *lot* covered by *buildings and structures* shall not exceed 1.5 percent.

Siting and Size

- (5) The minimum *setback* for any *building or structure*, except a *fence or pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (6) The *floor area* of a *dwelling* may not exceed 560 m² (6028 ft²).

Conditions of Use

- (7) Only one *dwelling or cottage* may be used for *short-term vacation rental* on a *lot* at the same time.

Subdivision Lot Size Requirements

- (8) Minimum and average *lot area* requirements are 12 hectares (30 acres) for any *lot* created by subdivision.

5.8 Community Park Zones

Permitted Uses	<u>P1</u>	<u>P2</u>	<u>P3</u>
(1) The following <i>uses</i> are permitted, and including the uses set out in 3.1, all other <i>uses</i> are prohibited:			
(a) Pedestrian trails, open space areas	✓	✓	✓
(b) Preservation, display and interpretation of sites, <i>buildings</i> and <i>structures</i> and items or features of historical significance		✓	
(c) Protection, maintenance, display and interpretation of sites with flora, fauna or other innate features of natural significance			✓
(d) <i>Accessory uses</i> and <i>structures</i> .	✓	✓	✓
Density	<u>P1</u>	<u>P2</u>	<u>P3</u>
(2) The area of a <i>lot</i> covered by <i>buildings</i> and <i>structures</i> shall not exceed:	1.0%	1.0%	1.0%
Siting and Size	<u>P1</u>	<u>P2</u>	<u>P3</u>
(3) The minimum <i>setback</i> for any <i>building</i> or <i>structure</i> from any <i>lot line</i> , except a <i>fence</i> or <i>pump/utility house</i> , shall be:	7.6 m	7.6 m	7.6 m
(4) Despite Section 3.4, the maximum <i>height</i> of any <i>building</i> or <i>structure</i> is:	4.6 m	4.6 m	4.6 m

5.9 National Park (NP)

Information Note: *The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the Canada National Parks Act and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands in the National Park Reserve.*

Permitted Uses

- (1) The following *uses* are permitted, and including the *uses* specified in 3.1, all other *uses* are prohibited:
 - (a) Informational, interpretive, cultural, and historical *uses* and facilities;
 - (b) Natural and cultural resource management and protection;
 - (c) Backcountry camping and picnicking areas;
 - (d) Park operations and maintenance facilities.

Density

- (2) The area of a *lot* covered by *buildings* and *structures* shall not exceed 1.0 percent.

Siting and Size

- (3) The minimum *setback* for any *building* or *structure*, except a *fence* or *pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (4) Despite Section 3.4, the maximum *height* of any *building* or *structure* is 4.6 metres.

Subdivision Lot Size Requirements

- (5) Minimum and average *lot* area requirements are 65 hectares for any *lot* created by subdivision.

5.10 Conservation (RC)

Permitted Uses

- (1) The following *uses* are permitted, and including the *uses* specified in 3.1, all other *uses* are prohibited:
 - (a) Bird watching station;
 - (b) Wildlife interpretation centre.

Density

- (2) The area of a *lot* covered by *buildings* and *structures* shall not exceed 1.0 percent.
- (3) No *building* or *structure* shall be constructed or erected on land within the RC zone, except for a *building* or *structure* not exceeding a total combined *floor area* of 9.3 square metres (100 square feet), for a *use* permitted in Subsection 5.10(1).

Siting and Size

- (4) The minimum *setback* for any *structure*, except a *fence* or *pump/utility house*, shall be 7.6 metres (25 feet) from any *lot line*.
- (5) Despite Subsection 3.4, the maximum permitted *height* for any *structure* is 4.6 metres (15 ft.).

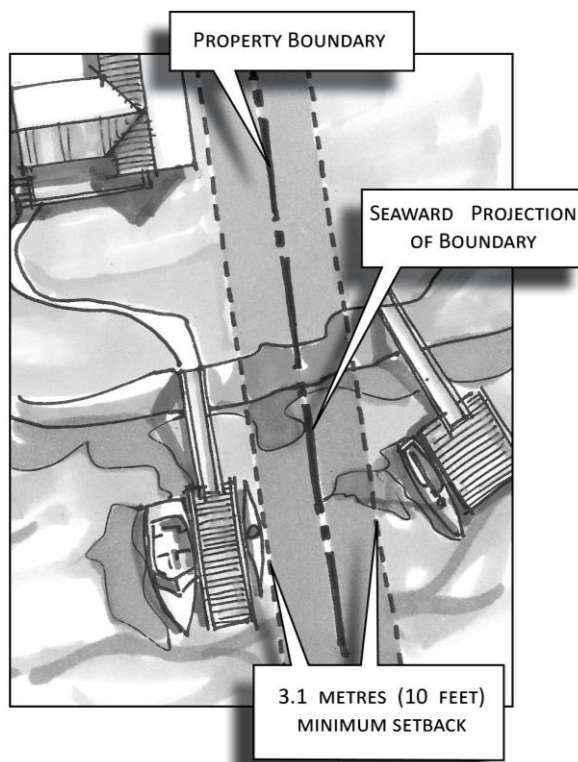
5.11 Marine General (W1)

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Anchorage and mooring of a private vessel by the owner or occupier of the upland lot abutting the water area in which the vessel is anchored or moored;
 - (b) Floats, docks, wharves, ramps, walkways accessory to the residential use of an abutting upland lot, or adjacent upland lots, and providing access to that lot or lots.

Siting and Size

- (2) No building, including a boathouse, may be constructed or erected on any float or wharf.
- (3) The maximum combined area of any float and wharf, accessory to a principal residential use of one or more upland lots, shall not exceed 46.5 square metres (500 square feet), exclusive of ramps and walkways.
- (4) The width of any ramp or walkway, including handrails, used to access any float or wharf permitted in Article 5.15(1)(b) shall not exceed 1.5 metres (5 feet).
- (5) The minimum setback for any structure shall be 3.1 metres (10 feet) from the seaward projection of the lateral boundaries of the abutting upland lot



Permitted Uses

- (1) The following uses and structures are permitted, subject to the regulations set out in this section and the general regulations, and all other uses and structures are prohibited:
 - (a) Anchorage and mooring of a private vessel by the owner or occupier of the upland lot abutting the water area in which the vessel is anchored or moored;
 - (b) For certainty, floats, docks, wharves, ramps, and walkways are not permitted in this zone.

Siting and Size

- (2) The minimum setback for any structure shall be 3.1 metres (10 feet) from the seaward projection of the lateral boundaries of the abutting upland lot.

5.13 Marina (W3)

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Marinas;
 - (b) Boat rentals, excluding rentals of personal watercraft;
 - (c) Marine fuelling stations;
 - (d) Facilities for the temporary mooring of water taxis, pleasure craft, fishing boats and sea planes;
 - (e) Buoys, floats, wharves, docks, slips, ramps, walkways, piers, floating breakwaters, boat launching ramps, dolphins and pilings and buildings necessary for the establishment or operation of uses permitted in this zone.
- (2) For certainty, a vessel anchored, moored or secured to a piling, dolphin, dock, wharf or pier shall not be used as a residence.

Siting and Size

- (3) Signs, boat launching ramps, buoys, floats, wharves, docks, ramps, walkways, slips, pilings and dolphins necessary for the establishment and operation of uses allowed in the W3 zone shall be sited entirely within the boundaries of the W3 zone.
- (4) The maximum floor area of any building is 14 metres² (150 ft²).
- (5) Despite Subsection 3.4, the maximum permitted height for any structure is 5 metres (16.5 ft.) measured from the surface of the water.

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
- (a) Government wharf;
 - (b) Customs building;
 - (c) Signs, boat launching ramps, buoys, floats, wharves, docks, slips, ramps, walkways, piers, floating breakwaters, dolphins and pilings and buildings necessary for the establishment or operation of uses permitted in this zone.

5.15 National Park Marine (W5)

Information Note: *The Federal Crown is not subject to local government regulations, including zoning, and uses consistent with the Canada National Parks Act and other approved Gulf Islands National Park Reserve management documents are generally permitted on lands, including submerged lands, in the National Park Reserve.*

Permitted Uses

- (1) The following uses and no others are permitted in the W5 zone:
 - (a) Marine navigational aids;
 - (b) Natural resource management and protection;
 - (c) Docks, wharfage, and moorage accessory to the upland National Park lands.

PART 6 SIGN REGULATIONS

6.1 Permitted Signs

- (1) All *sign* types except those prohibited in Section 6.2 are permitted.

6.2 Prohibited Signs

- (1) Any *sign* that is internally illuminated; any *sign* with moving parts; any *sign* hung from, or in any way affixed to, any other *sign*; and any noise-making *sign* is prohibited.
- (2) *Third party signs* are prohibited.
- (3) *Signs* illuminated in any way which are sited or otherwise placed in a location seaward of the *natural boundary* of the sea are prohibited.

6.3 Exempt Signs

The following *signs* are exempt from the regulations in this Part:

- (1) Directional, traffic control, informational, interpretive and navigational *signs* sited and maintained by a Public Authority, agency or their authorized agents.
- (2) Real estate *signs* on properties that are for sale or lease may be displayed in any *zone*, subject to the *sign* not exceeding 1.0 square metre (10.8 sq. ft.) in area and being located on the property being sold or leased. Such *signs* are to be removed within 14 days of sale or lease.
- (3) *Signs* of duly nominated candidates for public office, , provided they are removed within 14 days of the date of voting.

6.4 Siting and Height

- (1) A *sign* permitted in this Part may be located only in a front yard or exterior side yard *setback* area.

6.5 Obsolete Signs

- (1) Any *sign* which has become obsolete because of the discontinuance of the business, service or activity which it advertises must be removed from the premises within thirty days after the *sign* becomes obsolete.

6.6 Sign Number and Area

- (1) Every *sign* must comply with the restrictions on the number of *signs* and the maximum total area of *signs* set out in Table 6.1 in respect of the *zone* in which the *sign* is proposed to be located.

TABLE 6.1: <i>Sign Regulations</i>		
Zone	Number of <i>Signs</i> Permitted on Each <i>Lot</i>	Maximum Total <i>Sign</i> Area Permitted on Each <i>Lot</i>
RR1 RR2 RR3 NR	1 per <i>lot</i> plus 1 per <i>home business</i>	1.0 m ² (10.7 square feet)
C	1 per business premises	<i>Note: Development permit area established in Part VII of the OCP.</i>
A F	2 per <i>lot</i> plus 1 per <i>home business</i>	1.0 m ² (10.7 square feet)
S1 S2	2 per <i>lot</i>	4.0 m ² (43.1) square feet)
W2	1 per water <i>lot</i> or licence area	1.0 m ² (10.7 square feet)
W3	1 per water <i>lot</i> or licence area	1.0 m ² (10.7 square feet)
All other zones	Only those <i>signs</i> exempted by Section 6.3 are permitted	

PART 7 PARKING REGULATIONS

7.1 Location

- (1) All required off-street parking spaces shall be located on the *lot* on which the *use*, *building* or *structure* being served is located and in the same *zone*. Parking spaces located on a highway may not be taken into account in determining compliance with the standards in this Part.
- (2) In the case of a parking space for persons with disabilities, it shall be located at the closest point as is practical to the main entrance to any *building* containing the *use* for which the parking space is required.

7.2 Design Standards

- (1) Each parking space shall be accessible to a highway via a manoeuvring aisle not less than 7.5 metres in width in the case of 90 degree parking; 5.5 metres in width in the case of 60 degree parking; and 3.5 metres in width in the case of 45 degree and parallel parking; and no parking space may abut a highway such that the *use* of the parking space necessitates reversing a motor vehicle from or onto the highway. If a parking space is accessible directly from a lane the combined length of the parking space and width of the lane shall be at least 12.5 metres.
- (2) Parking spaces shall be at least 2.7 metres in width and 6.2 metres in length, exclusive of manoeuvring aisles, and have unobstructed vertical clearance of at least 2 metres. Parallel parking spaces shall notwithstanding the foregoing have a length of 7.5 metres.

7.3 Calculation

- (1) In the calculation of parking required spaces, one additional space shall be provided in respect of any fractional *floor area*, number of seats or berths or other unit of measurement and the requirements for sites on which more than one *use* occurs are cumulative.
- (2) Where a particular *use* is not listed in Table 2, the number required for the most similar listed *use* applies.

7.4 Number of Off-Street Parking Spaces

- (1) Every owner or occupier of land shall provide and maintain off-street parking spaces in conformity with the standards set out in Table 7.1 in respect of the *use* or occupancy that is applicable to the owner's land.

Table 7.1 : Number of Off-Street Parking Spaces	
<i>Use of Building or Lot</i>	Minimum Number of Parking Spaces Required
Residential	2 per <i>dwelling</i> and one per <i>cottage</i>
Retail Stores Offices	1 per 23 m ² <i>floor area</i> plus 1 for persons with disabilities
<i>Restaurants, Cafes, Premises licensed under the Liquor Control and Licensing Act</i>	1 per 3 seats plus 1 accessible parking space for persons with disabilities
<i>Churches</i>	1 per 23 m ² <i>floor area</i>
Hotels	1 per <i>sleeping unit</i> and 1 per employee plus 1 for persons with disabilities
Staff <i>Dwelling</i> Unit in Commercial zone	1 per 2 employees
<i>Marina</i>	1 per 3 boats berthed on annual basis and 1 per employee
<i>Bed and Breakfast</i>	1 per room used for or intended to be used for patron overnight accommodation and one per non-resident employee
Other Home Businesses	1 per non-resident employee and 1 per business where the nature of the business is such that patrons call at the premises.
Fire Hall	5 spaces

PART 8 SUBDIVISION REGULATIONS

8.1 Lot Area Calculations

- (1) *Lots* created by subdivision shall have an area at least equal to the minimum *lot* area specified in Part 5 for the *zone* in which the parent parcel is located, and shall have an average area at least equal to any average *lot* area so specified.
- (2) If an owner of land being subdivided dedicates as parkland more than 5 percent of the land being subdivided, the area greater than 5 percent may, for the purpose of determining compliance with average *lot* area regulations set out in Part 5, be included in the total area of *lots* being created, and the *park* or *parks* are deemed not to be *lots*.
- (3) If a *lot* proposed to be subdivided is divided by a *zone* boundary and the *lot* cannot be subdivided without creating new split zoned *lots*, each split zoned *lot* must comply with the largest minimum and average *lot* size specified in Part 5 for any *zone* in which the *lot* is located.

8.2 Exemptions from Average and Minimum Lot Area Requirements

- (1) The average and minimum *lot* sizes specified in Part 5 do not apply if:
 - (a) the *lot* being created is to be used solely for unattended equipment necessary for the operation of facilities referred to in Section 3.1, a community sewer or water system, electrical or telecommunication *utilities*, telephone receiving antenna, radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, or an electrical substation, and the owner grants to the *Local Trust Committee* a Section 219 covenant complying with Section 2.6 restricting the *use* of the *lot* to one or more of these uses;
 - (b) the *lot* being created is for *park use*, an *ecological reserve* or dedication to the Crown;
 - (c) the *lot* being created results from the consolidation of two or more *lots*, provided that the consolidated *lot* does not have sufficient area that it could be subdivided into more *lots* than would be permitted under this bylaw without the consolidation; or
 - (d) to the adjustment of boundaries between *lots*, provided that the area of any *lot* would not be increased to an extent that it could be subdivided into more *lots* than would be permitted under this bylaw without the boundary adjustment.

8.3 Covenants Prohibiting Further Subdivision and Development

- (1) If a proposed subdivision yields the maximum number of *lots* permitted by the applicable minimum and average *lot* areas specified in Part 5, and one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot* area, the applicant shall grant a Section 219 covenant complying with Section 2.6 in respect of every such *lot*, prohibiting further subdivision of the *lot* and prohibiting construction, erection, or occupancy on the *lot* of more than the applicable *zone*'s permitted number of *dwellings* and, if a *cottage* is a permitted *use* of the *lot*, more than that *zone*'s permitted number of *cottages*.
- (2) If a subdivision is proposed that yields fewer than the maximum number of *lots* permitted by the applicable minimum and average *lot* sizes specified by this bylaw, and:

- (a) one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot* area; and
 - (b) one or more of the *lots* being created has an area less than the applicable average *lot* area, the applicant shall grant a Section 219 covenant complying with Section 2.6 in respect of every *lot* described in Article 8.3(2)(a) prohibiting:
 - (c) the further subdivision of the *lot* so as to create a greater total number of *lots* by subdivision and re-subdivision of the original *lot* than would have been created had the first subdivision created the maximum number of *lots* permitted by the applicable minimum and average *lot* areas specified by this bylaw; and
 - (d) the construction, erection, or occupancy on the *lot* of *dwellings* and, if permitted by this bylaw, *cottages* so as to create greater density of such development on the original *lot* than would have been created had the original *lot* been subdivided into the greatest number of *lots* permitted by this bylaw.
- (3) If the approval of a bare land strata plan would create common property on which this bylaw would permit the construction of a *dwelling* or *cottage* if the common property were a *lot*, the applicant shall grant a Section 219 covenant complying with Section 2.6 in respect of the common property prohibiting the further subdivision of the common property, the construction of any *dwelling* or *cottage* on the common property, and the disposition of the common property separately from the strata *lots*.

8.4 Boundary Adjustment Subdivisions

- (1) A boundary adjustment subdivision that would result in the increase of the area of any *lot* to the point where the new *lots* created could collectively be subdivided into more *lots* than would be permitted under this bylaw without the boundary adjustment is prohibited.
- (2) A boundary adjustment subdivision resulting in a *lot* lying in two or more *zones* is prohibited, except where one of the *lots* being subdivided is located in two or more *zones*.

8.5 Section 514 subdivisions (Residence for a Relative)

- (1) No *lot* having an area less than 8 hectares (20 acres) may be subdivided under Section 514 of the *Local Government Act* to provide a *residence* for a relative of the owner unless the *lot* is entirely within the Agricultural Land Reserve.

8.6 Lot Frontage and Lot Configuration

- (1) The *frontage* of any *lot* in a proposed subdivision must not be less than 20.12 metres (66 feet) or the minimum *frontage* established in Section 512 of the *Local Government Act*.

