



Executive Committee Agenda

Date: Wednesday, May 13, 2020
Time: 9:00 am
Location: Victoria Boardroom
#200 - 1627 Fort Street, Victoria BC

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1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
3. ADOPTION OF MINUTES	
3.1 April 15th Special Electronic Meeting	4 - 9
3.2 April 22nd Special Electronic Meeting	10 - 12
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3.4 May 6th Special Electronic Meeting	16 - 19
4. FOLLOW UP ACTION LIST AND UPDATES	
4.1 Follow Up Action List/Director/CAO Updates	20 - 25
4.2 Local Trust Committee Chair Updates	
4.3 Islands Trust Conservancy Liaison Update	
5. BYLAWS FOR APPROVAL CONSIDERATION	
5.1 South Pender Island Local Trust Committee Meeting Procedure Amendment Bylaw No. 118	26 - 35
THAT the Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 118, cited as "South Pender Island Local Trust Committee Meeting Procedure Bylaw No. 93, 2004, Amendment No. 1, 2020" in accordance with Section 27 of the <i>Islands Trust Act</i>.	
5.2 Bowen Island Municipality - LUB Amendment Bylaw No. 501	36 - 73
THAT the Executive Committee advise Bowen Island Municipality that Bylaw No. 501 cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 501, 2020" is not contrary to or at variance with the Islands Trust Policy Statement.	
6. TRUST COUNCIL MEETING PREPARATION	
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7.1.3.2	Development Application Volumes - Briefing	118 - 119
7.1.4	Administrative Services	
7.2	Executive Committee Initiated	
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7.2.4	Administrative Services	
8.	NEW BUSINESS	
8.1	Executive/Trust Council	
8.2	Trust Area Services	
8.2.1	LTC Chairs Report on Local Advocacy Topics	
8.3	Local Planning Services	
8.3.1	Request for EC Sponsorship of Development Application fee GB-RZ-2020.1 (Gabriola Housing Society)	120 - 126
	THAT the Executive Committee approve financial sponsorship of \$1,000.00 for rezoning application GB-RZ-2020.1 (Gabriola Housing Society [Scott]) which would amend Gabriola Island Official Community Plan Bylaw No. 166, 1997 and the Gabriola Island Land Use Bylaw No. 177, 1999 to allow for a proposed affordable housing project.	
8.3.2	Coastal Douglas Fir Conservation Partnership letter of support - RFD	127 - 131
	THAT Executive Committee request staff to prepare a draft letter of support to be signed by the Chair on behalf of the Executive Committee for the Coastal Douglas Fir Conservation Partnership (CDFCP) in support of their Real Estate Foundation of BC General Grant Application.	
8.4	Administrative Services	

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 | Vancouver Island Construction Association Re: Covid-19 and Construction dated April 20, 2020 | 132 - 134 |
|-------------|---|------------------|

12. WORK PROGRAM

- | | | |
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| 12.1 | Review and amendment of current work program | 135 - 137 |
|-------------|---|------------------|

Work Program amended April 15, 2020.

13. NEXT MEETING

The next meeting of Executive Committee is June 3, 2020.

14. ADJOURNMENT



Executive Committee Minutes of Regular Meeting

Date: April 15, 2020
Location: Victoria Boardroom & Electronic
#200 1627 Fort Street, Victoria BC

Members Present: Peter Luckham, Chair, Thetis
Dan Rogers, Vice Chair, Gambier/Keats
Laura Patrick, Vice Chair, Salt Spring
Sue Ellen Fast, Vice Chair, Bowen Municipality

Staff Present: Russ Hotsenpiller, Chief Administrative Officer, present at boardroom
David Marlor, Director of Local Planning Services
Julia Mobbs, Director of Administrative Services
Clare Frater, Director of Trust Area Services
Heather Kaur, Regional Planning Manager
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Lori Foster, Executive Coordinator/Recorder

Others Present: There were no call-ins to phone number toll-free 885-703-8985 code 723569162#

1. CALL TO ORDER

At 9:03 AM, Chair Luckham called the meeting to order stating gratitude for the ability to widely meet across Coast Salish territory of many First Nations.

1.1 Acknowledge Standing Resolution

Presented for information.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

For consideration to add the following items:

6.3.2 Financial Plan Bylaw

8.1.1 Accelerated EC meeting schedule

2.2 Approval of Agenda

By general consent, the agenda was approved as amended.

2.2.1 Agenda Context Notes

Provided for information.

3. ADOPTION OF MINUTES

3.1 April 8th draft minutes

Under item 4. ROUNDTABLE replace first bullet following “It was heard that:” with

- A news release from Salt Spring Island Business and Farm Response & Recovery Task Force discouraging travel is set,

By general consent, the minutes were adopted as amended.

4. FOLLOW UP ACTION LIST AND UPDATES

4.1 Follow Up Action List/Director/CAO Updates

Chief Administrative Officer (CAO) Hotsenpiller commented on present office functions, what emerging from COVID-19 response may involve, and consideration to review the Executive Committee Work Program.

Senior Intergovernmental Policy Advisor (SIPA) Wilcox gave a verbal update on engagement and work towards reconciliation, reporting will follow.

Directors spoke to the progress of FUAL items and the COVID-19 response which is an aspect of every area of work.

Discussion was heard on communications and messaging regarding anchorages due to the recent collision in Plumper Sound.

4.2 Local Trust Committee Chair Updates

Local Trust Committee (LTC) Chairs spoke on common themes including the increase of processing resolutions without meeting (RWM's), LTC's that do not have electronic meeting bylaws, and general LTC updates while meetings are on hold.

Chair Luckham reported he has been electronically meeting with various health authorities, regional districts and attending ministry calls.

4.3 Islands Trust Conservancy Liaison Update

Discussion was heard on consulting the Conservancy on possible changes to the budget.

The meeting recessed for a break at 10:03 AM and reconvened at 10:10 AM.

5. BYLAWS FOR APPROVAL CONSIDERATION – None

6. TRUST COUNCIL MEETING PREPARATION

6.1 Executive

6.1.1 Cancellation of the in-person regular June Trust Council meeting on Hornby Island

CAO Hotsenpiller spoke to the request for decision and the process for holding a Trust Council Special Electronic Meeting to conduct urgent business.

EC-2020-051

It was Moved and Seconded,

That Executive Committee request staff provide a report on the viability of holding a regular electronic meeting of Trust Council for the proposed June dates, or similar dates.

CARRIED

6.1.2 Proposed Procedure for Amending Trust Council Financial Plan Bylaw for Fiscal Years 2020/21 through 2024/25 – Briefing

CAO Hotsenpiller addressed the proposed procedure for amending the Financial Plan Bylaw as presented in the report.