Information Note: *The minimum frontage established in Section 512 of the Local Government Act is 10% of the perimeter of the lot. The Local Trust Committee has jurisdiction to exempt a lot or a subdivision from this requirement.*

- (2) No *lot* in a proposed subdivision may have a depth greater than three times its width, and for this purpose the width of a *panhandle lot* shall be measured at the point where the panhandle connects with the main portion of the *lot*.
- (3) If a proposed *panhandle lot* is not capable of being further subdivided under the provisions of this bylaw, the minimum width of the access strip at any point is 10.06 metres (33 feet).

- (4) If a proposed *panhandle lot* is capable of being further subdivided under the provisions of this bylaw, the minimum width of the access strip at any point is 20.12 metres (66 feet).

8.7 Split Zoned Lots

- (1) Subject to Subsection 8.1(3), a subdivision resulting in the creation of a new *lot* lying in two or more *zones* is prohibited.

8.8 Split or Hooked Lots

- (1) No additional *lot* which is divided into two or more portions by a highway or another *lot* may be created by subdivision.

8.9 Double Frontage Lots

- (1) No additional *lot* having *frontage* on more than one highway other than a corner *lot* may be created by subdivision.

8.10 Water Access Subdivisions

- (1) *Highway* access must be provided to every *lot* created by subdivision on South Pender Island.
- (2) If a subdivision with water access only is approved on an island other than South Pender Island within the South Pender Island Local Trust Area, the owner of land being subdivided must provide motor vehicle parking spaces in accordance with Part 7 of this Bylaw for each *dwelling* and *cottage* permitted by this Bylaw in respect of each *lot* being created. Such parking spaces must be located at the most reasonable location giving access by water to the subdivision.

8.11 Highway Standards

Information Note: For information on road standards see the *Letter of Agreement between the Islands Trust and the Ministry of Transportation and Highways, dated October 20, 1992 and amended July 18, 1996.*

8.12 Water Supply

- (1) Where a subdivision is not served by a community water system, each proposed lot must be proven by the applicant to have a source of potable water of sufficient quantity in accordance with Table 1 in Subsection 8.12(3).
- (2) A community water system must be provided for subdivisions where there is not a proven source of potable water of sufficient quantity in respect of each lot.
- (3) Where a well is proposed as a source of potable water for a proposed subdivision, the applicant for subdivision must provide written certification under seal of an Professional Engineer or Hydrogeologist with experience in groundwater hydrology that there is, in respect of each building, structure, or use of land permitted by this Bylaw, on or to each proposed lot, an available supply of potable water that meets or exceeds the Guidelines for Canadian Drinking Water Quality in the amounts set out in Table 1, and that the

extraction from the groundwater table of that amount of water in respect of each permitted building, structure or use will not adversely affect the quantity or quality of water obtainable from any existing well or surface water then used as a source of potable water. The extraction and treatment of saline ground water (as outlined in the Guidelines for Canadian Drinking Water Quality) into potable water is not permitted.

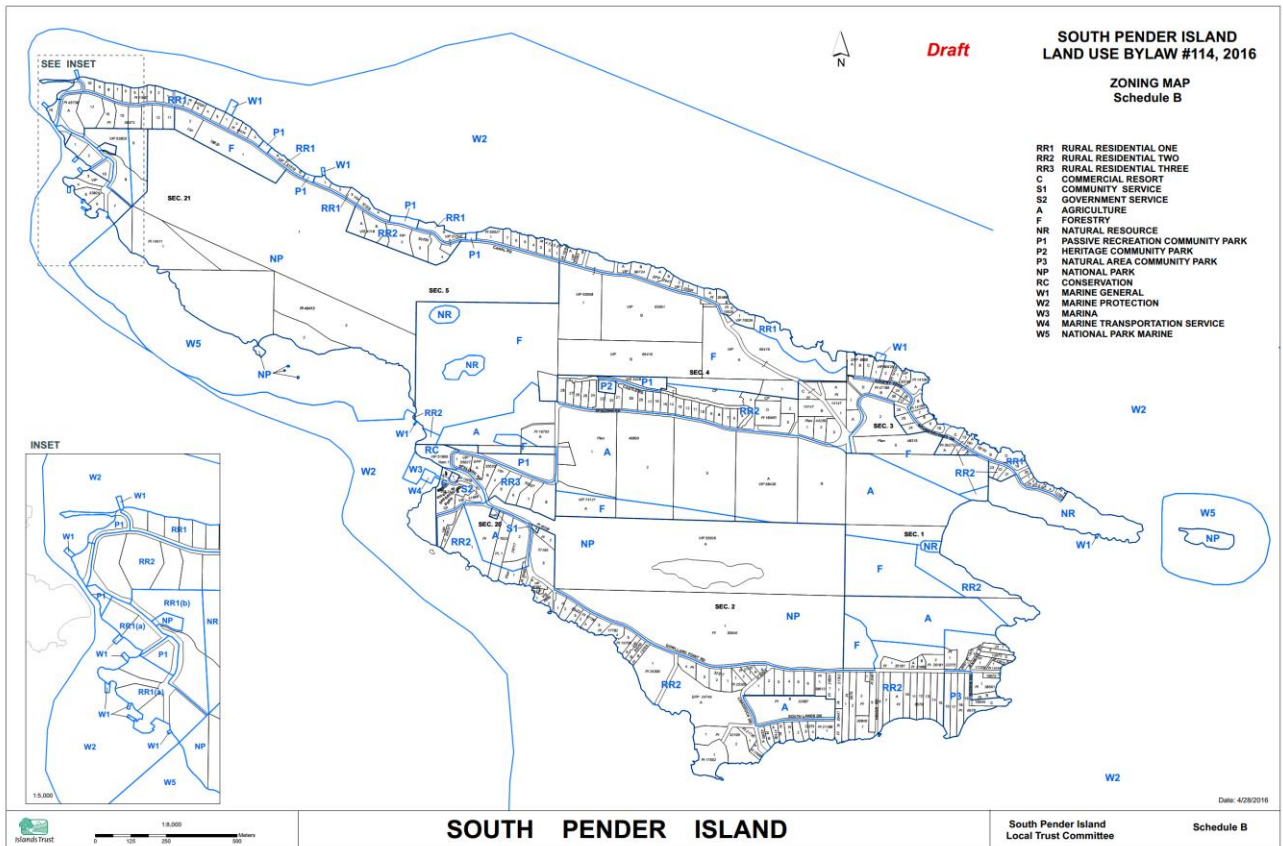
TABLE 8.1: Potable Water Supply Standards	
Use	Volume (per day per lot)
Residential	2275 litres (per permitted dwelling)
Agricultural	3640 litres
Commercial	3640 litres
Commercial Guest Accommodation	6000 litres
Industrial	3640 litres
All other uses	2275 litres

- (4) If the certification referred to in Subsection 8.12(3) cannot be made, the *Approving Officer* may nonetheless approve the subdivision in the following circumstances:
 - (a) if the applicant provides a community water system complying with the requirements of this Bylaw; or
 - (b) if the applicant grants a covenant restricting the development of the subdivision to the buildings, structures and uses in respect of which a certification has been made under Subsection 4.4.3.
- (5) Where applicant has provided a report by a Professional Engineer or Hydrogeologist with experience in groundwater hydrology, and the report indicates that the water from a well does not meet the standards of potability as set in 8.12(3) and the report states that with specific treatment systems the well can be certified as to potability, the *Approving Officer* may nonetheless approve the subdivision provided that:
 - (a) the applicant grants a s. 219 covenant to the LTC and to the CRD restricting use and occupancy of the land and any building or structure on the land until the owner installs a water treatment system which is effective in making the water from the well potable to no less a standard than that specified in this Bylaw.
- (6) For the purposes of the certification referred to in Subsection 8.12(3), the Professional Engineer or Hydrogeologist must supply supporting documentation, and if a pump test has been conducted, the Professional Engineer or Hydrogeologist must indicate that the test was of sufficient duration to establish in accordance with generally accepted hydrological engineering practice the long term reliability of the water supply.
- (7) If a Professional Engineer or Hydrogeologist provides a certification under Subsection 8.12(3) as to the quality of a proposed source of potable water, the certificate must include a plan of the proposed subdivision indicating the location where each water sample was taken, and a statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
- (8) If a community water system is proposed, the water system must comply with applicable provincial enactments and must be designed with sufficient capacity to serve all the lots that may be created by further subdivision. No community water system may be supplied

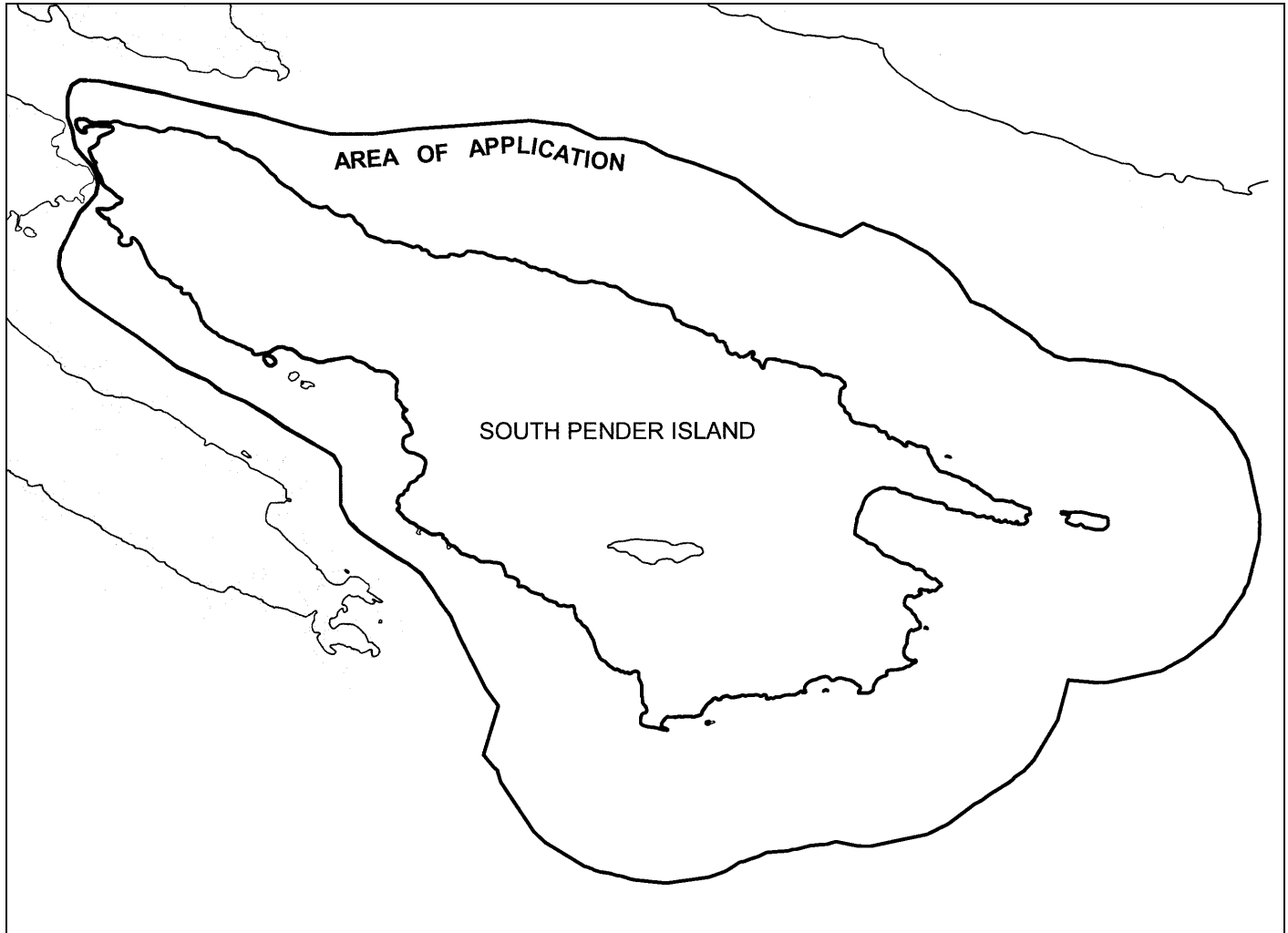
with water other than that which is obtained on the island on which the system is located. The water intake of a community water system must not be closer than 300 metres to public accesses to lakes.

- (9) An applicant is not required to fulfil the requirements of subsections 8.12(1), 8.12(2) and 8.12(3) for boundary adjustment subdivisions provided that: there would be no increase in density or intensity of use beyond what was permitted before the boundary adjustment took place; and that all of the lots subject to the boundary adjustment have an established supply of water.

SCHEDULE B (ZONING MAP)



SCHEDULE C (BYLAW AREA MAP)



First Nation Engagement

Referral of: South Pender Bylaw No. 113 (OCP Amendments) & 114 LUB

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2017	Unable to reach via phone to advise of upcoming Public Hearing – sent an email instead giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Halalt

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2017	Left a voice msg re Public Hearing on May 6 th giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Lake Cowichan

Date	Comment/Action	Initial
June 1, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Phoned & spoke with Carole Livingston re Public Hearing on May 6, 2017 – resent the referral via email giving opportunity to make comments	SLD

First Nation: Lyackson

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Phoned & spoke with Linda Ainell re Public Hearing on May 6, 2017 – resent the referral via email giving opportunity to make comments	SLD

First Nation: Malahat c/o TE'Mexw Treaty Assoc

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Left a voice msg re Public Hearing on May 6 th giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Pauquchin

Date	Comment/Action	Initial
May 25, 2016	Emailed and mailed referral with cover letter	SLD
April 5, 2016	Phoned & spoke with Darren Meadmillar re Public Hearing on May 6, 2017 – resent the referral via email giving opportunity to make comments	SLD

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Phoned & spoke with Denise James re Public Hearing on May 6, 2017 – she had no comments	SLD

First Nation: Semiahmoo

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Left a voice msg re Public Hearing on May 6 th giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Stz'uminus

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Left a voice msg re Public Hearing on May 6 th giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Tsartlip

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Left a voice msg re Public Hearing on May 6 th giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Tsawout

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Left a voice msg re Public Hearing on May 6 th giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Tsawwassen

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Left a voice msg re Public Hearing on May 6 th giving another opportunity to respond to the referral sent in May/16.	SLD

First Nation: Tseycum

Date	Comment/Action	Initial
May 25, 2016	Emailed referral with cover letter	SLD
April 5, 2016	Called to leave msg however mailbox was full	SLD

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REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 3040-20-01
(Gabriola Electronic Meetings Bylaw)

DATE OF MEETING: June 14, 2017
TO: Islands Trust Executive Committee
FROM: Ann Kjerulf, Regional Planning Manager
SUBJECT: Gabriola Island Local Trust Committee – Bylaw No. 295 (Electronic Meetings Bylaw)

RECOMMENDATION

1. **THAT the Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 295, cited as "Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017", under Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

The Gabriola Island Local Trust Committee (LTC) has referred Bylaw No. 295 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw.

IMPLICATIONS OF RECOMMENDATION

Organizational: A key aspect of Bylaw No. 295 is that it allows trustees to attend meetings via electronic means in accordance with the provisions or terms of the bylaw.

Financial: Bylaw No. 295 should have no financial implications for the Local Trust Committee.

Policy: Bylaw No. 295 is consistent with Islands Trust Council Policy 4.1.ii (Local Trust Committee Meeting Guidelines).

Implementation/Communications: Communication to Gabriola Island Local Trust Committee regarding the Executive Committee decision by **July 31, 2017**.

PURPOSE

The purpose of this Request for Decision is to provide the Executive Committee with a summary of the proposed amendments to Gabriola Island Local Trust Committee Bylaw No. 295, cited as "Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017" and request approval of this bylaw.

Gabriola Island Local Trust Committee Bylaw No. 295 (Attachment 4) provides for:

- The ability of all LTC members to participate electronically at a special meeting (s. 16);
- The ability of not more than one member of the LTC to participate electronically at a regular meeting; note that this member could be the chair (s. 18);
- An individual member of the LTC cannot participate by electronic means in two consecutive regular LTC meetings (s. 19);

- The restrictions regarding 1) the number of LTC members that may participate electronically at a regular meeting, and 2) participation in two consecutive regular meetings may be waived by unanimous resolution of the LTC (s. 20);
- Where any LTC member is participating in an open meeting through electronic communication facilities, the facilities must enable all meeting participants and the public to hear, or watch and hear, all meeting participants and must provide notice when participants join or leave the meeting (s. 23 and 24);
- During an electronic meeting that is open to the public, a designated staff member must physically attend at the meeting location specified in the notice of meeting (s. 25);
- Notice of a special electronic meeting must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear, or watch and hear the proceedings.
- The draft bylaw also clarifies who can chair a meeting, including an electronic meeting. The current procedure bylaw lacks this clarity.

BACKGROUND

Gabriola Island Local Trust Committee Bylaw No. 295

At the Gabriola Local Trust Committee meeting on June 8, 2017, Bylaw No. 296 was given three readings and found to be “not contrary to or at variance with the Islands Trust Policy Statement”.

Issues Relating To Provincial Interest:

N/A

Issues Relating To Resources and Enforcement:

Local Planning Services has the necessary equipment to support electronic meetings.

Issues Relating To First Nation Interest:

N/A

Public Comments to Executive Committee

N/A

Staff Comments

Staff is recommending approval of Bylaw No. 295 as it will facilitate trustee participation in local trust committee meetings via electronic meetings should the need arise from time to time.

KEY ISSUES/CONCEPTS

- Open and transparent governance
- Public engagement in local government decision-making
- Efficiency

RELEVANT POLICY

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

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 30, 2017
Concurrence:	David Marlor, MCIP, RPP Director, Local Planning Services	July 7, 2017

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. EC Policy Checklist
4. Bylaw No. 295



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gabriola Island Local Trust Committee

Bylaw No.: GB-295

Bylaw Type: Meeting Procedure Bylaw

Date of resolution referring bylaw to Executive Committee: 08-Jun-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Thiel
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

- *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

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: 08-Jun-2017

Reading:

GABRIOLA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 295

A Bylaw to Amend the Gabriola Island Local Trust Committee Meeting Procedure Bylaw

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

1. Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, is amended as follows:
 - 1.1 By deleting section 10 in its entirety and replacing it with the following:
 - "10. In the event that neither the Chairperson nor the alternate member of the Local Trust Committee appointed by the Chair of the Trust Council is present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services, or his or her designate, shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson."
 - 1.2 By adding the following new sections after section 15, and by renumbering section 16 and section 17 to become section 28 and section 29 respectively:

"ELECTRONIC MEETINGS

16. A special meeting of the Local Trust Committee to deal with urgent new business may be conducted entirely by means of audio or audio-visual electronic communication facilities if a majority of the members of the Local Trust Committee have agreed by resolution that the meeting may be conducted in this way and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
17. An individual Local Trust Committee member who is not at the physical location of a special Local Trust Committee meeting or a regular Local Trust Committee meeting may choose to participate by means of audio or audio-visual electronic communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
18. At a regular Local Trust Committee meeting, not more than one Local Trust Committee member may participate by means of electronic communication facilities.
19. An individual member of the Local Trust Committee may not participate by means of electronic communication facilities in two consecutive regular meetings of the Local Trust Committee.
20. The Local Trust Committee may waive the restrictions in sections 18 and 19 by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.
21. Local Trust Committee members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
22. A member of the Local Trust Committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.

23. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
24. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
25. For the duration of an electronic meeting that is open to the public, the Director of Local Planning Services, or his or her designate, must attend at the place specified in the meeting notice.
26. If communication is lost to one or more electronic participants during a meeting:
 - 26.1 the affected participants will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting, and this will be recorded in the minutes;
 - 26.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and
 - 26.3 if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication will be added to the next Local Trust Committee meeting agenda.
27. The costs of electronic participation in a Local Trust Committee meeting will be borne by the Gabriola Island Local Trust Committee if the Local Trust Committee member is participating from a location within Canada or has otherwise received the approval of the majority of Local Trust Committee members."

2. This bylaw may be cited as "Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017".

READ A FIRST TIME THIS	8 TH	DAY OF	JUNE	, 2017
READ A SECOND TIME THIS	8 TH	DAY OF	JUNE	, 2017
READ A THIRD TIME THIS	8 TH	DAY OF	JUNE	, 2017
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	XX	DAY OF	XXX	, 201X
ADOPTED THIS	XX	DAY OF	XXX	, 201X

CHAIRPERSON

SECRETARY



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20 (OCP Housekeeping)

DATE OF MEETING: July 19, 2017

TO: Islands Trust Executive Committee

FROM: Ann Kjerulf, Regional Planning Manager

SUBJECT: Denman Island Local Trust Committee – Bylaw No. 222

RECOMMENDATION

1. **THAT the Executive Committee approve Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016", under Section 24 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

The Denman Island Local Trust Committee (LTC) has referred Bylaw No. 222 to the Executive Committee for approval under Section 24 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None

Financial

None

Policy

None

Implementation/Communications

Communication to Denman Island Local Trust Committee regarding the Executive Committee decision by **July 31, 2017**

Other

Ministry of Community, Sport and Cultural Development (MCSCD) staff have advised that if Bylaw No. 222 arrives for consideration of ministerial approval, MCSCD staff may consult with First Nations to ensure the Crown's duty to consult is fulfilled, and that this may lengthen the timeline for bylaw consideration.

PURPOSE

Denman Island Local Trust Committee Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016" (Attachment 6) is intended to amend the Denman Island Official Community Plan with respect to "housekeeping" items that would correct two inaccuracies and omissions in the Development Permit Area 4 (DPA-4) mapping schedule, applicable to streams, lakes, and wetlands (RAR and non-RAR applicable).

BACKGROUND

Denman Island Local Trust Committee Bylaw No. 222

Staff advised the LTC that this bylaw amendment corrects an error in Development Permit Area No. 4, in Schedule E, Map 2 (both "North" and "South" maps). Bylaw No. 222 was found to be "not contrary to or at variance with the Islands Trust Policy Statement" (Attachment 4), was given first reading on November 15, 2016, and had a public hearing and then was given second and third readings on June 6, 2017.

Issues Relating To Provincial Interest

On Tuesday, May 23, 2017, Staff received an email from the MCSCD suggesting *"that it would be preferable to refer Denman Island LTC Bylaw No. 222 more widely, despite the nature of the proposed changes"*. MCSCD identified 12 First Nations with whom they believe the LTC should engage, in addition to the K'omoks First Nation, which include Cowichan Tribes, Lake Cowichan, Lyackson, Penelakut Tribe, Halalt, Stz'uminus, Snaw-Naw-As, We Wai Kai, Wei Wai Kum, Homalco (Xwemalhkwu), Tla'amin, and Qualicum. However, MCSCD noted that *"in the event that Islands Trust chooses not to refer Bylaw No. 222 more widely (or is unable to do so), that's not at all a problem."* MCSCD also conveyed that *"in the absence of referrals to the above First Nations, when Bylaw 222 arrives at CSCD for consideration, then we will likely need to undertake further correspondence with the First Nations ourselves to ensure the Crown's duty to consult is fulfilled. This would likely lengthen timelines for review of the bylaw here."*

Issues Relating To First Nation Interest

No concerns expressed by First Nations contacted (see Attachment 7).

Issues Relating To Resources and Enforcement

None.

Public Comments

None.

Staff Comments

At their meeting held June 6, 2017, the LTC was asked to consider whether or not further consultation should be undertaken for Proposed Bylaw No. 222 in accordance with s.475(2)(b)(iv) of the *Local Government Act* (LGA). The staff report recommendation was that the bylaw should not be referred more broadly to First Nations (other than the K'omoks First Nation) based on the following rationale:

- The MCSCD suggestion that sending a standard bylaw referral letter and a confirmation phone call to the additional 12 First Nations would be sufficient is no longer an appropriate form of engagement with First Nations; the Islands Trust is committed to changing its organizational approach to relationship

building and early referrals with First Nations. In December 2016 the Islands Trust Council adopted the First Nations Engagement Principles Policy¹, which allows for more meaningful, in-depth engagement with the First Nations who have interests in the lands and waters in the Trust Area.

- Re-referring at this stage (with all or some of the 12 suggested First Nations) would require additional Staff time and resources with negligible benefits given that the OCP bylaw amendment would correct mapping for a Development Permit Area for the purpose of protection of the natural environment. Staff are of the opinion that the LTC's requirement under S.475(2)(b)(iv) of the *LGA* has been met and this would not be an adequate use of additional resources. Furthermore, during the referral stage, staff discussed the amendment with K'ómoks First Nation's referrals staff and the K'ómoks First Nation did not provide comments.
- The LTC's consultation with First Nations is separate from the Provincial "Duty to Consult" with First Nations. In essence, regardless of the LTC's process, the Province still has an obligation to contact K'ómoks First Nation and the other 12 First Nations to ensure their "Duty" is fulfilled before they can give approval for this OCP amendment, which may add to the approval timeline.

The LTC considered this request and subsequently defeated a motion to refer the bylaw to the above-noted First Nations. The following is an excerpt from the draft minutes of the June 6, 2017 Denman Island LTC meeting:

DE-2017-041

It was MOVED and SECONDED,

that the Denman Island Local Trust Committee refer proposed Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016", to the following First Nations: Cowichan Tribes, Lake Cowichan, Lyackson, Penelakut Tribe, Halalt, Stz'uminus, Snaw-Naw-As, We Wai Kai, Wei Wai Kum, Homalco (Xwemalhkwa), Tla'amin, and Qualicum.

Discussion on the proposed resolution followed and Trustees' comments included the following key points:

- the MCSCD was not requiring that the additional referrals be sent;
- Senior Intergovernmental Policy Advisor MacRaid's suggestion that this could be done in a more informal manner as an example of housekeeping items for discussion was supported;
- Engagement with First Nations is occurring on many levels; and
- Concern was expressed that re-referral on this "housekeeping" amendment to correct mapping would slow down the process.

The Chair then called the question.

DEFEATED

Unanimously

Staff is recommending approval of Bylaw No. 222. Bylaw No. 222 is deemed to be consistent with the *Islands Trust Act*, *Local Government Act*, and the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Open and transparent governance

¹ See: <http://islandstrust.bc.ca/media/342128/firstnationsengagementprinciples.pdf>

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Denman Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 222, cited as "Denman Island Official Community Plan, 2008, Amendment No. 1, 2016" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Denman Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 29, 2017
Concurrence:	David Marlor, MCIP, RPP Director, Local Planning Services	July 7, 2017

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 222
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Denman Island Local Trust Committee

Bylaw No.: DE-222

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 06-Jun-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Ghil
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

- *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-222

Trust Area: Denman Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: DE-222
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 15-Nov-2016

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 12-Dec-2016

Resolutions:

Resolution Waiving Public Hearing: No
Resolution Authorizing Public Hearing: Yes
Resolution to Proceed no Further Date: 15-Nov-2016

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 18-May-2017

File complete and ready for Public review: Yes

Public Hearings:

Location: Denman Seniors Hall, 1111 Northwest Rd, Denman Is
Proofread By: Kjerulf, Ann

Legal Paper: The Denman Grapevine-NO LONGER ON HORNBY
First Publish Date: 25-May-2017 Second Publish Date: 01-Jun-2017

Alternate Paper:
First Publish Date: Second Publish Date:

Mailout Date: 19-May-2017 Delivery Notices:
Second Reading Date: 06-Jun-2017 Date Public Hearing Held: 06-Jun-2017
Third Reading Date: 06-Jun-2017



Referrals: Bylaw DE-222

Agency	Sent	Received
K'omoks First Nation 3320 Comox Road: Frank, Cory Comment: Interests assumed to be unaffected	04-Jan-2017	07-Mar-2017
Ministry of Community, Sport and Cultural Development Intergovernmental Relations and Planning Division: Nicholls, Eric Comment: no response	12-Dec-2016	
Ministry of Forests, Lands and Natural Resource Operations - Ecosystems Branch 2080 Labieux Road: Roden, Jacqueline Comment: Interests Unaffected	12-Dec-2016	19-Dec-2016
Agricultural Land Commission Rm. 133 4940 Canada Way: Bednard, Gordon Comment: no response	12-Dec-2016	
School District 71 607 Cumberland Road: Lindquist, Dean Comment: no response	12-Dec-2016	



File No.: 6500-20

OCP Housekeeping Amendment, Bylaw No. 222

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
BL 294	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.
✓	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
BL 294	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.
✓	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.

CONSISTENT	No.	DIRECTIVE POLICY
BL 294	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
BL 294	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
BL 294	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
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Teresa Rittemann

Status

Date Resolution Referred to Exective Committee: 06-Jun-2017

Reading:

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 222

A BYLAW TO AMEND THE DENMAN ISLAND OFFICIAL COMMUNITY PLAN, 2008

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

1. Citation

This bylaw may be cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2016”.

2. Denman Island Local Trust Committee Bylaw No. 185, cited as “Denman Island Official Community Plan, 2008”, is amended as shown on Schedule 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS	15 TH	DAY OF	NOVEMBER	, 2016
PUBLIC HEARING HELD THIS	6 TH	DAY OF	JUNE	, 2017
READ A SECOND TIME THIS	6 TH	DAY OF	JUNE	2017
READ A THIRD TIME THIS	6 TH	DAY OF	JUNE	, 2017
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 201x
ADOPTED THIS		DAY OF		, 201x

SECRETARY

CHAIRPERSON

Denman Island Local Trust Committee

Bylaw No. 222

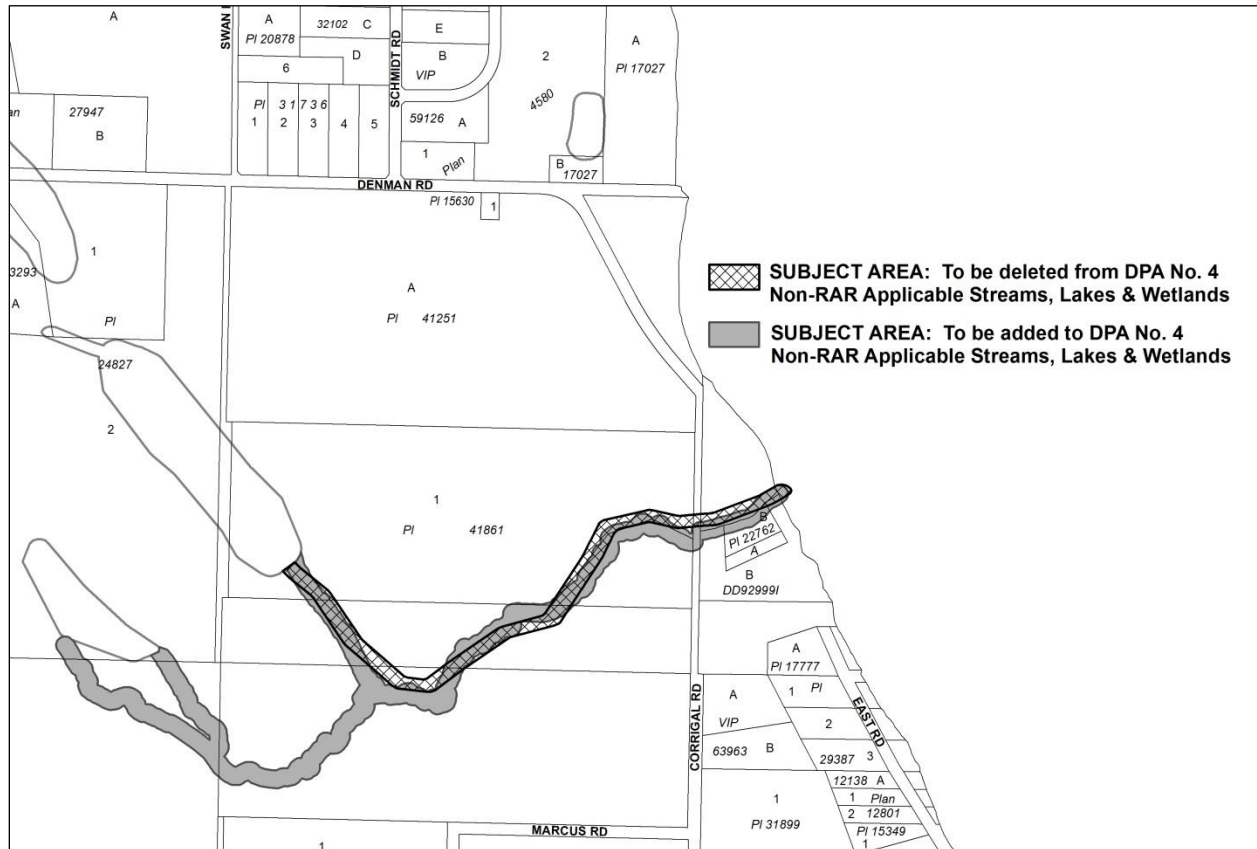
Schedule 1

1. Schedule "E", Map 2, "North" of Denman Island Official Community Plan Bylaw No. 185 cited as "Denman Island Official Community Plan, 2008 is amended as shown on Plan No. 1 attached to and forming part of this bylaw:
2. Schedule "E", Map 2, "South" of Denman Island Official Community Plan Bylaw No. 185 cited as "Denman Island Official Community Plan, 2008 is amended as shown on Plan No. 2 attached to and forming part of this bylaw:

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW 222

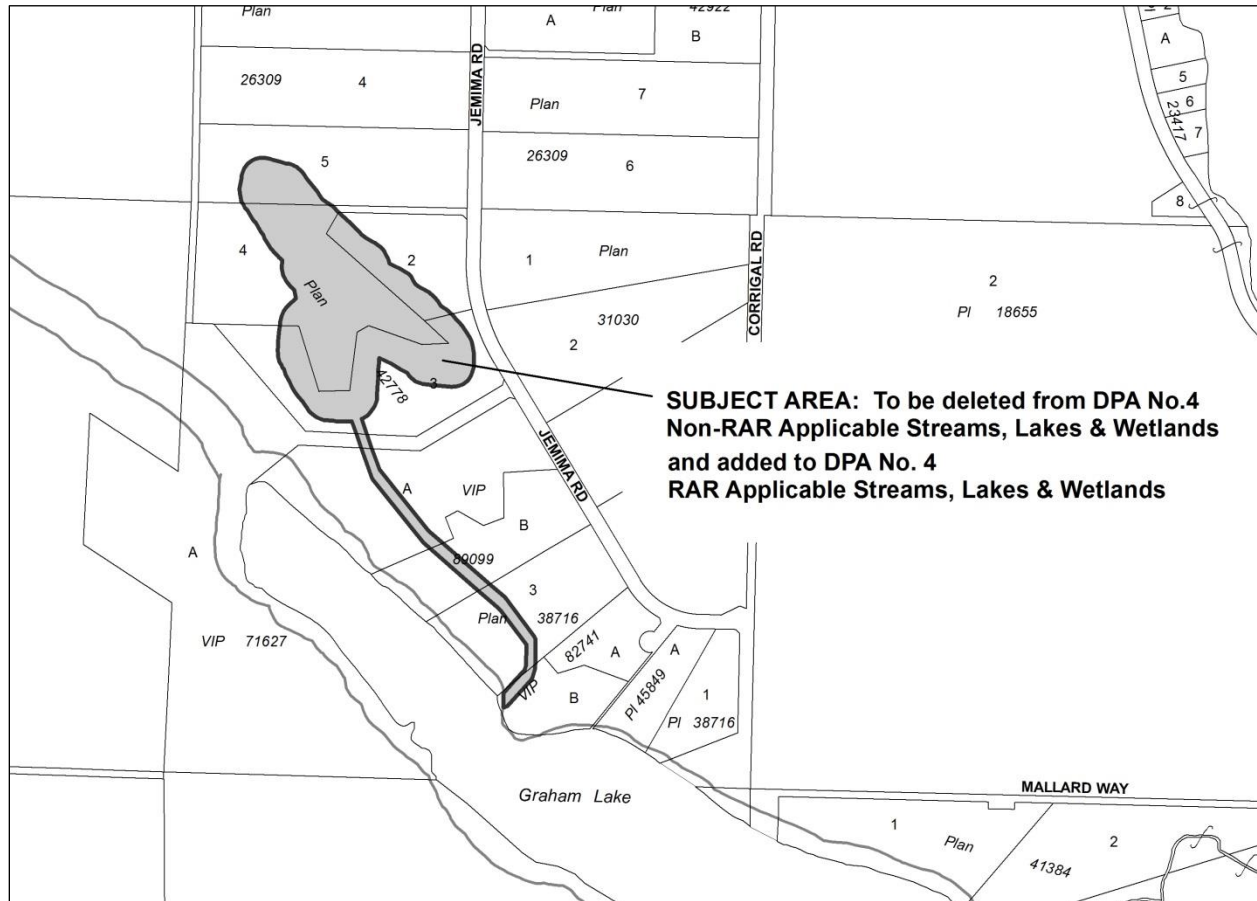
PLAN No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW 222

PLAN No. 2



First Nation Engagement

Referral of: DE BLs 222 and 223

First Nation: K'OMOKS FIRST NATION

Date	Comment/Action	Initial
January 4, 2017	Referral Package sent via email to Cory Frank - response requested by Friday, March 3, 2017.	TR/BM
March 7, 2017	IT Staff (Ann Kjerulf, Fiona MacRaid, and Teresa Ritemann) met with Cory Frank from K'ómoks First Nation, at KFN offices, for a relationship-building meeting. Cory Frank did not raise any KFN interests that may have been affected by either proposed bylaw. Interests assumed to be unaffected.	TR

TR = Teresa Ritemann, Planner 2

BM = Becky McErlean, Legislative Clerk



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: TH-RZ-2015.2
(Hardy Island Granite Quarry Ltd.)