6.2 Local Planning Services – None

6.3 Administrative Services – None

6.3.1 FPC Recommendation to TC to Amend 2020/21 Financial Plan Bylaw

Director of Administrative Services (DAS) Mobbs spoke to the Financial Planning Committee recommendations contained in the report and the process for amending the current readings of Financial Plan Bylaw No. 178.

EC-2020-052

It was Moved and Seconded,

That Executive Committee request staff conduct a resolution without meeting (RWM) with Trust Council to arrange a Special Electronic Trust Council meeting for Monday April 20th at 1:00 p.m. to consider Financial Planning Committee's recommendation regarding a budget amendment and to consider Executive Committee's recommendation to cancel the in-person June Trust Council meeting.

CARRIED

6.3.2 Financial Plan Bylaw No. 178 2020/21

DAS Mobbs provided the amended bylaws for information which would be forwarded to the Trust Council Special Electronic Meeting.

Forward as presented.

6.4 Trust Area Services - None

7. EXECUTIVE COMMITTEE PROJECTS

7.1 Trust Council Initiated - None

- 7.1.1 Executive
- 7.1.2 Trust Area Services
- 7.1.3 Local Planning Services
- 7.1.4 Administrative Services

7.2 Executive Committee Initiated

- 7.2.1 Executive – None
- 7.2.2 Trust Area Services - None
- 7.2.3 Local Planning Services

7.2.3.1 Applications Statistics from March 1 to April 9, 2020 – Briefing

Director of Local Planning Services (DLPS) Marlor provided the report for information and will update EC as required regarding any backlog of applications that require a public process.

- 7.2.4 Administrative Services - None

8. NEW BUSINESS – None

8.1 Executive/Trust Council

- 8.1.1. Accelerated EC meeting schedule

Executive Committee (EC) discussed the present schedule of special meetings convened for decision-making options at the start of the COVID-19 response. It seemed unlikely they would continue further special meetings and will reassess as needed.

8.2 Trust Area Services

- 8.2.1 LTC Chairs Report on Local Advocacy Topics

Vice Chair Patrick reported on fleets of vans working on Salt Spring and other islands to deliver local farm products.

8.3 Local Planning Services

- 8.3.1 Gabriola Housing Project Budget Request – RFD

Regional Planning Manager (RPM) Kauer spoke to the request for decision and why the project has had an anticipated budget change.

Discussion was heard on changing information to the project charter.

EC-2020-053

It was Moved and Seconded,

That the Executive Committee refer the *Gabriola Housing Options and Impacts Review Project Budget* request and staff report back to the Gabriola Island Local Trust Committee for reconsideration.

CARRIED

8.4 Administrative Services - None

9. CLOSED MEETING - None

10. RISE AND REPORT DECISIONS FROM CLOSED MEETING - None

11. CORRESPONDENCE

11.1 Howe Sound Community Forum re: meeting updates - email dated April 2, 2020

Received for information.

11.2 Salish Sea Ecosystem Conference to hold virtual sessions April 21-22

By general consent, Executive Committee request staff forward this email to all Trustees.

12. WORK PROGRAM

12.1 Review and amendment of current work program

Executive Committee discussed amending the Top Priorities of their work program.

EC-2020-054

It was Moved and Seconded,

That Executive Committee add the following two items to their Top Priorities List, following #3:

- #4. Business response to COVID-19.
- #5. The development of electronic meetings to conduct business.

CARRIED

13. NEXT MEETING

The next Executive Committee meeting is April 22, 2020 and is scheduled as a Special Electronic meeting.

14. ADJOURNMENT

By general consent, the meeting was adjourned at 11:25 PM.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator

DRAFT



Executive Committee Minutes of Special Electronic Meeting

Date: April 22, 2020
Location: Victoria Boardroom
#200 1627 Fort Street, Victoria BC

Members Present: Peter Luckham, Chair, Thetis
Dan Rogers, Vice Chair, Gambier/Keats
Laura Patrick, Vice Chair, Salt Spring
Sue Ellen Fast, Vice Chair, Bowen Municipality

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director of Local Planning Services
Lori Foster, Executive Coordinator/Recorder

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:10 AM stating gratitude for meeting across the Salish Sea on Coast Salish territory.

2. APPROVAL OF AGENDA

2.1. Introduction of New Items

For consideration to add the following items:

- 4.2.3 Pender Food Truck
- 5.1 Mayne Island Garbage
- 5.2 Debrief Trust Council Special Electronic Meeting
- 5.3 June Trust Council meeting discussion

By general consent, the agenda was adopted as amended.

3. ROUND TABLE

It was heard that:

- Executive Committee members gave updates on the local trust areas they chair.
- The first electronic local trust committee (LTC) meetings are scheduled for North Pender and Salt Spring.
- The Gabriola Emergency Response and Recovery Committee has organized effectively in response to the pandemic.
- Discussion on homelessness and housing.

4. BUSINESS ITEMS

4.1. RDN Poverty Reduction Application re: Gabriola Island

This item was brought to the Executive Committee through the Gabriola Island Local Trust Committee in association with the Regional District of Nanaimo (RDN).

Vice Chair Fast requested to see that application before deciding on the recommendation.

EC-2020-055

It was Moved and Seconded,

That the Executive Committee supports the Regional District of Nanaimo as primary applicant to the Union of British Columbia Municipalities Poverty Reduction Planning and Action Grant program for a social needs assessment and strategy, and supports the Regional District of Nanaimo to receive and manage the grant funding on its behalf subject to staff review of the application.

CARRIED

Vice Chair Fast Opposed

4.2. Correspondence

4.2.1. 2020 Resolution submitted to AVICC re: correspondence from UBCM dated April 8, 2020 (received April 14, 2020)

By general consent, the Executive Committee requests item 4.2.1 be forwarded to all Trustees.

Received for information.

4.2.2. Provincial response to 2019 Resolutions

Received for information.

4.2.3. Pender Food Truck

Email correspondence dated April 20th received from D. Kilby was reviewed.

By general consent, Executive Committee request this item be forwarded to North Pender Local Trust Committee and bylaw enforcement.

The meeting recessed for a break at 10:16 AM and reconvened at 10:21 AM.

5. NEW BUSINESS

5.1. Mayne Island Garbage

Discussion was heard on bylaw enforcement file MA-BE-2017.4.

At 10:24 AM, the meeting was closed to the public.

EC-2020-056

It was Moved and Seconded,

That the Executive Committee close this meeting to the public subject to Section 90(1)(i) of the Community Charter in order to consider matters related to receipt of advice that is subject to solicitor-client privilege and that staff be invited to remain in the meeting.

CARRIED

At 10:50 AM, the meeting was reopened to the public.

5.2. Debrief Trust Council Special Electronic Meeting

The following comments on Trust Council's April 20th Special Electronic Meeting were heard:

- Overall it went well,
- Couldn't be sure exactly how many were in the meeting,
- Ad hoc motion required time to craft,
- Necessity for more structure to stay on track.

5.3. June Trust Council Meeting Discussion

CAO Hotsenpiller reviewed the calendar and time-frame needed to administer an Electronic June Trust Council. He noted the variety of processes to consider while awaiting ministry response regarding electronic meeting requirements on public participation.

Discussion was heard on:

- Scheduling an Executive Committee meeting for May 6th to bring back a report on an electronic June Trust Council,
- Webinar versus Zoom participation formats,
- Consideration for a Town Hall, Delegations and Closed Meeting,
- Present a Survey Monkey poll to trustees.

EC-2020-057

It was Moved and Seconded,

That Executive Committee hold a special electronic meeting on May 6th, 2020 at 9:00 AM.

CARRIED

6. ADJOURNMENT

By general consent, the meeting was adjourned at 11:30 AM.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder



Executive Committee Minutes of Special Electronic Meeting

Date: April 29, 2020
Location: Victoria Boardroom
#200 1627 Fort Street, Victoria BC

Members Present: Peter Luckham, Chair, Thetis
Dan Rogers, Vice Chair, Gambier/Keats
Laura Patrick, Vice Chair, Salt Spring
Sue Ellen Fast, Vice Chair, Bowen Municipality

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director of Local Planning Services
Lori Foster, Executive Coordinator/Recorder

Present in Victoria Office Public Location: Robert Kojima, Regional Planning Manager

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:02 AM stating gratitude for meeting across the Salish Sea on Coast Salish territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items - None

2.2 Approval of Agenda

By general consent, the agenda was adopted as presented.

3. ROUND TABLE

Vice Chair Rogers reported on:

- Saturna Island Local Trust Committee (LTC) adopting electronic meeting bylaws,
- Galiano LTC working through resolutions without meetings (RWM's),
- Howe Sound Forum met electronically with MLA's and MP's in attendance,
- Gabriola has presented a cohesive emergency response group,
- Support for grant funding to group looking at COVID-19 response on small rural islands.

Vice Chair Fast noted:

- Bowen's Electronic Council meeting addressed a fulsome agenda including an STVR bylaw, a motorized bike trail item, climate strategy, and a speed reduction bylaw.
- Bowen's bus service is being lost to COVID response.

Vice Chair Patrick commented on:

- The success of the North Pender LTC electronic meeting,
- Thetis LTC addressing RWM's,
- South Pender LTC has a short-term vacation rental (STVR) survey open,
- She has attended electronic meetings including MLA Olsen, MP May and CRD regional directors,
- BC Ferries and the Long Harbour route.

Chair Luckham reported on:

- Ongoing attendance at minister and health unit electronic meetings,
- The success of the Salt Spring LTC electronic meeting,
- Awaiting minister's response regarding electronic meetings,
- Lasqueti LTC and its work on OCP and LUB changes.

Chief Administrative Officer (CAO) Hotsenpiller commented on:

- Coming out of COVID restrictions as numbers trend downward,
- Reviewing the Strategic Plan,
- Awaiting legislative certainty from the ministry regarding public venues and electronic meetings,
- Preparing a report on June Trust Council electronic meeting capacity,
- Gabriola LTC to hold an electronic Town Hall,
- Tomorrow's electronic All Staff Meeting and Island Planner, Gary Richardson's retirement.

Discussion was heard on making recommendations on priorities for implementing the Strategic Plan at this point in the COVID-19 pandemic, polling for trustee input and feedback on proposed June Trust Council meeting, and Northern Office planning staff workload.

4. BYLAWS FOR APPROVAL CONSIDERATION

4.1 Saturna Island Local Trust Committee Bylaw No. 131 (meeting procedures bylaw)

Vice Chair Patrick spoke to the bylaws which address electronic meeting procedures.

EC-2020-058

It was Moved and Seconded

That the Executive Committee approve Saturna Island Local Trust Committee Bylaw No. 131, cited as "Saturna Island Local Trust Committee Meeting Procedure Bylaw No. 83, 2004, Amendment No. 1, 2020" in accordance with Section 27 of the Islands Trust Act.

CARRIED

5. BUSINESS

5.1 Bylaw Enforcement Statistics – Briefing

Director of Local Planning Services (DLPS) Marlor spoke to the report which was written by Bylaw Compliance and Enforcement Manager Dingman.

CAO Hotsenpiller noted this item was addressed at Trust Council and will be an increased focus of staff.

6. NEW BUSINESS - None

At 10:25 AM, the meeting recessed for a break and reconvened at 10:33 AM.

At 10:35 AM, the meeting was closed to the public.

7. CLOSED MEETING

EC-2020-059

It was Moved and Seconded,

That the Executive Committee close this meeting to the public subject to Section 90(1)(i) of the Community Charter in order to consider matters related to receipt of advice that is subject to solicitor-client privilege and that staff be invited to remain in the meeting.

CARRIED

At 11:21 AM, the meeting was reopened to the public.

8. RISE AND REPORT - None

9. ADJOURNMENT

By general consent, the meeting was adjourned at 11:21 AM.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder



Executive Committee Minutes of Regular (Electronic) Meeting

Date: May 6, 2020
Location: Victoria Boardroom & Electronic
#200 1627 Fort Street, Victoria BC

Members Present: Peter Luckham, Chair, Thetis
Dan Rogers, Vice Chair, Gambier/Keats
Laura Patrick, Vice Chair, Salt Spring
Sue Ellen Fast, Vice Chair, Bowen Municipality

Staff Present: Russ Hotsenpiller, Chief Administrative Officer, present at boardroom
Lori Foster, Executive Coordinator/Recorder
David Marlor, Director of Local Planning Services
Clare Frater, Director of Trust Area Services at item 5.1

Others Present: There were call-ins to phone number toll-free 885-703-8985 code# 658 5109 3811

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:02 AM stating gratitude to live and work on Coast Salish territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

- 5.1 Woodfibre LNG Extension Howe Sound
- 5.2 Bowen Busses and Transit
- 5.3 Minister Robinson weekly call and a moment in time

3. ROUND TABLE

Vice Chair Patrick noted Saturna local trust committee (LTC) has adopted an electronic meeting bylaw, and South Pender LTC held a physically distanced parking lot meeting at the fire hall.

Vice Chair Rogers said the Galiano LTC doesn't meet until June; Gabriola LTC will hold an electronic town hall and the island response team continues to organize; Mayne LTC no change toward electronic meeting bylaws however, Ministerial Order 139 waives restrictions, Gambier LTC busy with private boaters and all camps have been closed.

Vice Chair Fast reports that Hornby held a successful LTC meeting working on their official community plan and affordable housing as short-term vacation rental (STVR) inquiries for temporary waivers have been heard. Bowen Municipality has lost its bus service and Denman LTC has an upcoming meeting.

Chair Luckham reported his conversation with Trustee Maude regarding the Mayne garbage issue.