DATE OF MEETING: July 19, 2017
TO: Islands Trust Executive Committee
FROM: Marnie Eggen, Island Planner
SUBJECT: Thetis Island Local Trust Committee – Bylaw No. 98

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Thetis Island Local Trust Committee Bylaw No. 98, cited as “Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Thetis Island Local Trust Committee has referred Bylaw No. 98 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to Thetis Island Local Trust Committee regarding the Executive Committee decision by August 29, 2017.

Other

None.

PURPOSE

Thetis Island Local Trust Committee Bylaw No. 98, cited as “Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016 (Attachment 6) is intended to amend the Valdes Island Rural Land Use Bylaw No. 42 by changing the zoning classification of approximately 0.272 ha (0.67 ac) of the Crown foreshore or land covered by water being part of the bed of Pylades Channel, adjacent to Lyackson IR3, Valdes Island, from Marine Conservation (W1) to Marine Barge Facility (W7) to allow barge loading and unloading.

BACKGROUND

Thetis Island Local Trust Committee Bylaw No. 98

Bylaw No. 98 was found to be “not contrary to or at variance with the Islands Trust Policy Statement” (Attachment 4), was given first reading on November 29, 2016, and had a public hearing and then was given second and third readings on June 27, 2017.

Issues Relating To Provincial Interest

The Archaeology Branch identified archaeological sites on Federal lands, which are not protected under the provincial *Heritage Conservation Act* and do not require a permit from the Archaeology Branch. However, they recommended that archaeological standards and practices that are in place for private and Crown lands are also applied to Federal lands. This information was passed on to the applicant for their information. Through an extensive Federal environmental review process previously undertaken by the applicant with regard to a permit for a sandstone quarry operation on Lyackson IR3, an archaeological assessment of the subject area was conducted and recommendations were included in the development plans for the quarry including the barge landing site. No referral responses were received from other provincial agencies.

Issues Relating To First Nation Interest

Early in the application review process, planning staff confirmed with Ministry of Community Sport and Cultural Development staff the eight First Nations that the Ministry would consider consulting with in the event that consultation would need to be undertaken by the Ministry: Lyackson First Nation, Cowichan Tribes, Semiahmoo First Nation, Stz’uminus First Nation, Halalt First Nation, Lake Cowichan First Nation, Penelakut Tribe, Snuneymuxw First Nation, Hul’qum’num Treat Group (for information only). Lyackson First Nation is a partner with Hardy Island Granite Quarries Ltd. in the operation of the sandstone quarry on the Lyackson IR3 and in association with the rezoning application. Lyackson First Nation staff provided a written referral response on April 27, 2016 stating that Lyackson have no issue with the bylaw change. Subsequently, at the Public Hearing on April 25, 2017 newly assigned Lyackson staff indicated the need to confirm Chief and Council’s position on the bylaw amendment. On April 27, 2017, Lyackson staff confirmed that Chief and Council does not object to the rezoning application.

Cowichan Tribes and Stz’uminus First Nation deferred to Lyackson First Nation. No other referral comments were received from other First Nations. Staff provided a bylaw referral package and followed up by phone as well.

Issues Relating To Resources and Enforcement

None.

Public Comments

None.

Staff Comments

Staff is recommending approval of Bylaw No. 98. Bylaw No. 98 is deemed to be consistent with the *Islands Trust Act*, *Local Government Act*, and the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Open and transparent governance
- Public engagement in local government decision-making

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Thetis Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 98, cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Thetis Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Marnie Eggen, MCIP RPP Island Planner	July 5, 2017
Concurrence:	David Marlbor, MCIP, RPP Director, Local Planning Services	July 7, 2017

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 98
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Thetis Island Local Trust Committee

Bylaw No.: TH-098

Bylaw Type: Rural Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 27-Jun-2017

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

Received by Islands Trust Secretary:

Signature: Carmen Thiel
Secretary

Date: July 13, 2017

Deadline for Executive Committee decision (one month after receipt by
Secretary as determined pursuant to the Interpretation Act*): August 8, 2017

Date bylaw will appear on Executive Committee agenda: July 19, 2017

- *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: TH-098

Trust Area: Thetis Island Local Trust Committee
Type: Rural Land Use Bylaw
Bylaw No.: TH-098
Application No.: TH-RZ-2015.2
Trust Initiated: No

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 29-Mar-2016

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 19-Apr-2016

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: 13-Apr-2017

File complete and ready for Public review: Yes

Public Hearings:

Location: Beban Park Social Centre, 2300 Bowen Rd, Nanaimo
Proofread By: Eggen, Marnie

Legal Paper: Nanaimo Bulletin
First Publish Date: 13-Apr-2017

Second Publish Date: 18-Apr-2017

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date: 10-Apr-2017
Second Reading Date: 27-Jun-2017

Delivery Notices:
Date Public Hearing Held: 25-Apr-2017
Third Reading Date: 27-Jun-2017



Referrals: Bylaw TH-098

Agency	Sent	Received
Environment Canada - Pacific and Yukon Region 201 - 401 Burrard Street: Name, No Contact Comment:	14-Apr-2016	
Snuneymuxw First Nation 668 Centre Street: Good, Chris Comment:	14-Apr-2016 03-Mar-2017	
Ministry of Forests, Lands & Natural Resource Operations -Archaeology Site Inventory PO Box 9816 Stn. Prov. Govt.: Cooper, Diana Comment: Archaeological site located adjacent to area to be rezoned; site is on Federal land and a permit is not required.	14-Apr-2016	15-Apr-2016
Hulquminum Treaty Group 200-200 Cowichan Way: Anderson, Al Comment: FOR INFORMATION ONLY	14-Apr-2016 03-Mar-2017	
Halalt First Nation 7973 Chemainus Rd: Chief, & Council Comment: Although this site is in the Hulquminum Statement of Intent area, we defer to Lyackson First Nation for consultation on this proposal	14-Apr-2016 03-Mar-2017	08-Mar-2017
Penelakut Tribe Chief and Council: James, Denise Comment:	14-Apr-2016 03-Mar-2017	
Lake Cowichan First Nation 313B Deer Road: Chief, & Council Comment:	14-Apr-2016 03-Mar-2017	
Lyackson First Nation 7973A Chemainus Road: Aidnell, Linda Comment: No issue with this bylaw change	14-Apr-2016	27-Apr-2016
Ministry of Forests, Lands and Natural Resource Operations - Ecosystems Branch 2080 Labieux Road: Roden, Jacqueline Comment: Interests Unaffected by Bylaw	14-Apr-2016	21-Apr-2016
Gabriola Island Local Trust Committee 700 North Road: Arnet, Jessica Comment: Interests Unaffected	14-Apr-2016	15-Jun-2016
Parks Canada 2220 Harbour Road: Morash, Marcia Comment:	14-Apr-2016	
Stz'uminus First Nation 12611A Trans Canada Hwy: Akey, Chenoa Comment:	14-Apr-2016 03-Mar-2017	



Referrals: Bylaw TH-098

Agency	Sent	Received
Semiahmoo First Nation 16049 Beach Rd: Coordinator, Referrals Comment:	14-Apr-2016 03-Mar-2017	
School District 68 395 Wakesiah Avenue: Blain, John Comment:	14-Apr-2016	
Transport Canada Marine Safety: Gowe, Bob Comment: Have not found any perceived or potential conflicts with the Navigation Protection Act. The proponent would need to submit a Notice of Works for any construction, and would require authorization from TC to proceed with the works.	14-Apr-2016	18-Apr-2016
Cowichan Valley Regional District 175 Ingram Street: Farquhar, Brian Comment: Interests unaffected by bylaw	14-Apr-2016	15-Apr-2016
Galiano Island Local Trust Committee 200 - 1627 Fort Street: Lloyd-deRosario, Sharon Comment: Interests unaffected	14-Apr-2016	04-May-2016
Town of Ladysmith 410 Esplanade, PO Box 220: Brinkman, Lisa Comment: Interests Unaffected by Bylaw	14-Apr-2016	06-May-2016
Salt Spring Island Local Trust Committee 1 - 500 Lower Ganges Road: Olivier, Claire Comment: Interests Unaffected by Bylaw	14-Apr-2016	31-May-2016
Nanaimo Regional District 6300 Hammond Bay Road: Holm, Jeremy Comment: interests unaffected by bylaw	14-Apr-2016	15-Apr-2016
Cowichan Tribes Chief and Council: Charlie, Candace Comment: indicated deferring to Lyackson	14-Apr-2016 03-Mar-2017	18-Apr-2016
Ruxton Island Owners Association General: Shaw, Judy Comment: approval recommended as long as barge activity limited to day light hours	14-Apr-2016	01-May-2016
DeCourcy Island Community Association General Delivery: Parkinson, Ian Comment:	14-Apr-2016	



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: TH-RZ-2015.2 (Hardy Island Granite Quarry Ltd.)

The following symbols in the table indicate:

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

Explanatory notes are added in bold and italics text

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
✓	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
✓	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
✓	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.
N/A	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
✓	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.
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
	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.
✓	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
✓	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

✓	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:	

PROPOSED

THETIS ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 98

A BYLAW TO AMEND VALDES ISLAND RURAL LAND USE BYLAW, 1998

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

1. Citation

This bylaw may be cited for all purposes as “Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2016”.

2. Thetis Island Local Trust Committee Bylaw No. 42, cited as “Valdes Island Rural Land Use Bylaw, 1998,” is amended as follows:

2.1 Schedule “A” is amended by inserting the following new subsection and text, and by making such alterations to Schedule “A” to Bylaw No. 42 as are required to effect this change:

“5.2.13 Marine Barge Facility (W7) Zone

The following uses and no others are permitted in the (W7) Zone:

- Barge loading and unloading
- Aids to marine navigation
- Moorage to buoys associated with use of adjacent upland parcel”

2.2 Schedule “C” is amended as follows:

2.2.1 By adding to the list of zone classifications “(W7) Marine Barge Facility”, and by making such alterations to Schedule “C” to Bylaw No. 42 as are required to effect this change.

2.2.2 By changing the zoning classification of a portion of the unsurveyed crown foreshore and land covered by water being part of the bed of Pylades Channel, adjacent to Lyackson IR3 from Marine Conservation (W1) to Marine Barge Facility (W7), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “C” to Bylaw No. 42 as are required to effect this change.

READ A FIRST TIME THIS 29TH DAY OF NOVEMBER, 2016

PUBLIC HEARING HELD THIS 25TH DAY OF APRIL , 2017

READ A SECOND TIME THIS 27TH DAY OF JUNE , 2017

READ A THIRD TIME THIS 27TH DAY OF JUNE , 2017

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 20____

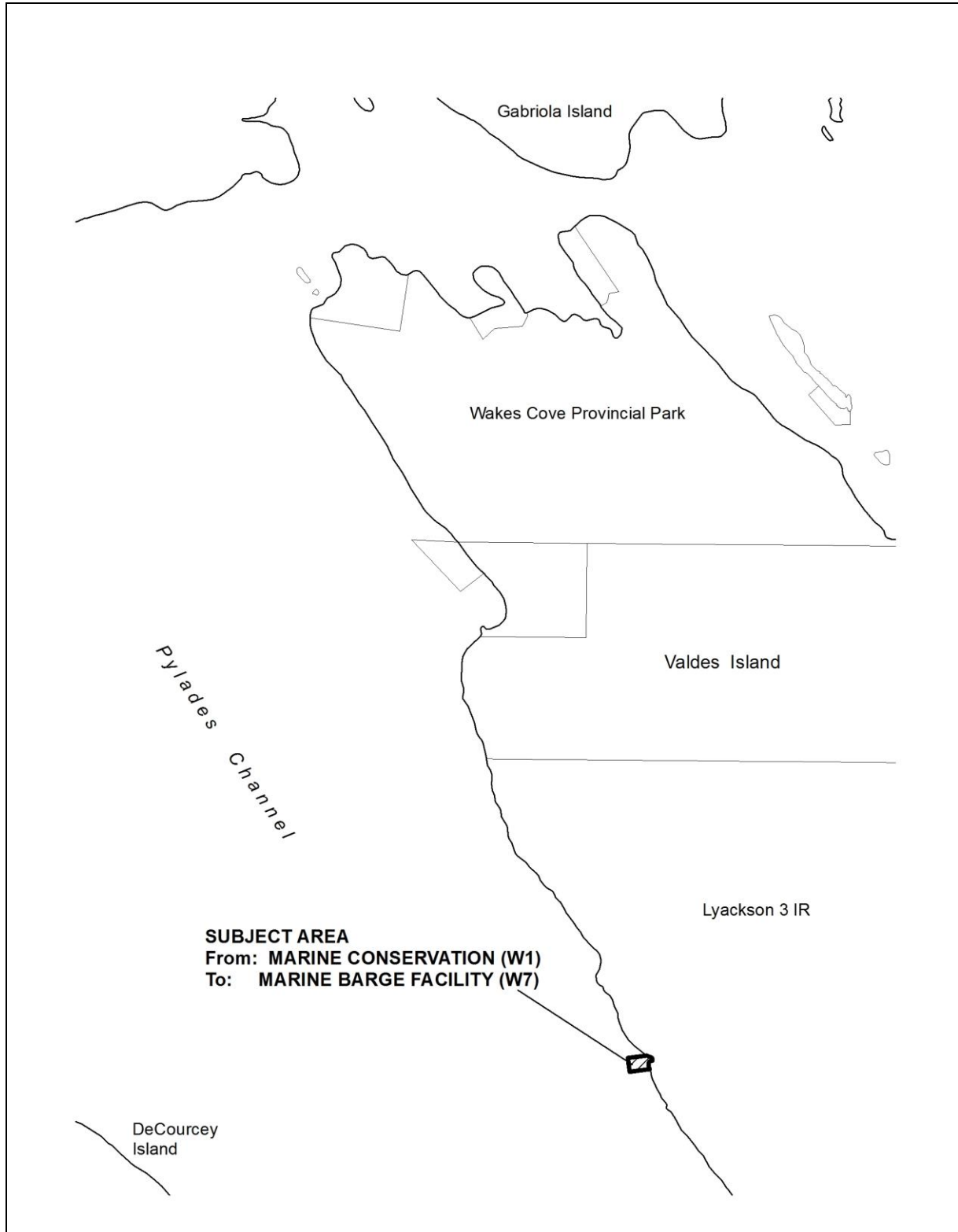
ADOPTED THIS _____ DAY OF _____ , 20____

Chair

Secretary

**THETIS ISLAND LOCAL TRUST COMMITTEE
BYLAW NO.98**

Plan No. 1



First Nation Engagement

Referral of: TH-RZ-2015.2 (Hardy Island Granite Quarries Ltd.) Bylaw No. 98

First Nation: Lyackson First Nation

Date	Comment/Action	Initial
October 21, 2015	(Early referral) Quarterly referral meeting; will be sending a letter to Islands Trust	ME
April 14, 2016	Bylaw referral emailed	BM
April 27, 2016	Referral meeting; provided a referral response that Lyackson FN has no issue with the bylaw change.	ME
April 25, 2017	Public Hearing; requested that bylaw be considered by Chief and Council	ME
April 27, 2017	Chief and Council considered bylaw. Received email stating that Lyackson do not have any objections to bylaw	ME

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
October 21, 2015	(Early referral) Quarterly referral meeting; deferred to Lyackson First Nation	ME
April 14, 2016	Bylaw referral emailed	BM
April 18, 2016	Phone call from Candice Charlie, verbally deferring to Lyackson First Nation	ME

First Nation: Semiahmoo First Nation

Date	Comment/Action	Initial
April 14, 2016	Bylaw referral emailed	BM
March 3, 2017	Sent new email with updated bylaw	BM/ME
April 12, 2017	Called and left phone message for J Charles and resent referral package	BM

First Nation: Stz'uminus First Nation

Date	Comment/Action	Initial
April 14, 2016	Bylaw referral emailed	BM
March 3, 2017	Sent new email with updated bylaw	BM/ME
April 12, 2017	Called and left phone message for C Akey and resent referral package	BM

First Nation: Halalt First Nation

Date	Comment/Action	Initial
April 14, 2016	Bylaw referral emailed	BM
March 3, 2017	Sent new email with updated bylaw	BM/ME
March 8, 2017	Received response – defer to Lyackson FN	BM/ME

First Nation: Lake Cowichan First Nation

Date	Comment/Action	Initial
April 14, 2016	Bylaw referral emailed	BM
March 3, 2017	Sent new email with updated bylaw	BM/ME
April 12, 2017	Called and left phone message for C Livingstone and resent referral package via email	BM

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
April 14, 2016	Bylaw referral emailed	BM
March 3, 2017	Sent new email with updated bylaw	BM/ME
April 12, 2017	Called and left phone message for D James and resent referral package via email	BM

First Nation: Snuneymuxw First Nation

Date	Comment/Action	Initial
April 14, 2016	Bylaw referral emailed	BM
March 3, 2017	Sent new email with updated bylaw	BM/ME
April 12, 2017	Called and left phone message for Chris Good, Lands Manager and resent referral package via email.	BM

Hul'qumi'num Treaty Group

Date	Comment/Action	Initial
April 14, 2016	Bylaw referral emailed – for information only	BM
March 3, 2017	Sent new email with updated bylaw – for information only	BM/ME



Islands Trust Council Minutes of Quarterly Meeting

Date:	June 20-22, 2017
Location:	Lasqueti Island Community Hall, Main Rd, Lasqueti Island, 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 Melanie Mamoser, Gabriola 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 Dianne Barber, North Pender Peter Grove, Salt Spring Lee Middleton, Saturna
Municipal Trustees:	Sue Ellen Fast, Bowen Alison Morse, Bowen
Regrets:	Derek Masselink, North Pender Paul Brent, Saturna Bruce McConchie, South Pender Wendy Scholefield, South Pender Ken Hunter, Thetis Island Jeanine Dodds, Mayne
Staff Present:	Russ Hotsenpiller, Chief Administrative Officer David Marlor, Director, Local Planning Services Cindy Shelest, Director Administrative Services (June 20-21, 2017) Clare Frater, Director, Trust Area Services Carmen Thiel, Legislative Services Manager Jennifer Eliason, Manager, Islands Trust Fund (June 20-21, 2017) Marnie Eggen, Planner 1, Northern Office (June 20, 2017) Emma Restall, Executive Coordinator/Recorder

1. CALL TO ORDER

The meeting was called to order at 1:38 p.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

- 6.1** Roundtable – Chamber of Shipping
- 6.2** Bowen Island Council Meeting Update
- 6.3** MLA Meeting Southern Gulf Islands

2.2 Approval of Agenda

By general consent the agenda was approved as amended.

3. GENERAL BUSINESS ARISING

3.1 Resolutions Without Meeting

None

3.2 March 2017 Trust Council Minutes

By general consent the Islands Trust Council adopted the minutes of the March 2017 Trust Council meeting as amended.

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.

The meeting recessed for a break at 2:42 p.m. and reconvened at 3:03 p.m.

4. EXECUTIVE

4.1 Chief Administrative Officer's Report

CAO Hotsenpiller reviewed internal and external organizational matters, including office space and leases, Trust Area relationships and LTC projects.

4.2 Executive Committee Work Program

The top priorities in the work program were:

- 1. Islands Trust Act amendments;
- 2. Oil spill and shipping safety;
- 3. Revisions to Crown Land protocol agreements and letters of understanding;
and
- 4. First Nations relationship building.

By general consent the Islands Trust Council approved the top priorities of the Executive Committee Work Program Report.

4.3 Continuous Learning Plan

Trust Council reviewed the Continuous Learning Plan and received it for information.

4.4 Strategic Plan Update

CAO Hotsenpiller gave an overview of the revised Strategic Plan format and answered questions regarding the Quarterly Update.

Discussion ensued over the most effective way to report on progress and next steps.

4.5 Islands Trust Transition Plan Report

CAO Hotsenpiller gave an update on the potential Salt Spring Island incorporation, which included an updated timeline.

There was discussion over change of government and whether or not a change will impact incorporation and the timeline for Letters Patent.

4.6 Islands Trust Act - RFD

TC-2017-025

MOVED by Trustee Busheikin, SECONDED by Trustee Morrison, that Trust Council delegate to Executive Committee the development of a process for identification and prioritization of potential amendments to the *Islands Trust Act*.

CARRIED

The order of business on the agenda was varied to address item 5 ahead of item 4.7

5. SPECIES AT RISK SESSION

Marnie Eggen presented on the species at risk within the Islands Trust Area and introduced two guest speakers:

Brad Langman, Environment Canada, spoke about the legislation guiding species at risk protection within British Columbia and the methods available to protect habitat;

Pamela Zevit, Registered Professional Biologist, gave a presentation on the tools and resources for conserving species at risk and critical habitat.

There was discussion over how to motivate passion for protecting species at risk.

The meeting recessed for the day at 5:15 p.m.

Wednesday, June 21, 2017

The meeting reconvened at 8:26 a.m. with 20 trustees present. Derek Masselink (North Pender), Paul Brent (Saturna), Bruce McConchie (South Pender), Wendy Scholefield (South Pender), Ken Hunter (Thetis Island) and Jeanine Dodds (Mayne Island).

TC-2017-026

MOVED by Trustee Grove, SECONDED by Trustee Stamford, that Trust Council add Species at Risk to the Islands Trust Policy Statement Topic Review Inventory.

CARRIED

TC-2017-027

MOVED by Trustee Grove, SECONDED by Trustee Morrison, that Trust Council request that the staff provide recommendations to Trust Council for adding protection of Species at Risk to the Strategic Plan.

CARRIED

TC-2017-028

MOVED by Trustee Grove, SECONDED by Trustee Morrison,
that Trust Council request that the Executive Committee consider Species at Risk Recovery Plans in interpreting s. 3.1.3 of the Islands Trust Policy Statement when approving local trust committees' and island municipalities' official community plans and regulatory bylaws.

CARRIED

TC-2017-029

MOVED by Trustee Stamford, SECONDED by Trustee Grove,
that Trust Council request that the Trust Fund Board investigate options for increased use of federal or provincial stewardship agreements for species at risk in the Islands Trust Area.

CARRIED

The order of business on the agenda resumed at item 4.7

4.7 Hosting Trust Council – Briefing

CAO Hotsenpiller reported back to Trust Council on the decisions behind hosting December Trust Council meetings in Victoria.

Trustees offered feedback on the evaluation that was done and requested changes be made to better reflect the capabilities of individual islands to host Trust Council.

4.8 2018 Trust Council Quarterly Meeting Schedule

TC-2017-030

MOVED by Trustee Busheikin, SECONDED by Trustee Morrison

that the Islands Trust Council establish the meeting schedule for 2018 as written.

CARRIED

4.9 Visioning – RFD

A lengthy discussion ensued over the draft Visioning Statement presented by CAO Hotsenpiller. Clarification over how the statement was developed and where the ideas came from and who the Vision represents (Trust Area, not Trust Council) was given.

TC-2017-031

MOVED by Trustee Fast, SECONDED by Trustee Crumblehulme,

that the Trust Council adopt a header saying "Council's Vision For the Islands Trust Area:" followed by the graphic and vision paragraph and add to our strategic plan.

Trustees speaking in support of the motion noted:

- The process has been lengthy, and quicker outcome would be preferred;
- The visual speaks for itself and could stand alone as a statement; and
- Inspiring communities and change is separate from a statement.

Trustees speaking against the motion raised the following points:

- The impracticality of a single approach to First Nations management rather than individual approaches and concern over how the relationships is presented;
- Desire for the statement to be more aspirational and a need for a more inspirational rather than informational tone;
- Bigger focus on the environment is required;
- Elevated language and refined wording is required;
- Due to lack of input during the drafting process, a professional writer should be considered; and
- The statement should assist in focusing the Islands Trust Act amendments and should be a beacon of hope and capture attention.

The question on the motion was then called,

DEFEATED

Trustees Crumblehulme, Fast, Law, Harris and Mamoser In Favour

TC-2017-032

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

that Trust Council request Executive Committee to retain a consultant to draft an inspirational Vision Statement for the Islands Trust, based on the existing Object and recent work on a Vision Statement.

Debate ensued on whether the tone should be inspirational, aspirational or both, what type of consultant should be hired and what he/she should focus on.

The question on the motion was then called,

CARRIED

Trustee Pottle Opposed

6. NEW BUSINESS

6.1 Roundtable - Chamber of Shipping

Chair Luckham gave an update on a recent meeting with the Chamber of Shipping.

6.2 Bowen Island Council Meeting Update

Chair Luckham gave an overview of a recent meeting with the Bowen Island Mayor and councillors.

6.3 MLA Meeting Southern Gulf Islands

There was discussion on engagement with MLA Adam Olsen and MLA Sonia Furstenau.

7. LOCAL PLANNING SERVICES

7.1 Director of Local Planning Services Report

Director Marlor discussed employment updates for each office and a review of project delivery processes.

7.2 Local Planning Committee Work Program Report

Chair Luckham advised that the Chair of Local Planning Committee, Paul Brent, has stepped down and thanked him for his work on the Committee.

The top three priorities in the work program were:

1. Community Housing Needs;
2. Shoreline Marine Planning; and
3. Land Use Consultation for Radio Communication Towers.

Discussion ensued over progression on the Community Housing Needs project and the approach to project completion and staffing challenges.

TC-2017-033

MOVED by Trustee Mamoser, SECONDED by Trustee Peterson,
that the Islands Trust Council approve the top priorities of the Local Planning Committee Work Program Report.

CARRIED

The meeting recessed for a break at 10:15 a.m. and reconvened at 10:30 a.m.

7.3 EC-TC RFD Policy 4.1.ix – RFD

TC-2017-034

MOVED by Trustee Mamoser, SECONDED by Trustee Morrison,
that Islands Trust Council request staff to amend draft Policy 4.1.ix Inter-Local Trust Committee Community Planning Bylaw Referral Policy, to change Section C 1.1 from “must” to “should”, section 1.3b to prior to public hearing for comment and the second section 1.1 to 1.4.

There was discussion over the accuracy of proposed revised wording.

The question on the motion was then called,

DEFEATED

All Opposed

TC-2017-035

MOVED by Trustee Mamoser, SECONDED by Trustee Allen,
that Islands Trust Council request staff to amend draft Policy 4.1.ix Inter-Local Trust Committee Community Planning Bylaw Referral Policy, in section 1.3b to read “prior to public hearing for comment”.

CARRIED

TC-2017-036

MOVED by Trustee Busheikin, SECONDED by Trustee Harris,
that Islands Trust Council adopt amended Policy 4.1.ix Inter-Local Trust Committee Community Planning Bylaw Referral Policy with a change.

CARRIED

- 7.4 First Nations Charter Update**
Received for information.
- 7.5 Marine Protection Tools - Briefing**
Received for information.
- 7.6 Bylaw Enforcement Report - Briefing**
Director Marlor gave a brief update on Bylaw Enforcement.

The order of business on the agenda was varied to address item 8 after item 14.

9. ADMINISTRATIVE SERVICES

- 9.1 Administrative Services Report**
Provided for information.

- 9.2 Financial Planning Committee Work Program Report**
The top three priorities in the work program were:
1. Finalize the 2017-2018 budget;
 2. Complete the 2016-2017 forecast; and
 3. Conduct the 2016/17 Year-End Audit.

TC-2017-037

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

- 9.3 Policy 6.5.1 General Revenue Fund Surplus - RFD**
There was discussion about spending surplus on hiring staff to complete projects.

TC-2017-038

MOVED by Trustee Grove, SECONDED by Trustee Grams,
that the Islands Trust Council amend Policy 6.5.1 General Revenue Surplus Fund Policy as presented, including the creation of Specific Reserve Funds, and rename the policy Reserves and Surplus Policy.

CARRIED

TC-2017-039

MOVED by Trustee Grove, SECONDED by Trustee Grams,
that the Financial Planning Committee consider the creation of a specific reserve fund for Local Trust Committee Projects during the 2018/19 budget cycle.

CARRIED

- 9.4 Policy 7.2.1 Trustee Remuneration - RFD**

TC-2017-040

MOVED by Trustee Grove, SECONDED by Trustee Grams,
that the Islands Trust Council amend Policy 7.2.1 Trustee Remuneration as presented.

CARRIED

9.5 March 31, 2017 Audited Financial Statements - RFD

TC-2017-041

MOVED by Trustee Grove, SECONDED by Trustee Morse,
that the Trust Council accept the audited financial statements of the Islands Trust including the Statement of Financial Position, the Statement of Operations, the Statement of Changes in Net Financial Assets and the Statement of Cash Flows, for the year ended March 31, 2017.

CARRIED

10 TRUST AREA SERVICES

10.1 Director of Trust Area Services Report

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

10.2 Trust Programs Committee Work Program Report

The top three priorities in the work program were:

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

TC-2017-042

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

10.3 Trust Fund Board Report

Jennifer Eliason, Manager, Trust Fund Board presented the highlights of the report.

Chair Luckham acknowledged Trust Fund Board member Robin Williams' appointment to the Financial Planning Committee.

10.4 2016-2017 Annual Report - RFD

TC-2017-043

MOVED by Trustee Grams, SECONDED by Trustee Crumblehulme,
that the Islands Trust Council approve the 2016-2017 draft Annual Report (as amended) for submission to the Minister of Community, Sport and Cultural Development.

CARRIED

10.5 Policy Statement Amendment Project Scope- RFD

TC-2017-044

MOVED by Trustee Morrison, SECONDED by Trustee Crumblehulme,
that the Islands Trust Council assign the Executive Committee, with involvement from Trust Programs Committee as appropriate, to co-ordinate a review of the Introduction, Part I, Part II and Schedule 1 – Definitions sections of the Policy Statement.

Trustees speaking in support of the motion noted:

- The intent in referring it to the Executive Committee meetings is to provide it to a Committee that meets frequently and can handle the issue in a timely manner;
- The Executive Committee will fully engage with the Trust Programs Committee when doing the work.

Trustees speaking against the motion raised the following points:

- Some trustees who are not on the Executive Committee are interested in taking on more work;
- By referring tasks to the Executive Committee that Council Committees can take on restricts opportunities for non-Executive Committee members.

There was discussion over the committee structure and whether it should be reviewed.

The question on the motion was then called,

CARRIED

Trustees Middleton and Critchley Opposed

**10.6 Policy 5.7.i Bylaw Checklists - RFD
TC-2017-045**

MOVED by Trustee Busheikin, SECONDED by Trustee Morrison,

that the Islands Trust Council replace Policy 5.7.i Bylaw Checklists dated June 16, 2005 with Policy 5.7.1 Local Trust Committee Bylaws Checklists dated June 20, 2017.

CARRIED

10.7 Legislative Monitoring - Briefing
Provided for information.

Chair Luckham acknowledged the addition of Karen Hurley, Senior Policy Advisor, to Trust Area Services staff.

10.8 Well Water Workshops Project –Briefing
Provided for information.

Trustee Stamford requested feedback from trustees whose islands have hosted a workshop.

10.9 2017 Community Stewardship Awards - Briefing
Provided for information.

10.10 Trust Fund Board Working Landscape Study – Briefing

Jennifer Eliason gave an overview of the report and answered questions regarding policies and resources, marine tenure possibilities and advocacy.

The order of business on the agenda was varied to address item 13 ahead of item 11.

13

CORRESPONDENCE

13.1 Association for Denman Island Marine Stewards re Geoduck Aquaculture on Denman and the Strait of Georgia.

Received for information.

TC-2017-046

MOVED by Trustee Critchley, SECONDED by Trustee Morrison, that Trust Council request Executive Committee to investigate the potential impacts associated with geoduck aquaculture in the Islands Trust Area and, as appropriate, initiate advocacy.

CARRIED

The meeting recessed at 12:22 p.m. and resumed at 1:00 p.m.

The order of business on the agenda resumed at item 11.

11

COMMUNITY PRESENTATION

11.1 Field Trip to the Last Resort Society

Trustees and staff toured the Judith Fisher Centre and learned about its health services, respite care, elder care and its off-grid power sources.

11.2 Lasqueti Island Nature Conservancy

Gordon Scott, President of Lasqueti Island Nature Conservancy, gave a presentation on conservation within the Coastal Douglas-Fir Zone.

12

TOWN HALL

Town Hall Participant - Peter Johnson

Mr. Johnson spoke to Trust Council about his desire to see Trust Council meet only on islands within the Trust Area and to see a public engagement activity built into Trust Council schedules.

Town Hall Participant - Jack Barret

Mr. Barret spoke about sustainability within the Trust Area. He posed the question: Will the Islands Trust create a policy that limits population growth?

The meeting recessed at 3:00 p.m. and resumed at 3:15 p.m.

14

TFB REGIONAL CONSERVATION PLAN SESSION

Jennifer Eliason gave a presentation on emerging themes in conservation planning, protected areas on the islands and recent workshop results.

Discussion points included:

- Data collection tools and procedures;
- Trust Fund Board funding
 - Islands Trust contribution
 - Endowment reserves and self-sustainability
 - The potential for core funding through provincial government;
- Marine protected areas and water protection zoning; and
- TFB achievements and successes

8. ROLE OF THE TRUSTEE SESSION

CAO Hotsenpiller re-delivered the March 2017 Role of the Trustee presentation due to low attendance at the last session.

There was a lengthy discussion over appropriate interaction with applicants.

The order of business on the agenda resumed at item 15.

15. SUMMARY/UPDATE

15.1 Trustee Updates

15.1.1 BC Ferries (Ferry Advisory Committee Chairs)

Reports included the following points:

- Upcoming consultation on Sunshine Coast about what is important to residents;
- People for a Healthy Community has facilitated selling of low-value Experience Cards; and
- New medically assured loading system.

15.1.2 First Nations

None – updated earlier on the agenda

15.1.3 Gulf Islands National Park Reserve Advisory Committee (Trustee Masselink)

There was discussion on the challenges facing the Parks Advisory Board.

15.1.4 Salt Spring Island Watershed Protection Authority (SSIWPA) (Vice Chair Grams)

Trustee Grams gave an overview of his report.

15.1.5 Howe Sound Community Forum

The recent Howe Sound Community Forum on May 5th, 2017 was discussed.

15.1.6 Freighter Roundtable Update

Discussed during Trustee Roundtable.

15.2 Priorities Chart

By general consent the Islands Trust Council adopted the Priorities Chart as presented.

15.3 Proposed September 2017 Trust Council Agenda Program

Provided for Information.

15.4 Disposition of Delegations and Town Hall Requests

None

The meeting recessed for the day at 5:06 p.m.

Thursday, June 22, 2017

The meeting reconvened at 8:19 a.m. with 19 trustees present. Absent: Timothy Peterson (Lasqueti), Derek Masselink (North Pender), Paul Brent (Saturna), Bruce McConchie (South Pender), Wendy Scholefield (South Pender), Ken Hunter (Thetis Island) and Jeanine Dodds (Mayne Island).

16. CLOSED MEETING

TC-2017-047

It was MOVED Trustee Morrison and SECONDED Trustee Grams,

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

Trustee Peterson arrived at the meeting at 8:50am.