Chief Administrative Officer (CAO) Hotsenpiller noted it's week 8 of COVID response. He spoke to recently attended staff meetings, policy statement work, and the upcoming Premier's statement regarding a soft opening with physical distancing, the implications of staff travel for site visits and staff being in the office. He noted speaking notes for Bowen re: benefits of the trust and a legal update are being prepared.

At 9:36 AM, Chair Luckham lost electronic connection and continued to lose connection through out the meeting as noted.

Chair Luckham returned at 9:38 AM and requested Vice Chair Rogers chair the meeting when he falls off the call.

Discussion was heard on the following:

- Upcoming news release re: long week travel,
- Operational opening up, travel, communication,

Chair Luckham out at 9:48 AM.

- Anticipating Premier Horgan's scheduled recovery message to the province,
- Beginning recovery protocol for Islands Trust, drafting an outline, phasing in the public.

Chair Luckham back at 9:57 AM.

EC-2020-060

It was Moved and Seconded,

That Executive Committee request staff to provide reporting on potential staff activities going forward both in office and on island.

CARRIED

Chair Luckham spoke about the website project and the expectation of its launch.

4. BUSINESS ITEMS

4.1 Electronic June Trust Council – RFD

CAO Hotsenpiller spoke to the request for decision and recommendations contained in the report to hold an electronic Trust Council meeting.

Discussion and comments were heard on the following:

- Closed meetings held in a distinctly separate meeting using the polling function,
- Keep the agenda and schedule similar,
- Accommodating technology challenges for some and booking a space i.e. hotel room for connectivity to address bandwidth issues,
- Delegations must submit materials for consideration, suggest an evening town hall segment, voice only participation,

Chair Luckham out at 10:14 AM.

- A minor budget associated with incidentals,
- The security capabilities of Zoom, fixes have been made,

Chair Luckham back at 10:19 AM.

- Islands Trust meeting policy is relaxed or in abeyance, Ministerial Order 139 overrides,
- Scripting, organization, webinar registration system,

Chair Luckham out at 10:27 AM.

- Length of meeting, additional support staff, recording of meeting.

Chair Luckham back at 10:31 AM.

EC-2020-061

It was Moved and Seconded,

THAT Executive Committee recommend to Trust Council to conduct an electronic Trust Council meeting on June 16 and 17, 2020.

CARRIED

EC-2020-062

It was Moved and Seconded,

THAT Executive Committee request staff conduct the following Trust Council Resolution Without Meeting (RWM) "That Trust Council will hold a regular electronic Trust Council meeting on June 16th and June 17th, 2020."

CARRIED

4.2 June Trust Council Schedule Item

As presented, this is only a template.

Received for information.

The meeting recessed for a break at 10:45 AM and reconvened at 10:50 AM.

4.3 May 13th EC draft agenda

Chair Luckham out at 10:52 AM.

No questions, received for information.

Chair Luckham back at 10:56 AM.

5. NEW BUSINESS

Chair Luckham out at 11:00 AM, item 5.2 was addressed before item 5.1.

5.2 Busses and Transit

Vice Chair Fast spoke to this in her roundtable. Bowen transit service is covered by BC Transit, Salt Spring has a private system and Vice Chair Patrick will give Vice Chair Fast a list of contacts.

Chair Luckham back at 11:05 AM.

5.1 Woodfibre LNG Extension Howe Sound

Director of Trust Area Services (DTAS) Frater spoke to Woodfibre LNG's extension request on its Environmental Assessment Certificate with the province and the My Sea to Sky request of Trust Council's working group participant to respond.

Discussion was heard on the Trust's past involvement, which was limited to marine shipping issues, and that it would be appropriate for the Executive Committee to decline the invitation to comment on the extension request.

EC-2020-063

It was Moved and Seconded,

That Executive Committee request Director Frater work with the Chair and Vice Chair Rogers to prepare correspondence clarifying our involvement with the Woodfibre application.

CARRIED

5.3 Minister Robinson weekly call and a moment in time

Chair Luckham spoke to the upcoming Vancouver Island region weekly teleconference call with Minister Robinson, as discussion turns to transition planning and opportunities moving forward, he asked EC for input, the following was heard:

- Advocating for BC Ferries to load essential services first as the province opens up island residents may not be keen on relaxation on travel restrictions,
- Keep the focus on public health, not just jobs and the economy,
- Transportation issues in remote areas,
- Southern Gulf Islands forming a focused community forum

Vice Chair Patrick advocated on the "moment in time" opportunity to incorporate change and new ways of doing business.

It was heard that "moment in time" could be a discussion on big operational changes to be considered at Trust Council.

6. **ADJOURNMENT**

By general consent, the meeting was adjourned at 11:40 AM.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator



Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 Discuss with the province and report to Trust Council at the December Trust Council meeting on a process to identify potential governance and/or operational change that could be adopted in order to improve the delivery and integration of all the types of services that are delivered to the Islands Trust Area.	Russ Hotsenpiller	Meeting: 12-Sep-2017 Target: 05-Dec-2017	In Progress
2 That the Executive Committee ask staff to come back with a report on council committee options to bring to Trust Council.	Russ Hotsenpiller	Meeting: 30-Jan-2019 Target: 27-Feb-2019	In Progress
3 Trust Council request the Executive Committee schedule a Special Meeting for the purpose of testing our current capacity for holding a Trust Council meeting electronically, and assessing the practicality of holding a Trust Council meeting electronically	Julia Mobbs Russ Hotsenpiller	Meeting: 04-Dec-2019 Target: 21-Feb-2020	Completed
4 Staff prepare a plan on how Islands Trust will adapt to the unfolding corona virus pandemic through development of a business continuity plan.	Russ Hotsenpiller	Meeting: 11-Mar-2020 Target: 15-Apr-2020	In Progress
5 That Executive Committee request staff to provide reporting on potential staff activities going forward both in office and on island. (Beginning recovery protocol for Islands Trust, drafting an outline, phasing in the public)	Russ Hotsenpiller	Meeting: 06-May-2020 Target: 03-Jun-2020	In Progress

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
6 THAT Executive Committee recommend to Trust Council to conduct an electronic Trust Council meeting on June 16 and 17, 2020.	Russ Hotsenpiller	Meeting: 06-May-2020 Target: 13-May-2020	Completed
7 THAT Executive Committee request staff conduct the following Trust Council Resolution Without Meeting (RWM) "That Trust Council will hold a regular electronic Trust Council meeting on June 16th and June 17th, 2020."	Russ Hotsenpiller	Meeting: 06-May-2020 Target: 13-May-2020	Completed

Director, Administrative Services

Activity	Responsibility	Dates	Status
1 Trust Council request the Executive Committee schedule a Special Meeting for the purpose of testing our current capacity for holding a Trust Council meeting electronically, and assessing the practicality of holding a Trust Council meeting electronically	Julia Mobbs Russ Hotsenpiller	Meeting: 04-Dec-2019 Target: 21-Feb-2020	Completed
2 At March TC - Staff were requested to prepare a report for Executive Committee and Financial Planning Committee outlining the Trust Policies relating to processing planning applications and whether or not those are being followed.	David Marlor Julia Mobbs	Meeting: 12-Mar-2020 Target: 15-Apr-2020	In Progress

Director, Local Planning Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Executive Committee

Director, Local Planning Services

Activity	Responsibility	Dates	Status
1 Executive Committee direct staff to prepare a report on the issues around the Crown Land referrals process and how we would approach that as a body.	David Marlor	Meeting: 26-Feb-2020 Target: 15-Apr-2020	In Progress
2 At March TC - Trust Council requested Executive Committee follow up with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) around forest management.	Clare Frater David Marlor	Meeting: 12-Mar-2020 Target: 15-Apr-2020	In Progress
3 At March TC - Staff were requested to prepare a report for Executive Committee and Financial Planning Committee outlining the Trust Policies relating to processing planning applications and whether or not those are being followed.	David Marlor Julia Mobbs	Meeting: 12-Mar-2020 Target: 15-Apr-2020	In Progress
4 At March TC - staff were requested to prepare a report on bylaw enforcement capacity and the number of active cases.	David Marlor	Meeting: 12-Mar-2020 Target: 15-Apr-2020	In Progress
5 That the Executive Committee approve Saturna Island Local Trust Committee Bylaw No. 131, cited as "Saturna Island Local Trust Committee Meeting Procedure Bylaw No. 83, 2004, Amendment No. 1, 2020" in accordance with Section 27 of the Islands Trust Act.	David Marlor	Meeting: 29-Apr-2020 Target: 06-May-2020	Completed

Director, Trust Area Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Introduction, Part I, Part II and Schedule 1.	Clare Frater	Meeting: 21-Jun-2017 Target: 31-Mar-2019	In Progress
2 Prepare a Chair opinion editorial about anchorage issues for local and regional newspapers. (Currently addressing March 30, 2020 collision in Plumper sound)	Clare Frater	Meeting: 15-Aug-2018 Target: 30-Nov-2018	Completed
3 Investigate options for local trust committees with respect to being notified of aquaculture and mariculture license changes including changes in species in its negotiation of protocol agreements with the province.	Clare Frater	Meeting: 30-Jan-2019 Target: 17-Apr-2019	In Progress
4 Authorize a grant of \$4,500 (from History and Heritage Grants) to Drama Camp Productions in support of the application to host screenings of the movie Dust n Bones and reconciliation discussions on Hornby, Denman and Gabriola Islands, subject to support of local trustees and affected local trust committees. Screening on HOLD due to COVID.	Clare Frater	Meeting: 26-Feb-2020 Target: 25-Mar-2020	In Progress
5 Staff contact the Coast Guard and other federal entities and offer our data sets for their local consideration plans and bring this issue back to April 15th meeting	Clare Frater	Meeting: 25-Mar-2020 Target: 15-Apr-2020	In Progress



Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
6 That staff redirect funding approved by resolution EC-2020-032 from its February 26th business meeting for Hornby Island under the History and Heritage grant application, be allocated to a Dust n Bones screening event on Salt Spring Island. On HOLD due to COVID.	Clare Frater	Meeting: 10-Mar-2020 Target: 15-Apr-2020	In Progress
7 At March TC - Trust Council requested Executive Committee follow up with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) around forest management.	Clare Frater David Marlor	Meeting: 12-Mar-2020 Target: 15-Apr-2020	In Progress
8 At March TC - request the Chair to send a letter of support to the Premier of British Columbia for redress of historical wrongs against Japanese Canadians.	Clare Frater	Meeting: 10-Mar-2020 Target: 15-Apr-2020	In Progress
9 That the Executive Committee approves the format and outline of contents for the 2019/20 Annual Report and requests staff to include information on the financial value of Islands Trust Conservancy properties.	Clare Frater	Meeting: 25-Mar-2020 Target: 24-Jun-2020	Completed
10 Staff to pursue in writing, that the Transport Safety Board conduct an investigation into the recent March 30, 2020 freighter collision in Plumper Sound and to write to Minister Garneau.	Clare Frater	Meeting: 08-Apr-2020 Target: 29-Apr-2020	Completed

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
11 That Executive Committee request Director Frater work with the Chair and Vice Chair Rogers to prepare correspondence clarifying our involvement with the Woodfibre application.	Clare Frater	Meeting: 06-May-2020 Target: 19-May-2020	Completed

Senior Intergovernmental Policy Advisor

Activity	Responsibility	Dates	Status
1 that staff be requested to draft a letter to BIM Council encouraging them to engage with First Nations consistent with the Islands Trust reconciliation declaration.	Lisa Wilcox	Meeting: 02-Oct-2019 Target: 30-Oct-2019	In Progress



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: South Pender Island Local Trust
Committee Bylaw No. 118

DATE OF MEETING: May 13, 2020
TO: Executive Committee
FROM: Jas Chonk, Legislative Clerk
SUBJECT: South Pender Island Local Trust Committee – Bylaw to Amend the South Pender Island Local Trust Committee Meeting Procedure Bylaw

RECOMMENDATION

1. **THAT the Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 118, cited as “South Pender Island Local Trust Committee Meeting Procedure Bylaw No. 93, 2004, Amendment No. 1, 2020” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

South Pender Island Local Trust Committee has referred Bylaw No. 118 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

The bylaw amendment would allow for electronic participation by members at a South Pender Island Local Trust Committee meeting and clarifies who can chair a meeting, including an electronic meeting.

Financial

The costs of electronic participation in a Local Trust Committee meeting will be borne by the South Pender Island Local Trust Committee if the Local Trust Committee member is participating from a location within Canada or has received the approval of the majority of Local Trust Committee members.

Policy

Complies with Islands Trust Electronic Meetings Regulation.

Implementation/Communications

Communication to South Pender Island Local Trust Committee regarding the Executive Committee decision by May 15, 2020.

Other

None

PURPOSE

South Pender Island Local Trust Committee Bylaw No. 118, cited as “South Pender Island Local Trust Committee Meeting Procedure Bylaw No. 93, 2004, Amendment No. 1, 2020 (Attachment 4) is intended to amend the Committee’s procedure bylaw to provide for electronic participation by Trustees at a Local Trust Committee meeting.

Background

The bylaw was given first through third readings on May 1, 2020.

Issues Relating To Provincial Interest

None.

Issues Relating To First Nation Interest

None.

Issues Relating To Resources and Enforcement

None.

Public Comments

No public comments on this bylaw have been received.

Staff Comments

The bylaw addresses the South Pender Island Local Trust Committee’s request to make provision for electronic meetings.