17. RISE AND REPORT DECISIONS FROM CLOSED MEETING (if applicable)

It was reported that the Islands Trust Council awarded the 2017 Community Stewardship Awards on the following basis:

Individual Category

- Bob Turner, Bowen Island
- Liz Ciocea, Gabriola Island

Organization Category

- Denman Island Memorial Society
- Gabriola Arts Council

Enduring Achievement

- Bob Weeden, Salt Spring Island
- Everhard van Lidth de Jeude, Bowen Island
- Hornby and Denman Community Health Care Society
- Saturna Community Club

18. NEXT MEETING – September 14th on Denman Island

19. ADJOURNMENT

The meeting adjourned at 9:19 a.m.

Peter Luckham, Chair

Certified Correct

Emma Restall, Recorder

The following list indicates the highlights of Trust Council's activities and decisions during its June 20-22, 2017 meeting on Lasqueti Island. These highlights are not the official minutes of the Trust Council meeting; Trust Council will adopt those at its September 2017 meeting on Lasqueti Island.

Islands Trust Act

That Trust Council delegate to Executive Committee the development of a process for identification and prioritization of potential amendments to the Islands Trust Act.

Species at Risk

That Trust Council add Species at Risk to the Islands Trust Policy Statement Topic Review Inventory.

That Trust Council request that the staff provide recommendations to Trust Council for adding protection of Species at Risk to the Strategic Plan.

That Trust Council request that the Executive Committee consider Species at Risk Recovery Plans in interpreting s. 3.1.3 of the Islands Trust Policy Statement when approving local trust committees' and island municipalities official community plans and regulatory bylaws.

That Trust Council request that the Trust Fund Board investigate options for increased use of federal or provincial stewardship agreements for species at risk in the Islands Trust Area.

EC-TC RFD Policy 4.1.ix

That Islands Trust Council adopt amended Policy 4.1.ix Inter-Local Trust Committee Community Planning Bylaw Referral Policy with a change.

Policy 6.5.1 General Revenue Fund Surplus

That the Islands Trust Council amend Policy 6.5.1 General Revenue Surplus Fund Policy as presented, including the creation of Specific Reserve Funds, and rename the policy Reserves and Surplus Policy.

That the Financial Planning Committee consider the creation of a specific reserve fund for Local Trust Committee Projects during the 2018/19 budget cycle.

Policy 7.2.1 Trustee Remuneration – RFD

That the Islands Trust Council amend Policy 7.2.1 Trustee Remuneration as presented.

Geoduck Aquaculture

That Trust Council request Executive Committee to investigate the potential impacts associated with geoduck aquaculture in the Islands Trust Area and, as appropriate, initiate advocacy.

Policy Statement Amendment Project

That the Islands Trust Council assign the Executive Committee, with involvement from Trust Programs Committee as appropriate, to co-ordinate a review of the Introduction, Part I, Part II and Schedule 1 – Definitions sections of the Policy Statement.

2017 Community Stewardship Awards

That the Islands Trust Council award the 2017 Community Stewardship Awards on the following basis:

Individual Category

- *Bob Turner, Bowen Island*
- *Liz Ciocea, Gabriola Island*

Organization Category

- *Denman Island Memorial Society*
- *Gabriola Arts Council*

Enduring Achievement

- *Bob Weeden, Salt Spring Island*
- *Everhard van Lidth de Jeude, Bowen Island*
- *Hornby and Denman Community Health Care Society*
- *Saturna Community Club*

Trust Council Quarterly Meeting Schedule
September 12-14, 2017
Denman Activity Centre, 1111 Northwest Road, Denman Island

Tuesday, September 12	Wednesday, September 13	Thursday, September 14
	7:30 Breakfast	7:30 Breakfast
Ferry to Denman Island: Depart Buckley Bay (10 minute crossing): 9:00am 10:00am 11:00am 12:30pm	8:30 New Business Items* 9:15 Local Planning Services Director's Report * LPC Work Program Bylaw Enforcement Briefing 10:15 Break 10:30 Administrative Services Director's Report * FPC Work Program Report 11:30 Trust Area Services Director's Report * TPC Work Program Trust Fund Board Report 12:30 Lunch 1:30 Community Presentations 2:00 Delegations & Town Hall 3:00 Break 3:15 Regional Districts Session 4:15 Correspondence 5:00 Adjourn for the day 6:00 Dinner	8:30 Closed meeting 9:30 Summary/Updates Trustee Updates Priorities Chart Proposed December TC Draft Agenda Program Disposition of Delegations and Town Hall Requests 11:00 Adjournment (approx.) Ferries from Denman Island: 12:00pm 12:50pm 2:15pm
12:00 Executive Committee Meeting 12:30 Lunch 1:30 Call to Order and Approval of Agenda RWMs * Adoption of Minutes FUAL Trustee Round Table 2:45 Break 3:00 Executive CAO's Report * EC Work Program Continuous Learning Plan Strategic Plan Update Salt Spring Island Incorporation 4:00 Effective Advocacy Session 5:00 Adjourn for the day 6:00 Dinner with Former Trustees		
		 Islands Trust

* Denotes resolution/decision items

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

Follow Up Action Report

Trust Council

Chief Administrative Officer

Activity	Activity	Responsibility	Target Date	Status
10-Jun-2015	First Nations First Nations training and workshops	Russ Hotsenpiller David Marlor Clare Frater Cindy Shelest	31-Mar-2016	On Going
10-Jun-2015	Develop IT adaptation strategy regarding Salt Spring Island Incorporation	Russ Hotsenpiller Cindy Shelest David Marlor Clare Frater Carmen Thiel	15-Jun-2016	On Going
14-Mar-2017	Update Transition Plan to include revised Terms of Reference plan, important dates and more information to the other islands on what the impact to them will be.	Russ Hotsenpiller	31-Mar-2017	On Going
21-Jun-2017	Retain a Consultant to draft an inspirational Vision Statement for the Islands Trust, based on the existing Object and recent work on a Vision Statement	Russ Hotsenpiller	16-Aug-2017	On Going

Director, Administrative Services

Activity	Activity	Responsibility	Target Date	Status
20-Jun-2017	Send revised parking diagram to all trustees once deal is finalized.	Cindy Shelest	19-Jul-2017	On Going

Director, Local Planning Services

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

16-Jun-2010	Riparian Areas Regulation (June 2010) Status report to Council until completed LPC (DM) to TC	David Marlor	30-Sep-2016	On Going
13-Sep-2016	Community Housing Implement a co-ordination role for housing needs assessments between the various local trust areas and island municipalities to achieve efficiencies and compatibility, and to allow for consolidation.	David Marlor		On Going
13-Sep-2016	Community Housing Explore and report back on the potential for Islands Trust entities to hold land for housing purposes.	David Marlor		On Going
21-Jun-2017	Amend draft Policy 4.1.ix Inter-Local Trust Committee Community Planning Bylaw Referral Policy, to section 1.3b to read	David Marlor	28-Jun-2017	Done
20-Jun-2017	Provide recommendations to Trust Council for adding protection of Species at Risk to the Strategic Plan.	David Marlor Clare Frater	28-Jul-2017	On Going

Director, Trust Area Services

Activity	Activity	Responsibility	Target Date	Status
16-Sep-2015	Freighter anchorages Identify and act on opportunities re freighter anchorages	Clare Frater		On Going
13-Sep-2016	Explore the potential for expanding its advocacy role to other levels of government for increased funding for affordable housing in the Islands Trust Area.	Clare Frater	26-May-2017	On Going
20-Jun-2017	Add Species at Risk to the Islands Trust Policy Statement Topic Review Inventory.	Clare Frater	12-Sep-2017	On Going
21-Jun-2017	Add geoduck management framework to Legislative Monitoring chart	Clare Frater	12-Sep-2017	On Going



Follow Up Action Report

21-Jun-2017	Submit the 2016-2017 Draft Annual Report (as amended) to the Minister of Community, Sport and Cultural Development.	Clare Frater	26-Jul-2017	On Going
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Executive Coordinator

Activity	Activity	Responsibility	Target Date	Status
20-Jun-2017	Revise Strategic Plan Quarterly Update to include Next Steps or Upcoming.	Emma Restall	12-Sep-2017	On Going

Manager, Islands Trust Fund

Activity	Activity	Responsibility	Target Date	Status
14-Jun-2016	NAPTEP Certificate Issue subject to survey, covenant and baseline report.	Jennifer Eliason		On Going



Islands Trust

Islands Trust Council Plan for Continuous Learning 2014-2018

(What other topics would trustees like to propose?)

2017-07-13

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2017	Webinars (dates TBD)				
	March (Gabriola)	Role of the Trustee		Archaeological Site Protection	
	June (Lasqueti)	TFB Regional Conservation Plan	Role of the Trustee (2)	Species at Risk	
	September (Denman)				Effective Advocacy Regional Districts
	December (Victoria)				San Juan County U.S. and Canadian Consuls General
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	Report out of EC meeting with Island ALC Panel

POTENTIAL TOPICS/AGENCY LIAISON FOR CONSIDERATION FOR FUTURE SESSIONS:

Suggestions arising during 2014-2018 Term:

- *Water Sustainability Act (postponed from March 2017 due to difficulty scheduling speakers)*
- 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
- Strata Property Act/Bare Land Strata Regulations implications
- Agricultural Land Commission/Islands Trust Relationship Session
- Regional Conservation Presentation (Trust Fund Board)
- Archaeology Session Part 2
- Ocean Protection Plan presentation from Transport Canada
- Visioning Session Follow-Up
- Agricultural Land Reserve
- Effective Communication and Social Media
- Fisheries and Oceans with a senior representative from the Department of Fisheries and Oceans
- Adapting to Climate Changes with guest speaker Dr. Richard Hebda

To: Executive Committee

For the Meeting of: July 19, 2017

From: Russ Hotsenpiller

File No.:

SUBJECT: IDENTIFICATION OF A PROCESS FOR LEGISLATIVE CHANGE

DESCRIPTION OF ISSUE:

To develop a process for Trust Council to identify preferred amendments to the *Islands Trust Act*.

BACKGROUND:

At their June meeting Trust Council directed that a process be developed to identify potential amendments to the *Islands Trust Act*.

Over the last 10 years a number of amendments to the *Act* have been identified and requested of the Ministry across a number of business areas. Sources of potential amendments have come from Trustees, staff and members of the public. At present there are approximately 20 potential amendments that Trust Council could consider as it moves to amend the *Act*.

Trust Council has identified that in order to realize the future of the Trust Area, the Islands Trust needs legislative changes in a variety of areas. It is unrealistic to request 20 changes to the *Act*, or to request any and all of the changes we would like to see on an ad hoc basis. We will be more successful by prioritizing potential amendments and developing a strong business case around an identified theme of what we wish to accomplish. For instance key themes upon which changes are requested could be: *modernization of the tools to achieve the object of the trust, independence and local decision making, integration of services, environmental protection, sustainability and climate change and cooperation and relationships with First Nations*. These areas of focus are derived from the vision for the Trust area, the object of the Trust and the policy statement.

There are challenges with engaging with Trust Council on an amendment by amendment basis given that each potential amendment needs to be accompanied by a business case or rationale and opinions could vary. Rather it is suggested that Executive Committee oversee a process of identification of themes or bundles of amendments that support the mission, object and vision of the Islands Trust and that these be presented to Trust Council for further consideration.

1. Assumption(s):

- i. Amendment to the *Act* does not contemplate changes to Section 3, the object of the Trust. Accordingly any proposed changes to the act to support the object.

2. Proposed process:

- i. Staff to vet, or provide a strengths, weakness, opportunities and threats (SWOT) analysis for relevant, potential amendments to the *Act*;
- ii. Staff to group these into strategic themes or groups that are relatable and logically consistent;

- iii. That Executive Committee review these outcomes and recommend a strategic direction or package of amendments to Trust Council for analysis and recommendation; and
- iv. That an extensive and organized process of deliberation be implemented for Trust Council that would include a variety of means of interaction including pre-council request for Trustee comments/input, presentations, open meeting technique, etc.

3. Timing

- i. That Executive Committee receives update reports at subsequent meetings; that Trust Council be updated on the process in September; and that engagement occur in December/March 2018 Trust Council. This timing allows for the Trust to respond to the impacts of the potential Salt Spring incorporation with a considered approach. As an introductory action, it is recommended that the Chair of the Trust write to the Minister in September indicating that it is the wish of Council to amend the Act.

ATTACHMENT:

Attachment 1 - Project Charter for Legislative Changes

AVAILABLE OPTIONS: There are a variety of approaches that could be used to identify and prioritize appropriate legislative amendments to the Act.

FOLLOW-UP: Staff will continue to support Executive Committee as they select a preferred process to amend the Act.

Prepared By: Russ Hotsenpiller

Reviewed By: Chief Administration Officer

Date: July 13, 2017

Changes to Islands Trust Act - Project Charter

[Executive Committee]

Date: July 13, 2017

Purpose To develop and implement a process of selected changes to the *Islands Trust Act*

Background In December 2016, Trust Council approved a recommendation to review the *Islands Trust Act*, to add investigation of Act amendments to the Strategic Plan and directed that this project be the first priority for Executive Committee.

Objectives

- To amend or revise the *Islands Trust Act*
- To achieve amendments that reflect the current vision of the organization and island communities
- To provide better tools to achieve the 'Object of the Trust'

In Scope

- Identifying and implementing a process for amendments
- Analyzing impacts of changes to Islands Trust and others, SWOT analysis
- Preparing a submission to the Ministry
- Meeting with MLAs
- Use of contractor(s) to develop strategy

Out of Scope

- Extensive public engagement prior to Ministry comment
- Identification of preferred options prior to the Salt Spring referendum
- Amending or modifying the 'Object' clause in the Act

Workplan Overview

Deliverable/Milestone	Date
Notify the Ministry and Province of intention to apply for legislative changes	September 2017
Develop a process for selection of amendments	July—September 2017
Seek input from First Nations, provincial ministries, the public and others	September—December 2017
Advance a set of amendments to the Ministry for review	March 2018

Project Team

Russ Hotsenpiller	Project Manager
Emma Restall	Administration

RPM Approval:

N/A

Date:

LTC Endorsement:

Resolution #: N/A

Date:

Budget

Budget Source: not currently funded

Fiscal	Item	Cost
	consultant	10,000
	Total	10,000 229

Emma Restall

From: Sanchez, Enrique FLNR:EX <Enrique.Sanchez@gov.bc.ca>
Sent: Thursday, July 06, 2017 3:55 PM
To: BC Hydro; Bell-Irving Fish Hatchery; Blackbird, Tom G FLNR:EX; Bowen Island Municipality; Campbell, Douglas FLNR:EX; City of Abbotsford; City of Abbotsford Engineering; City of Abbotsford Environment; City of Chilliwack; District of Kent; Clare Frater; Garcia-Daguer, Rene FLNR:EX; XT:Daneluz, Graham, FVRD EAO:IN; Emma Restall; Malt, Joshua FLNR:EX; Margaret-Ann Thornton (mthornton@fvr.bc.ca); Meeks, Tori FLNR:EX; Nolander, Reg W FLNR:EX; Peters, Mike FLNR:EX; 'rstott@mapleridge.ca'; Spies, Dwayne; Walker, Kevin G FLNR:EX; Water Act Referrals Lower Mainland FLNR:EX; XT:GreaterVancouver, RegionalDistrict ENV:IN; XT:HarrisonHotSprings, Village ENV:IN; XT:Hope, District ENV:IN; XT:Mission, District ENV:IN
Subject: BCTS FSP # 643 Referral to Agencies
Attachments: DCK_FDU_June27_2017.kmz; FSP_643_DCK_Agencies_Letter.pdf
Importance: High

Dear Recipient:

Please find attached a referral letter regarding British Columbia Timber Sales (BCTS) **Forest Stewardship Plan (FSP) # 643**, within the Chilliwack Natural Resource District. This referral is to seek comments on results and or strategies for the proposed forest development units (FDU) under this FSP. Once the FSP is approved, BCTS and those signatories would be able to proposed specific development (blocks and or roads) within the FDUs approved with the FSP. Each forest tenure holder named in this FSP would have the opportunity to engage stakeholders with their specific development.

In the event that the link in the letter does not work, you can use the following:

https://www.for.gov.bc.ca/ftp/TCH/external/!publish/FSP/Chilliwack/FSP_643/

Please review and provide comments, if any, not later than **September 6, 2017**.

Should you have any questions please contact me at your earliest convenience.

Best regards,

Enrique Sánchez, R.P.F
Planning Forester
British Columbia Timber Sales
Chinook Business Area
Chilliwack B.C.

Tel: 604-702-5748 Fax: 604-702-5711



File: 18046-20/FSP_DCK

July 6, 2017

DELIVERED VIA E-MAIL

Dear Recipient:

Re: BC Timber Sales Proposed Forest Stewardship Plan #643:

BC Timber Sales (BCTS) has initiated an information sharing process with First Nations and stakeholder groups requesting comments and/or concerns regarding BCTS proposed Forest Stewardship Plan (FSP) within the Chilliwack Natural Resource District. As such, BCTS is also seeking comments from stakeholders with respect to the proposed forest development units (FDU) and the potential impacts they may have on their plans. BCTS values feedback from all organizations and is open to discussing any concerns and/or comments that you may have.

The FSP is an operational plan enabled under the *Forest and Range Practices Act* (FRPA). The FSP identifies results and/or strategies that address government objectives for a range of forest and resource values listed in section 149(1) of the FRPA, and forms the basis for future development of roads and timber harvest blocks. These results and or strategies would apply to specific or all FDUs under this FSP.

An overview map that outlines the proposed FSP #643 areas, the FSP document, and a series of twenty-one maps displaying the items required under section 14(3) of the *Forest Planning and Practices Regulation* (FPPR) are presented as a package at the web link shown below. It provides access to the draft FSP document

In accordance with section 18 of the FRPA and section 20 of the FPPR, the FSP amendment is being made available for public review and comment from **July 4, 2017** to **September 6, 2017**.

A copy of the draft FSP document, digital data, and maps are located at:

https://www.for.gov.bc.ca/ftp/TCH/external!/publish/FSP/Chilliwack/FSP_643/

Should there be any challenges in accessing the data at the web link, please contact the undersigned to request a copy of information required.