KEY ISSUES/CONCEPTS

- Procedures bylaws must provide for electronic participation at local trust committee meetings.

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*

ALTERNATIVE

THAT THE EXECUTIVE COMMITTEE NOT APPROVE SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 118.

Submitted By:	Jas Chonk, Legislative Clerk	May 1, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	May 1, 2020

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. EC Policy Checklist
4. South Pender LTC Bylaw No. 118



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: South Pender Island Local Trust Committee

Bylaw No.: SP-118

Bylaw Type: Meeting Procedure Bylaw

Date of resolution referring bylaw to Executive Committee: 01-May-2020

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: SP-118

Trust Area: South Pender Island Local Trust Committee
Type: Meeting Procedure Bylaw
Bylaw No.: SP-118
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 01-May-2020

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web: 01-May-2020

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: Chonk, Jas

Date:

File complete and ready for Public review: No

Public Hearings:

Location:
Proofread By: ,

Legal Paper:
First Publish Date:

Second Publish Date:

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:
Date Public Hearing Held:

Second Reading Date: 01-May-2020

Third Reading Date: 01-May-2020

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)

Not-Applicable	i	Bylaw is consistent with the object of the Trust
Not-Applicable	ii	Bylaw is not contrary to or at variance to the Islands Trust Policy Statement
Not-Applicable	iii	Bylaw does not expose the Islands Trust to unreasonable expense in the administration or enforcement of the bylaw
Not-Applicable	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: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 01-May-2020

Reading:

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 118

A Bylaw to Amend the South Pender Island Local Trust Committee Meeting Procedure Bylaw

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. South Pender Island Local Trust Committee Meeting Procedure Bylaw No. 93, 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 16, and by renumbering section 17 and section 18 to become section 30 and section 31 respectively:

"ELECTRONIC MEETINGS

17. A special meeting of the Local Trust Committee to deal with urgent new business may be conducted entirely by means of audio or audio and 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.
18. 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 and visual electronic communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
19. At a regular Local Trust Committee meeting, not more than one Local Trust Committee member may participate by means of electronic communication facilities.
20. 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 nor more than three regular meetings in any calendar year.
21. The Local Trust Committee may waive the restrictions in sections 19 and 20 by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.

22. 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.
23. 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.
24. 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.
25. 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 the place specified in the meeting notice, unless the meeting has been properly closed to the public.
26. For the duration of an electronic meeting that is open to the public, a designated staff member must attend at the place specified in the meeting notice for the public to hear, or watch and hear, the participants.
27. Cell phone or satellite connections may be used for open Local Trust Committee meetings.
28. If communication is lost to one or more electronic participants during a meeting:
 - 28.1 the participant affected 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;
 - 28.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and
 - 28.3 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 agenda.
29. Any costs of electronic participation in a Local Trust Committee meeting will be borne by the South Pender Island Local Trust Committee."

2. This bylaw may be cited as "South Pender Island Local Trust Committee Meeting Procedure Bylaw No. 93, 2004, Amendment No. 1, 2020".

READ A FIRST TIME THIS 1ST DAY OF MAY, 2020

READ A SECOND TIME THIS 1ST DAY OF MAY, 2020

READ A THIRD TIME THIS 1ST DAY OF MAY, 2020

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____, 20____

ADOPTED THIS _____ DAY OF _____, 20____

CHAIRPERSON

SECRETARY

REQUEST FOR DECISION

ISLAND MUNICIPALITY BYLAW SUBMISSION

File No.: 08-3020-20-01 BIM_BL_501

DATE OF MEETING: May 13, 2020
TO: Islands Trust Executive Committee
FROM: David Marlor, MCIP, RPP
Director, Local Planning Services
SUBJECT: Bowen Island Municipality – LUB Amendment Bylaw No. 501

RECOMMENDATION

1. **THAT the Executive Committee advise Bowen Island Municipality that Bylaw No. 501 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 501, 2020” is not contrary to or at variance with the Islands Trust Policy Statement.**

IMPLICATIONS OF RECOMMENDATION

Organizational - None

Financial - None

Policy - None

Implementation/Communications - Communication to Bowen Island Municipality regarding the Executive Committee decision by January 10, 2020.

Other - None

PURPOSE

Bowen Island Municipality Bylaw No. 501 (Attachment 1) is an amendment to allow short-term vacation rentals in any zone where residential is permitted, consistent with the recently adopted Short term vacation Rental Policy 19-05.

BACKGROUND

Bowen Island Municipality adopted Short Term Vacation Rental policy 19-05 on November 25, 2019 (attachment 2).

In regard to the origin and compliance with the Bowen Island Official Community Plan, the Island Planner provided the following explanation:

The direction to develop a Short Term Rental (STR) Policy stemmed from section 10 (Island Economy) of the Bowen Island Official community Plan where “small accommodations” dispersed throughout the island are acknowledged as an important of the economy (section 10.1). These small accommodations have experienced a sharp growth in recent years (due to proliferation and popularity of online platforms), making up the majority of tourist accommodations on the island, which the OCP sets out to provide for visitors (objectives 74 & 183).

While some small accommodations are bed & breakfasts permitted through the LUB, many have been short term rentals of entire dwellings that do not meet the LUB regulations for a bed & breakfast. However, such use is specified as acceptable as a “commercial cottage” under section 3.5.2 (Tourist and Retreat Commercial Land Use Management) policy 188. Commercial cottage is defined as: “Commercial Cottage” means a separate single family dwelling unit intended to be occupied by seasonal workers, or by guests as a short-term rental; however, for the purposes of this bylaw, does not include a mobile home or other temporary building.

Although specified as acceptable in the OCP, such a use never made its way into the LUB. The STR policy was developed in keeping with the OCP (objective 173) to allow such a use and its appropriate regulation. The following OCP policies and objectives helped guide policy development:

- *Objective 169 - To work toward an island economy that is relatively diverse and increasingly sustainable and innovative, meeting many of the primary needs of residents and visitors.*
- *Objective 173 - To serve the needs of island residents and visitors while maintaining a scale, form and character of economic development that is in keeping with the objectives of the OCP*
- *Policy 192 - The following considerations will be taken into account in the location of sites suitable for tourist accommodation:*
 - *the scale of the facility is consistent with the size of the lot and the surrounding neighbourhood character;*
 - *the location and number of the facilities relative to other accommodation facilities on the island; and*
 - *the ability of the property to provide adequate water, sewage, and other infrastructure services.*

As a result, the policy focuses on a STR use that benefits the economy while mitigating impacts to neighbourhoods and the greater community (related LUB provision in brackets):

- *secondary to a principal use of residence for community members (120-day limit to use per year, principal use of dwelling to retain neighbourhood character)*
- *does not impact infrastructure and servicing capacity (maximum 2 guests per bedroom, minimum 1 on-site parking space per bedroom).*

The accompanying regulations and amendments to the Business Licensing Bylaw and Bylaw Notice Enforcement Bylaw are to ensure compliance with the above requirements (e.g. business licence required, designated individual required to address any issues within 2 hours, maximum penalties for contraventions, etc).

Bowen Island Municipality Staff has reviewed the Islands Trust Policy Statement (ITPS) Directive Policies (Attachment 3). In the review, Staff identify the following ITPS Directive policies as relevant:

- 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..
- 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.

In relation to Policy 4.4.2, the Bowen Island Planner offered the following:

In response to your concern around lots with well water, the proposed “residential guest accommodation” would not increase use as the regulation for limiting number of guests will limit water usage to what was permitted when the dwelling was constructed for use as a residence (i.e. maximum number of guests will be same as than the number of regular residents used to calculate required water capacity).

The remainder of the directive policies are indicated as not application to this site-specific rezoning application.

Additional background is available in the Staff Report to Bowen Council dated April 27, 2020 (Attachment 4).

In review of the application, Staff concurs with the Bowen Island Municipality Staff that the remaining ITPS policies do not apply, and that the proposal is not contrary to or at variance with the Island Trust Policy Statement Directive Policies.

Issues Relating To First Nation Interest

From the staff reports received from the Bowen Island Municipality, staff have made no comment regarding any First Nations engagement with this land use bylaw amendment. The Islands Trust Policy Statement does not contain directive policies with regards to First Nations.

Public Comments

As of the date of this Request for Decision, no public comments have been received at the Islands Trust office.

Staff Comments

The purpose of the staff report is to advise if the proposed bylaws are or are not contrary to or at variance with the Islands Trust Policy Statement (ITPS). Bowen Island Municipality has considered the Islands Trust Policy Statement Directives Policies Checklist and has indicated how the Municipality has addressed relevant policies (see Attachment 3). Staff is of the opinion that other Islands Trust policy Statement polices are not applicable to this amendment bylaw.

Based on a review of the proposed Bylaw No. 501, the Bowen Island staff report, and the ITPS Checklist, Islands Trust staff concludes that the Bylaws No. 501 is not contrary to or at variance with the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Referral of Land Use Bylaw No. 501 under s.15 of the Letters Patent
- Written response to Bowen Island Municipality required by June 19, 2020 (45 days after date of receipt of the referral on May 6, 2020).
- Comments from Executive Committee limited to whether or not Bylaw No. 501 is contrary to or at variance with the Islands Trust Policy Statement.
- Staff considers that Bylaw No. 501 is not contrary to or at variance with the Islands Trust Policy Statement.

RELEVANT POLICY

- Islands Trust Policy Statement Directive Policies
- Islands Trust Policy 1.3.i [Policy Statement Implementation Policy]
- Bowen Island Municipality Letters Patent

ALTERNATIVE

1. Determine that the bylaw(s) is/are contrary to the Islands Trust Policy Statement:

THAT the Executive Committee request that staff advise Bowen Island Municipality in writing that the Executive Committee considers that Bylaw No. 501 cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 501, 2020" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], triggering notification of the Minister.

Submitted By:	David Marlor, Director, Local Planning Services	May 7, 2020
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ATTACHMENTS

1. Bylaw No. 501 – LUB Amendment Draft
2. BIM Policy 19-05 – Short Term Vacation Rentals (for Executive Committee information only)
3. Islands Trust Policy Statement Checklist
4. BIM Staff Report – April 27, 2020

**BOWEN ISLAND MUNICIPALITY
BYLAW NO. 501, 2020**

A Bylaw to amend Land Use Bylaw No. 57, 2002

WHEREAS, “Bowen Island Land Use Bylaw No. 57, 2002” establishes zoning classifications and regulations for land within the municipality, and minimum and average lot size areas for the purpose of new subdivisions; and

WHEREAS, Council wishes to amend “Bowen Island Land Use Bylaw No. 57, 2002” to enable short term rental use of entire dwellings

THEREFORE, be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1.0 Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 501, 2020”.

2.0 Amendment

- 2.1 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by adding the following definition to section 1.1:

“RESIDENTIAL GUEST ACCOMMODATION” means an *accessory use* of a *dwelling unit*, or a portion of one, that is ordinarily occupied as a residence, as temporary accommodation for a paying guest for a period of less than 30 consecutive days, and for clarity does not include a *bed and breakfast*, *commercial guest accommodation*, *guest house*, *inn*, or *retreat centre*.

- 2.2 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by replacing section 3.34.9 with the following:

3.34.9 In a *bed and breakfast* a separate kitchen or cooking facilities for use by guests of the *bed and breakfast* are not permitted, with the exception of *limited kitchen facilities*.

- 2.3 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by replacing section 3.54 with the following:

ACCESSORY RESIDENTIAL USE

3.54 Where permitted in a zone, an accessory residential use shall comply with the following regulations:

1. not more than one (1) *accessory residential use* shall be permitted on a *lot*;
2. in addition to the parking requirements set out in Part 5 of this Bylaw, at least one *parking space* must be provided on the *lot* for each *secondary suite* or *detached secondary suite*;
3. a *detached secondary suite* shall not exceed a total *floor area* of 65 square metres plus 0.625% of *lot area* to a maximum of 115 square metres;
4. the minimum size of *lot* on which a *detached secondary suite* may be located is 0.36 hectares; and
5. a *secondary suite* shall not exceed a total *floor area* of 90 square metres.

2.4 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by inserting section 3.56 Residential Guest Accommodation as follows:

RESIDENTIAL GUEST ACCOMODATION

3.56 Where permitted in a zone, a dwelling unit must not be used as a *residential guest accommodation*:

1. for more than 120 days in total any calendar year;
2. by more than two adults per bedroom in the *residential guest accommodation* during any rental period, or
3. for more than one booking at a time.

2.5 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by adding *residential guest accommodation* as an *accessory use* in tables set out in sections 4.1.1(1)[RR1, RR2, RR3], 4.5.1(1) [SR1, SR2], 4.6.1(1) [VR1], 4.14.1 (1) [CD1: Area 2], 4.15.1(1) [CD2: Area 1 and Area 2], 4.15.4(1) [CD2: Area 4], 4.16.1(1) [CD3], 4.17.1(1) [CD4: Area 1], 4.19.1(1) [CD7: Area 1 and Area 2], 4.20.1(1) [CD8: Area 1], 4.21.1(1) [CD6: Area 8], 4.22.1(1) [CD9: Area 1], 4.23.1(1) [CD10: Area 1 and Area 2], 4.25.1(1) [CD12: Area 1 and Area 2], 4.27.1(1) [CD15: Area 3], 4.28.1(1) [CD16], and 4.29.1(1) [CD17: Area 1].