Page 1 of 2

At this time, I would like to arrange a meeting to discuss the proposed FSP with you and/or representatives from your community. Please send an e-mail to the e-mail address noted below to schedule a meeting date and time. If you would prefer to only make a written submission by regular or electronic mail, please address your submission to:

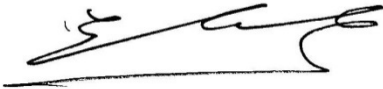
Enrique Sanchez, R.P.F.
Planning Forester
BC Timber Sales
46360 Airport Road
Chilliwack, British Columbia
V2P 1A5
Or by email to Enrique.Sanchez@gov.bc.ca.

Should you or any member of your staff have any questions or would like more information please contact me at your earliest convenience. I can be reached at 604-702-5748 or at the e-mail address noted above.

To ensure that your comments and or concerns are given proper consideration, it is requested that all comments and concerns be submitted in writing by **September 6, 2017**.

Your deliberation in this matter is appreciated.

Yours truly,

A handwritten signature in black ink, appearing to read 'Enrique Sánchez', with a horizontal line underneath.

Enrique Sánchez, R.P.F
Planning Forester
BC Timber Sales
Chinook Business Area

Enclosure(s): Overview map depicting First Nations Traditional Territories
 Copy of the draft Forest Stewardship Plan Document

BC Timber Sales Chinook

Proposed Forest Stewardship Plan

ON TABLE 7/10/17
ITEM 8.12

BC Timber Sales Chinook Business Area (BCTS); Cascade Lower Canyon Community Forest General Partner Corp.; Chawathil First Nation; Katzie/Kwantlen First Nation; Leq'a'mel Forestry Limited Partnership; Matsqui First Nation Development Corporation; Shxw'owhamel Ventures Ltd.; Sts'ailes (Sasquatch Forest Products) and Yale First Nation, having timber harvesting rights in the Fraser timber supply area (TSA), within the Chilliwack Natural Resource District, are seeking approval of Forest Stewardship Plan (FSP) number 643.

Members of the public and stakeholders are invited to view and provide written comments on the FSP until Wednesday, September 6, 2017. The FSP is the main strategic-level planning document under the *Forest and Range Practices Act*. It shows the location of forest development units and provides the results, strategies and measures that the plan holders will follow for government's objectives for various forest and resource values.

BC Timber Sales Chinook has initiated a public review and comment period (Tuesday, July 4, 2017 to Wednesday, September 6, 2017) for the FSP. The FSP and related maps can be viewed at the following address, Monday to Friday 8:30 a.m.–12 p.m. and 1 p.m.–4:30 p.m. Please call planning forester Enrique Sánchez, RPF at 604 702-5748 to arrange a viewing time.

BC Timber Sales, Chinook Business Area

46360 Airport Road, Chilliwack, B.C., V2P 1A5

The proposed FSP can also be viewed online at:

www.for.gov.bc.ca/ftp/TCH/external/publish/FSP/Chilliwack/FSP_643/

In addition, a series of Open Houses are scheduled to give members of the public and stakeholders an opportunity to review the FSP documents and related maps. Comments must be received on or before 4:30 p.m. Wednesday, September 6, 2017, in order to be considered prior to the final submission of the FSP.

Date	Location	Address	Times
July 26, 2017	BCTS Chilliwack Office	46360 Airport Rd. Chilliwack	4 p.m.–8 p.m.
July 30, 2017	Collins Hall	1122 Miller Road, Bowen Island	2 p.m.–5:30 p.m.
August 15, 2017	McConnell Creek Hall (Farmers Institute) (Hatzic)	35483 Hartley Rd. Mission	4 p.m.–8 p.m.
August 22, 2017	Columbia Valley Community Centre	1202 Kosikar Road Columbia Valley	4 p.m.–8 p.m.
August 30, 2017	Hope & District Recreation Centre	1005 6th Ave. Hope	4 p.m.–8 p.m.

Written comments can be submitted via email, fax or mail to the BCTS Chilliwack address listed above and should be addressed to the attention Enrique Sánchez, RPF, Planning Forester at:
email: Enrique.Sanchez@gov.bc.ca fax: 604 702-5711.



BRITISH
COLUMBIA

JULY 7/17
UNDERCURRENT

Clare Frater

From: Sanchez, Enrique FLNR:EX <Enrique.Sanchez@gov.bc.ca>
Sent: Tuesday, June 27, 2017 4:03 PM
To: Clare Frater
Subject: RE: Bowen Island Forest Development

Thank you as well Clare for your time and advice.

Looking forward to working with you on this plan and in the future.

Take care.

Enrique Sánchez

BC Timber Sales Chinook
Chilliwack B.C.

Tel: 604-702-5748

From: Clare Frater [mailto:cfrater@islandstrust.bc.ca]
Sent: Tuesday, June 27, 2017 3:50 PM
To: Sanchez, Enrique FLNR:EX
Cc: 'sefast@bimbc.ca'; 'Bonny Brokenshire'; Eliason, Jennifer ISLT:IN; Karen Hurley
Subject: RE: Bowen Island Forest Development

Hello Enrique,

Thank you for speaking with me today and for the early head's up. I look forward to receiving your letter about your upcoming process to engage the Bowen Island community about developing Crown parcels for timber harvesting purposes. Below are the dated agreements between the Islands Trust and various pre-FLNR agencies/Ministries that I mentioned. These agreements are still in effect although I will be working with Bowen Island Municipality and FLNR to consolidate them into one modern agreement.

Links to existing agreements

- Use and Protection of Crown Land Resources through Balancing Local and Provincial Interests: <http://www.islandstrust.bc.ca/media/343309/02orgagrnov261999pro.pdf>
- Crown land protocol: <http://www.islandstrust.bc.ca/media/343321/14orgmwlajun281994pro.pdf>
- Crown land letter of understanding: <http://www.islandstrust.bc.ca/media/343320/13orgagrjun281994pro.pdf>
- Woodlot letter of understanding: <http://www.islandstrust.bc.ca/media/343310/03orgagrjun211999pro.pdf>

You may also wish to review the Islands Trust Policy Statement, approved by the Province which guides the Islands Trust: <http://www.islandstrust.bc.ca/media/342743/orgpolstatement.pdf> Please see section 4.2 for the forestry related policies.

I will ask our Information Systems Manager to send you our ecosystem mapping (your ecological catalogue should have this information) and protected area layers for Bowen Island.

The Coastal Douglas-fir Conservation Partnership's website is at: <http://www.cdfcp.ca/> and the contact person is Darryn McConkey with FLNR at 250-751-3104 and Darryn.McConkey@gov.bc.ca.

Just in case you aren't aware I thought I'd also mention that the Province is working on a Cumulative Effects Assessment for Howe Sound and my contact for that work has been Jeff Juthans with FLNR at 604 586-4287 or Jeff.Juthans@gov.bc.ca.

As I will be on holidays for much of July please cc your letter to Emma Restall at erestall@islandstrust.bc.ca. Our Islands Trust Executive Committee will receive the letter as part of a public meeting agenda and will direct any response.

Thanks again for reaching out. I look forward to hearing from you,

Clare Frater
Director, Trust Area Services
Islands Trust
250-405-5192

From: Sanchez, Enrique FLNR:EX [<mailto:Enrique.Sanchez@gov.bc.ca>]
Sent: Tuesday, June 13, 2017 4:28 PM
To: Clare Frater
Cc: 'sefast@bimbc.ca'; 'Bonny Brokenshire'
Subject: Bowen Island Forest Development

Dear Clare Frater:

My name is Enrique Sanchez, I am forest development planner working for BC Timber Sales (BCTS) in Chilliwack. BCTS has parcels of forest land on Bowen Island. I would like to engage the community to develop these areas for timber harvesting purposes. I would like to meet with you, either in person or via conference call, seeking your advice in how to proceed in a manner that is beneficial to the residents of Bowen Island and the rest of British Columbians.

The first step is to prepare a Forest Stewardship Plan (FSP). At this point I am in the process of preparing it and proceed with its advertisement in local newspapers by the end of June. The objective of the advertisement is to provide the opportunity to First Nations and Stakeholders to provide comments on the proposed rules to follow should development actually happens. These rules are in regard to 11 objectives set by government and identified in section 149 of the *Forest and Range Practices Act*. (FRPA). See the following clips.

Objectives set by government

- 149. (1)** The Lieutenant Governor in Council may make regulations prescribing objectives in relation to one or more of the following subjects:
- (a) soils;

FOREST AND RANGE PRACTICES ACT

- (b) visual quality;
 - (c) timber;
 - (d) forage and associated plant communities;
 - (e) water;
 - (f) fish;
 - (g) wildlife;
 - (h) biodiversity;
 - (i) recreation resources;
 - (j) resource features;
 - (k) cultural heritage resources.
- (2) In case of an inconsistency between
- (a) an objective set by government prescribed under this section, and
 - (b) an objective referred to in paragraph (b) or (c) of the definition of "objectives set by government" in section 1 (1),
- the objective referred to in paragraph (b) or (c) of that definition prevails to the extent of the inconsistency.

2003-55-54; 2010-17-19 (B.C. Reg. 47/2011).

I have had the opportunity to talk to councillor Sue Ellen Fast and Parks Manager Bonny Brokenshire in this regards. I am grateful for their time since I know how busy they are these days. I mentioned that an FSP is similar to an OCP because both documents provide guidance, then at the permitting phase, the details come and discussions are taken place for the benefit of all involved.

The second step is the actual development of a detail plan that would be guided by the FSP. I have suggested a few options that could be considered to manage these BCTS areas:

1. With community involvement, develop a 20 years plan that would be able to manage for all resources that the community consider of value. This plan development, due to its complexity could take a couple of years to complete. Then, a year to put it into practice. This approach provides a sense of ownership in how resources are managed on our backyard.
2. The community of Bowen Island to apply for a community forest licence within BCTS areas. Once obtained, it could develop its own FSP before any forest development to occur or request BCTS to join BCTS' FSP that would eliminate the FSP preparation cost and time. In addition, could start its forest development as soon the province approves the new tenure added to BCTS FSP.
3. The community of Bowen Island to apply for a Woodlot licence within BCTS areas. Once obtained, a Woodlot Licence plan must be prepared before any forest development to occur. It would take preparation cost and time.

The areas mentioned above are shown in the map below. The last time BCTS harvested in this area was in 1991, with a series of small blocks totaling nine (9) hectares approximately.

From Fraser Timber Supply review (TSR -4) the following are the statistics regarding BCTS areas on Bowen Island:

Total Area: 4,994 ha

Total THLB: 1,414 ha (Timber Harvesting Land Base)

Annual Timber Yield: 8,288 m³



Please let me know when we can discuss the above. I will send a similar note to the municipality to seek their input, hoping before, during, or after the public review and comment period. This is a very long process.

Looking forward to your response.

Enrique Sánchez, R.P.F
Planning Forester
British Columbia Timber Sales
Chinook Business Area
Chilliwack B.C.

Tel: 604-702-5748 Fax: 604-702-5711



July 12, 2017

Mr. Enrique Sanchez
Forest Development Planner
BC Timber Sales, Chinook Business Area
46360 Airport Road
Chilliwack, BC V2P 1A5

Dear Mr. Sanchez:

Re: Bowen Island Forest Development

At its meeting held Monday, July 10th, Bowen Island Municipal Council reviewed your correspondence of June 14, 2017 and your request for a meeting. We would like to invite you to a committee of the whole meeting of Council as soon as practical. As you know Bowen is a tourist destination during the summer so we have a lot happening and Council is on hiatus during the month of August. As a result, we would like to meet with you in early/mid-September prior to the Union of BC Municipalities annual conference later that month.

We note that you have scheduled an open house for Sunday afternoon July 30th. We would ask that you postpone that event until after our meeting in September. The event is sure to draw a considerable crowd and Summer Sunday's are extremely hectic on Bowen at the best of times. Also, Collins Hall is a very small venue with very little parking available. Should you decide to proceed with the open house on that date we would ask that you extend the public consultation period to facilitate another community engagement opportunity after your meeting with Council and after Council has had an opportunity to consider the various options you laid out in your email.

One note of caution, Council Chambers was overflowing last night with Islanders concerned about your proposal. There was quite a cross section of the population and the speakers were universally negative. I anticipate that a full explanation of overwhelmingly potential positive outcomes will be required to move people from their initial reaction. An extended period of public engagement would give you that opportunity.

For reference please see the attached Council resolutions referred to in this letter. Municipal staff will be in contact shortly to schedule the committee of the whole meeting.

Yours truly,



Mayor Murray Skeels
Bowen Island Municipality

cc: *Bowen Island Municipal Council*

Council Resolutions from July 10, 2017:

RES#17-256

It was Moved and Seconded

That BC Timber Sales Chinook be requested to extend their public review and comment session at least until September 30th.

CARRIED UNANIMOUSLY

RES#17-257

It was Moved and Seconded

That Council invite BC Timber Sales Chinook representatives to a Committee of the Whole in September as per their request.

CARRIED UNANIMOUSLY

RES#17-258

It was Moved and Seconded

That Council request BC Timber Sales Chinook to postpone their July 30th open house until after a Committee of the Whole meeting with Council.

CARRIED UNANIMOUSLY

To: Executive Committee

For the Meeting of: July 19, 2017

From: Clare Frater, Director, Trust Area Services,

Date: July 12, 2017

SUBJECT: Supporting regional applications to Transport Canada Abandoned Boats Program

RECOMMENDATION:

That the Executive Committee direct staff to:

1. Develop an inventory of abandoned boats, barges and docks for the Islands Trust Area.
2. Research which organizations or government agencies plan to apply for funding to remove abandoned boats through the Transport Canada Abandoned Boats program.

DIRECTOR COMMENTS:

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Implementing the proposed resolutions will involve approximately 30 hours of TAS staff time with input from trustees. This work is anticipated to occur mid-July to early September so as to best support organizations that may be applying for grant funding in October.

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: Upon Executive Committee's approval, staff will develop a communications plan to gather inventory data, which will likely include promotion through the subscription service and, requests to trustees to promote the initiative through their networks.

This inventory will be completed in time to be shared widely with those who are applying to the Assessment and Removals Transport Canada Abandoned Boats Program (February 2018 deadline).

Staff will also reach out to staff within the province, regional districts, First Nations and non-profit agencies to determine which agencies plan to remove abandoned vessels using federal grant funding.

Information collected about abandoned barges and docks may be used to support advocacy for Islands Trust's resolution to UBCM re reducing foam pollution in the marine environment.

OTHER: N/A

BACKGROUND:

The Islands Trust Council has, for the last seven years, encouraged the federal government and the Province of British Columbia to develop legislation and programs that offer coast-wide solutions to derelict vessel, barges and docks. Islands Trust efforts included Chair letters to various federal and provincial ministers, meetings with ministers, sessions at UBCM conventions; staff participation in a joint working group; and support for inventorying vessels in the Trust Area.

On May 31, 2017, Transport Canada announced a Abandoned Boats Funding Program. The creation of this program represents a significant success for advocates in the Trust Area, including Islands Trust, partner local governments and MPs.

The Abandoned Boats Program (ABP) 2017/18 – 2021/22 is part of a national strategy to address abandoned, derelict, and wrecked vessels, being implemented under the Oceans Protection Plan. There are two program components: A) Assessment and Removals and B) Education, Awareness and Research.

ASSESSMENT AND REMOVALS COMPONENT funds the permanent removal of abandoned and/or wrecked small boats that pose a hazard in Canadian waters (\$5.6 million total over five years).

- Targets small boats (pleasure craft, fishing boats) - not large, technically complex vessels.
- \$50K per vessel (for removal and disposal costs).
- Ineligible boats include military and heritage vessels, and boats involved in contract disputes (e.g. moorage fees unpaid.)

This component will provide funding to: conduct boat assessments for removals, and to remove and dispose abandoned and/or wrecked small boats. There are separate funding applications for each stage.

There is \$5.6 million is available for this component over 5 years, with only \$300K is available in 2016. Applicants can apply for multiple vessels in one application. The first deadline is October 31, 2017. There is expected to be another deadline in February 2018. Eligible recipients will receive:

- 100% of total eligible costs for boat removal assessments (maximum of \$5,000 per boat assessment)
- 75% of total eligible costs for the removal and disposal of boats (maximum of \$50,000 per boat removal & disposal) (in-kind staff time and use of municipal equipment can count as part of 25% provided by applicant)

B. EDUCATION, AWARENESS & RESEARCH COMPONENT

The Education and Awareness component funds public education projects aimed at raising awareness about boat owner responsibility, including proper end-of-life management practices. There is \$750,000 for education and awareness and \$500,000 for research over five year).The first deadline is September 30, 2017.

With many problem vessels in the Trust Area, there is potential for multiple organizations to be applying to remove the same vessels. Despite its history in advocating for senior government solutions for derelict vessels, barges and docks, Islands Trust is not well positioned to take on vessel removals due to lack of legislative powers related to waste management and associated equipment and expertise.

At this time it is unclear which organizations/government agencies are planning to apply for federal funding for vessel removals, although the Ministry of Forests, Lands and Natural Resource Operations,

regional districts and non-profits appear best placed to take the lead. For the southern Gulf Islands, the Capital Regional District held an initial discussion meeting with CRD area local government staff on June 29, 2017, which was attended by Stefan Cermak, Regional Planning Manager. The Capital Regional District will be hosting another meeting of local and regional government staff on August 2, 2017 to discuss the funding opportunity, possible coordination roles and structures as well as collaboration with other regional districts. Ryan Greville from Transport Canada will be attending. Trust Area Services staff also plan to attend.

In addition, a non-profit organisation is forming that may be assuming the coordination role and application process for all, or part of, the Islands Trust Area (working title: Dead Boats Society). The community members planning the non-profit organisation intend to include community associations, local and regional governments, and an industry partner with access to barges and cranes.

REPORT/DOCUMENT:

Links:

[Abandoned Boats Program website](#)

[2014 Transport Canada Inventory of Vessels of Concern in British Columbia](#)

KEY ISSUE(S)/CONCEPT(S): Waste removal, removal of abandoned vessels, barges and docks, unpolluted water

RELEVANT POLICY:

- 6.10.ii. [Communications](#) Policy. To facilitate proactive Islands Trust communications with island communities, First Nations, other levels of government, non-government organizations and the public at large.
- 6.10.iii. [Advocacy](#) Policy
- Islands Trust Policy Statement 3.1.9: Trust Council encourages actions and programs of other government agencies which:
 - place priority on the side of protection for Trust Area ecosystems when judgment must be exercised,
 - protect the diversity of native species and habitats in the Trust Area, and
 - prevent pollution of the air, land and fresh and marine waters of the Trust Area.
- Strategic Plan item: T.2.4.1 - Continue to advocate for senior government solutions to abandoned and derelict vessels

DESIRED OUTCOME: Effective, coordinated actions in the Islands Trust Area that support timely removal of abandoned vessels, barges and docks.

RESPONSE OPTIONS

Recommended:

That the Executive Committee direct staff to:

- 1. Develop an inventory of abandoned boats, barges and docks for the Islands Trust Area.**

2. Research which organizations or government agencies plan to apply for funding to remove abandoned boats through the Transport Canada Abandoned Boats program.

Alternative:

- 1) Request that staff provide Executive Committee with additional options.

Prepared By: Karen Hurley, Senior Policy Advisor, July 12, 2017

Reviewed By/Date: Clare Frater, Director, Trust Area Services, July 12, 2017
Russ Hotsenpiller, CAO, July 12, 2017

BRIEFING

To: Executive Committee

For the Meeting of: July 19 , 2017

From: Clare Frater, Trust Area Services

Date prepared: July 12, 2017

SUBJECT: IT MEMBERSHIP ON DFO SHELLFISH AQUACULTURE MANAGEMENT ADVISORY COMMITTEE (AMAC)

DESCRIPTION OF ISSUE: This briefing is to update Executive Committee on Islands Trust staff research about the ability of Islands Trust representation on the DFO's Shellfish Aquaculture Management Advisory Committee (AMAC).

BACKGROUND:

On February 15, 2017, the Executive Committee directed staff to:

Research the ability for Islands Trust to obtain membership with AMAC.

In 2013, UBCM asked the Association of Vancouver Island and Coastal Communities (AVICC) to select members for the two aquaculture advisory committee (one Shellfish, one Finfish). Two weeks before their June 14, 2013 deadline, AVICC put out a call to members for elected officials to volunteer for the committee. Elected officials did not require endorsement by their councils/boards/ local trust committees to apply. Trustee Laura Busheikin of Denman Island applied for the shellfish AMAC.

“Invitation to Serve on the Finfish and Shellfish Advisory Committees

The Department of Fisheries and Oceans is in the process of initiating Aquaculture Management Advisory Committees (AMAC) for BC. These advisory committees will focus on high-level strategic issues such as aquaculture policy and management approaches; science priorities; conditions of licence, and broad public reporting, compliance and enforcement issues. Attached is an invitation for AVICC member elected officials to serve on these committees.”

The AVICC Executive reviewed the nominated volunteers and chose one for each committee. The selected representative is for the Shellfish committee is Bill Venhof, Electoral Area H Director, Regional District of Nanaimo and his alternate is Dorothy Baert, Councillor, District of Tofino.

In December 2016, AVICC received notification from DFO that the Shellfish AMAC memberships were being “renewed”. No input was requested nor an opportunity for comment provided.

After receiving an enquiry about AMAC membership from Islands Trust staff, the AVICC Executive Coordinator advised that she will be doing research into AMAC functions and structure over the summer.

Islands Trust staff have previously been advised that the AMAC meetings are open to the public and any Islands Trust representative is welcome.

ATTACHMENT:

Attachment 1 - 2013 application form for AMAC membership

FOLLOW-UP:

Trust Area Services staff will continue to liaise with AVICC and DFO staff about the possibility of adding an Islands Trust representative to the Shellfish AMAC and will advise the Executive Committee as more information becomes known.

Prepared By: Karen Hurley, Senior Policy Advisor, Trust Area Services, July 10, 2017

Reviewed By/Date: Clare Frater, Director, Trust Area Services, July 12 , 2017
Russ Hotsenpiller, CAO, July 12, 2017



Invitation for Members to Self-identify to Serve on the Finfish and Shellfish Aquaculture Advisory Committees

The Department of Fisheries and Oceans is in the process of implementing Aquaculture Management Advisory Committees (AMAC) for BC. These advisory committees will focus on high-level strategic issues such as aquaculture policy and management approaches; science priorities; conditions of licence, and broad public reporting, compliance and enforcement issues. The expectations will be that representatives will be knowledgeable about aquaculture operations, and be able to discuss issues at a high-level, in a strategic and balanced manner.

The time commitment would be a 3-year term, up to 4 meetings per year with the likelihood of 2 of the 4 meetings being able to be done virtually. Upcoming meeting dates have been tentatively identified (June 27 and September 26 for Shellfish to be held in Courtenay; September 25 for Finfish to be held in Vancouver).

UBCM has been invited to nominate two local government representatives to serve on each of the Finfish and Shellfish Advisory Committees. UBCM has invited both AVICC and the North Central Local Government Association (NCLGA) to make recommendations for these representatives. Once appointed, UBCM will provide reimbursement of the expenses of two representatives' participation on each advisory committee according to their established policies.

AVICC Executive is inviting elected officials of AVICC members who have commercial aquaculture operations in their jurisdictions to self-identify for service on one or both these advisory committees. Executive will review these expressions of interest at their June 19 meeting and forward their recommendations immediately to UBCM. **Please complete the following and return ASAP, but no later than Friday, June 14.**

Name: _____

Position: _____

Local Government: _____

Email: _____

Telephone #: _____

Continued on page 2.

Which advisory committee would you be interested in serving on?

☐ Finfish ☐ Shellfish ☐ Both

If you were chosen to participate on the Shellfish Advisory Committee, would you be available for June 27 and September 26 meetings in Courtenay? ☐ Yes ☐ No

If you were chosen to participate on the Finfish Advisory Committee, would you be available for a September 25 meeting in Vancouver? ☐ Yes ☐ No

Please briefly describe your background and experience as it relates to the area of commercial aquaculture operations for which you are seeking to serve as a member of the advisory committee (can also be attached to this form):

Return to the AVICC Office ASAP, but no later than June 14, 2013
Email to avicc@ubcm.ca or Fax to 250-356-5119

2017 UBCM Convention Program

The preliminary program below is tentative. Details will be confirmed closer to convention.

Monday, September 25

Registration
Study Sessions / Tours
BC Mayors Caucus

Tuesday, September 26

Registration
Continental Breakfast (Clinic attendees only)
Clinics
Forums
Forum Lunches
Plenary Session
Provincial Policy Sessions
Municipal Insurance Association of BC AGM
Municipal Finance Authority of BC Semi-Annual Meeting
Municipal Insurance Association of BC Reception
Welcome Reception

Wednesday, September 27

Registration
Delegates Continental Breakfast
Clinics
Convention Opening Session
Annual Meeting
Keynote Address
Address by FCM President
Trade Show opens
Principal Policy Session: Resolutions
Address by Leader of the Green Party
Area Association Lunches (optional)
Address by the Minister of Community, Sport and Cultural Development
Provincial Cabinet Panels
BC Government Reception
Consulate-General of the People's Republic of China in Vancouver Reception
CUPE BC Reception

Thursday, September 28

Delegates Continental Breakfast
Clinics
Address by Leader of the Official Opposition
Resolutions Session Continues
Delegates Lunch
Workshops
Trade Show closes
UBCM Reception
UBCM Banquet

Friday, September 29

Delegates Continental Breakfast
Resolutions Session Continues
Installation of President Elect
Port of Vancouver Cruise Draw
Address by the Premier
Adjourn

Registration Options

Early Registration Fee
(on or before August 11, 2017)

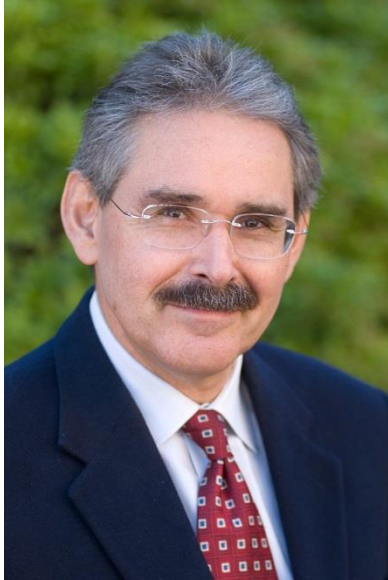
\$475.00

	Optional Session/Tour	Cost
Monday, Sept 25		
8:15am – 5:00pm (full day)	Agricultural Study Tour	\$90
Morning Options (choose up to 1)	Electric Vehicle Study Tour - BCIT Oasis Renewable Energy	---
	Dissecting Affordability-Root Causes and Implications	---
	Legalized Cannabis in British Columbia	---
	Funding for Local Governments	---
Afternoon Options (choose up to 1)	Advancing Local Government & First Nations Relations	---
	Green Innovation and other Environment Policy	---
Tuesday, Sept 26		
Morning Forums (choose 1)	Electoral Area Directors Forum	\$60
	Small Talk Forum	\$60
	Mid-Sized Communities Forum	\$60
	Large Urban Communities Forum	\$60
	None	---
6:30pm	Welcome Reception	---
	Plus Guest	\$50
Wednesday, Sept 27		
Area Association Luncheons	AKBLG	\$50
	AVICC	\$50
	LMLGA	\$50
	NCLGA	\$50
	SILGA	\$50

Thursday, Sept 28		
Noon	Delegates' Lunch	\$60
1-3:30pm	Port Metro Vancouver Harbour Tour	---
6:30pm	UBCM Banquet	\$90
	Plus Guest	\$90

For More Information: <http://www.civicinfo.bc.ca/event/2017/ubcm.asp#topform>

Keynote Address: Terry Milewski



A veteran CBC television personality, Terry Milewski is one of Canada's best-known broadcast journalists. He's reported the news from 52 countries over the past 44 years—and was the CBC's very first Middle East correspondent. Today, he speaks on how a free and functional media is crucial to a democratic society—and how Canada can lead the charge for a world that's still committed to the truth.

Terry Milewski has been a reliable fixture on Canadian televisions for decades. He began his storied career with the CBC as a local reporter in Calgary. He then jumped to the national news division as a science reporter before becoming a parliamentary correspondent. Milewski opened the CBC's Jerusalem bureau in the mid-80s and became *The National's* first Middle East correspondent. Since then, his thousands of assignments—including eight years as Washington correspondent for the CBC—have taken him all over Europe, Asia, the Americas, and the Middle East, giving him a rich, nuanced understanding of global politics. After forty years of journalism, he retired from regular broadcasting as the CBC's senior correspondent in Ottawa, but still appears frequently on the air and online.

Saanich Municipal Hall
770 Vernon Ave.
Victoria, BC V8X 2W7

Saanich Council and Mayor
Dear Mayor and Saanich Council

Though the joints efforts of our communities, the Federal Government through Transport Canada have released a Abandoned Boats Program. Upon examination of this program, the cost and time involved for each individual NGO / Local Government to submit to this program is very onerous.

The District of Oak Bay, has a agreed to start the application process for the few boats they have. We will work together to use this template.

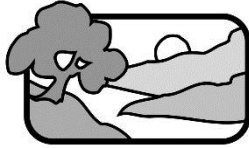
We are proposing for the convenience, simplicity and saving of monies, time and resources, Saanich and the CRD join us for a Southern Vancouver Island approach. Meaning, Our First Nations, Nanaimo Regional District, North Cowichan Regional District, Cowichan Regional District, Islands Trust and the Capitol Region District. The reason being, as we all share these waters, one comprehensive program will lessen the impact financially, add simplicity, and speak with solidarity and enforcement.

Several aspects of this multiple year funding, deal with not only the boats sunk or on the beaches, but how to deal with the current floating abandoned boats and education, All this requires a huge amount of public involvement and a minimum of 25% cash or inkind.

Our benefactor Ralmax involved with the removal of Cadboro Bay derelict boats, has agreed to come to the table to help removal, once we have gone through the process, of inventorying and identifying the flotsam , jetsum and risk a fair price will be established, then completed application will submitted to Transport Canada.

We ask that the Saanich Municipality and The Capitol Regional District reach out to the First Nations community our Northern Neighbours of the Salishsea, and work together find a common one stop solution to this Urban blight on our shoreline.

Yours Truly
Eric Dahli
Chair Cadboro Bay Community Association
John R Roe
Veins of Life Watershed Society
205 – 338 Lower Ganges Road
Salt Spring Island
250 538 2120



Islands Trust

Staff Report

Date: July 5, 2017

To: Executive Committee
For the meeting of July 19, 2017

From: Claire Olivier, Legislative Clerk/Deputy Secretary, SS LTC

Re: **Salt Spring Island LTC Correspondence Referral to the Executive Committee concerning the Transport Canada Abandoned Boats Program**

Introduction:

At the June 29, 2017 Salt Spring Island Local Trust Committee regular meeting the Trustees passed the following resolution:

“SS-2017-92

It was MOVED and SECONDED,

that the Salt Spring Island Local Trust Committee forward the C. West correspondence dated June 24, 2017 to the Islands Trust Executive Committee regarding Transport Canada’s Abandoned Boats Program for consideration.”

Please find attached the above noted correspondence for your consideration.

From: "Chris West" [REDACTED]
Date: June 24, 2017 at 8:41:29 AM PDT
To: "'Peter Grove'" <pgrove@islandstrust.bc.ca>
Cc: "'Peter Mcallister'" [REDACTED]
Subject: Abandoned Boats Program

Hi Peter,

As I mentioned to you during our phone conversation, there is a very new federal program through the Navigable Waters Protection branch or program of Transport Canada called Abandoned Boats Program. It was launched 3wks ago and just has a 300K budget this year but is going to be expanded next year. I also spoke to them about non-compliant mooring buoys in the harbour and illegally moored docks in the harbour such as [REDACTED] for example.

There seemed to be some interest or possibility in having someone from the branch come over to have a look at our situation which, from my travels on around southern Vancouver Island is the worst that I have seen. Is Ganges Harbour; most polluted harbour in B.C.? Has kind of a ring to it doesn't it? Enough out of sight out of mind; something has to be done about this and the Island's Trust are the perfect agency to be a catalyst for getting this mess dealt with. I absolutely believe that the more noise we make over this the more action we will get. The funding is going to be done on a "triage" basis rather than first come first serve and I think if we can get someone over here to take a look we have a very good chance at getting in on some financial support to clean it up.

Here is a link regarding this new program:

<https://www.tc.gc.ca/eng/abandoned-boats-program.htm>

Their telephone contact: 604-775-8867

Also, I was advised that all floating structures, for example old floats from marinas etc. that are tied to mooring buoys are not legal without a licence of occupation...

Best Regards,
Chris West

Emma Restall

From: Clare Frater
Sent: Tuesday, July 11, 2017 3:19 PM
To: Emma Restall
Subject: FW: Save the Date - Next Forum October 13, 2017

For EC agenda in correspondence

From: Howe Sound Community Forum [<mailto:howesoundcommunityforum@gmail.com>]
Sent: Tuesday, July 11, 2017 3:16 PM
To: Dan Rogers; Kate-Louise Stamford; Peter Luckham; Russ Hotsenpiller; Susan Morrison; Clare Frater
Subject: Save the Date - Next Forum October 13, 2017



Vice-Chair Frank Mauro and Director Ian Winn, Area F West Howe Sound
invite you to the next Howe Sound Community Forum

Friday, October 13, 2017

[Camp Elphinstone](#)

10:30-3:00

Details to follow

Questions or suggestions for the agenda, please contact:

howesoundcommunityforum@gmail.com

frank.mauro@scrd.ca - ian.winn@scrd.ca

Ruth Simons 604 921-6564 778 834-4292 Assisting:

Howe Sound Community Forum *Established in 2002*

To provide a forum for local governments, Regional Districts and First Nations discussion to maintain and enhance the economic, environmental, cultural and social well being of the Howe Sound for the benefit of present and future generations.

Squamish Nation - District of West Vancouver - Village of Lions Bay - Town of Gibsons - Resort Municipality of Whistler - Village of Pemberton - Bowen Island Municipality - Gambier Island Local Trust - District of Squamish - Metro Vancouver - Sunshine Coast Regional District -Squamish Lillooet Regional District

Emma Restall

From: David Price <david.price56@gmail.com>
Sent: Friday, July 14, 2017 1:13 AM
To: Dianne Barber; Derek Masselink; George Grams; leader@greenparty.bc.ca; elizabeth.may@parl.gc.ca; sprice@crd.bc.ca
Cc: North Pender Planner; Emma Restall; Peter Luckham; EC; elizabeth.may.c1a@parl.gc.ca
Subject: Freedom Mobile Application - 1348 McKinnon Road, Pender Island, B.C.

Dear Sirs and Mesdames;

We write in full support of the above reference application.

We urge the Islands Trust to approve the Freedom Mobile Application for 1348 McKinnon Road, Pender Island, B.C. - which will significantly enhance affordable wireless cellphone

access and coverage for many thousands of people on Pender Island and the Capital Region District.

Based on our research the location selected for the proposed antenna is in the perfect place for minimal to no impact and the design is as aesthetically pleasing as possible.

Contrary to unsubstantiated claims and as a commercial real estate consultant involved in the evaluation of properties for over 35 years, we have never received or read a credible report confirming such an application would have any negative impact on property values. In fact, the enhanced accessibility & affordability of wireless cellphone service should improve property values for the vast majority of Pender Island property owners.

Further, we find vocal minority claims of health concerns to be somewhat hypocritical when most of us constantly have a cellphone to our ear every day; and

Found the anti-support petition presentation based primarily on incomplete or false information.

Do you the right thing for the most people possible!

Please approve the Freedom Mobile Application for 1348 McKinnon Road, Pender Island, B.C. without delay.

Respectfully Submitted,

David & Suzanne Price

Pender Island, B.C.

[1 \(250\) 629-2015](#)

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

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

Projects**Executive Committee**

Description	Activity	R/Initiated
Provide advice about amendments to Policy 2.2.1 (RFDs)	Explore what changes are required	15-Feb-2015
Rural Status for Southern LTC Grant Eligibility	Ask staff to review and report back on options for legislative change.	02-Nov-2015
Application Sponsorship Policy	Provide advice on amendments to the Application Sponsorship Policy in relation to government bodies.	20-Nov-2012



Islands Trust

Print Date: July 13, 2017

Executive Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Provincial Tenure Referrals Process	Review and report on current provincial process regarding tenure referrals			12-Aug-2012