2.6 "Bowen Island Municipality Land Use Bylaw No. 57, 2002" is amended by adding the following to Table 5-1 with the following:

All Zones	RESIDENTIAL GUEST ACCOMMODATION 1 per guest room
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READ A FIRST TIME this 27th day of April, 2020

READ A SECOND TIME this ____ day of _____, 2020;

PUBLIC HEARING this ____ day of _____, 2020;

READ A THIRD TIME this ____ day of _____, 2020; and

FINALLY ADOPTED this ____ day of _____, 2020;

Gary Ander
Mayor

Hope Dallas-Kerr
Corporate Officer

POLICY

BOWEN ISLAND
Municipality

Policy Adopted: November 25, 2019

Policy # 19-05

Short Term Rentals

POLICY OBJECTIVE:

This policy aims to establish a regulatory approach for Short Term Rentals (STRs) to help facilitate fair STR use and mitigate negative impacts for the community.

REASON FOR POLICY:

Several months of community engagement was undertaken to better understand needs and concerns around STRs on Bowen Island. Findings showed that STRs are considered an important part of the local economy, but that moderate regulation is needed to ensure minimal impact on neighbourhoods and long term housing.

SCOPE:

This policy governs the municipal regulation of STRs, including land use, business licensing, enforcement, and taxation.

DEFINITIONS:

Short Term Rental (STR) means a dwelling unit, or a portion of one, that is rented for a period of less than 30 days. Examples of STRs include bed & breakfasts and residential guest accommodations.

Bed & Breakfast means a home occupation located within a detached dwelling or accessory building or both and restricted to providing temporary overnight accommodation and a breakfast meal to transient paying guests; the accommodation may contain limited kitchen facilities.

Residential Guest Accommodation means a dwelling unit, or a portion of one, that is rented for a period of less than 30 consecutive days and for a total of up to 120 days in one calendar year; maximum guest capacity shall be two adults per bedroom offered in the unit.

Secondary Suite means a self-contained dwelling unit that is secondary, incidental and associated with a primary dwelling located within the same building.

Secondary Suite, Detached means a self-contained dwelling unit, located within an accessory building that is secondary, incidental and associated with a primary detached dwelling on the same lot.

SYNOPSIS:

Bed & breakfast is an STR use of an accessory building or portion of a dwelling. Bed & breakfasts have always been allowed and not known to cause any issues within the community. Existing bed & breakfast regulation will not be affected by this policy.

STR use of an entire dwelling unit is currently not permitted on the island but is considered an important part of the local economy. Entire dwelling STRs are also a source of community concern as they have potential to negatively impact neighbourhoods and long term housing. To mitigate impacts, STR use in residential

neighbourhoods should be allowed only as accessory to the primary use of dwelling for full- and part-time residents, who are invested in and accountable to the greater community.

This policy details a regulatory approach to ensure STR use of an entire dwelling unit is kept secondary to the primary use of residence for the community. Commercial STR use of properties that do not house any community residents and are operated year-round may be allowed on Bowen through the appropriate commercial zoning. Alternatively, a dwelling unit may be rented for a period greater than 30 days at anytime and such use would not be subject to the regulations put forth in this policy.

BACKGROUND:

Currently, bed & breakfast is the only form of STR use allowed within residential land use zones. A bed & breakfast must be operated by a resident of the dwelling. STR use of an entire dwelling unit is not permitted. Commercial STR use - including commercial guest accommodation, guest house, inn, and retreat centre - is allowed in most commercial zones (see Appendix A). A commercial STR use in a residential area may be allowed through a Temporary Use Permit or rezoning, which would involve a public notice period for neighbours to comment.

In 2008, Council allowed secondary suites with the intent to produce more affordable housing on the island. In 2017, Council allowed detached secondary suites as well. Bed & breakfast use is not allowed anywhere on properties with a secondary suite or detached secondary suite to help preserve them for long term housing use.

Recent community engagement identified that STRs play a critical role in the local economy by providing the main form of visitor accommodation on the island and important income for many households. Most STRs found online were for entire dwellings units¹, including houses and secondary suites, which are currently not permitted.

Community feedback also showed major concerns around impacts of unregulated STR use on long term housing and neighbourhood character and safety. Specifically, entire dwelling STRs may cause significant disruption to a neighbourhood, including issues with noise, parking, garbage and fire hazard. Generally, STRs are considered to reduce long term housing affordability and availability.

GUIDING PRINCIPLES:

The following principles will be applied to the regulation of STRs:

- Prioritise neighbourhood character and safety
- Minimise impacts on availability and affordability of long term housing
- Require business licence for STR
- Allow residential guest accommodation use
- Allow STR use on properties with a secondary suite or detached secondary suite
- Maintain fair and consistent bed & breakfast regulations for existing compliant operators
- Hold STR operators accountable for impacts to neighbourhood and greater community
- Ensure that enforcement of STR regulation is viable

¹Host Compliance data, January 2019

POLICY DIRECTION & RATIONALE

Bed & breakfast have been operating without issue on the island and will not be affected by this policy, except for the requirement to show business licence number on any advertising.

Business licensing is the main regulatory tool for STRs in almost every municipality. This approach was well supported by the community and Council. Licensing will allow for cost-effective accountability of STR operators, along with specific requirements and penalties for violations.

STR use of entire dwellings, including secondary suites and detached secondary suites, will be permitted as a residential guest accommodation use to help facilitate community economic development. STR use within secondary suites and detached secondary suites was a prevalent request in community feedback. This was also strongly supported by the Housing Advisory Committee on the premise that restricting such use would lead to costly decommissioning of potential long term rental units and a net reduction in long term rental stock. Permitting this use would help preserve units for long term rental use. Each dwelling unit used for residential guest accommodation will require its own individual licence.

Residential guest accommodation use will be regulated to minimise impacts on neighbourhood character and safety and long term housing. Regulations will chiefly involve a 120-day limit for residential guest accommodation use, along with a maximum 2 guests per room, additional on-site parking, a contact person on-island during operation, adequate insurance, acknowledgement and adherence to other applicable bylaws, online monitoring and relevant enforcement measures. This approach directly addresses the key concerns that were identified in the community engagement process.

To protect residential areas and long term housing, most municipalities across the province and beyond have restricted STR use to principal residences. However, Bowen Island has a high proportion of non-principal residences (over 20% of homes²) where the part-time residents are still an integral part of the community. Similar communities have used a 120-day limit for STR use rather than the principal residence restriction to help address the same concerns and still allow part-time residents STR use of their properties. STR operation for greater than 120 days is considered a commercial use, which may be allowed with a Temporary Use Permit or rezoning. Alternatively, a dwelling unit may be rented for a period greater than 30 days at anytime.

The 120-day limit would also help minimise impacts on long term housing. 120 days of STR operation would yield similar income to a full year of long term rental, allowing the option of long term rental to remain competitive with STR.

The prohibition of bed & breakfast use on properties with a secondary suite or detached secondary suite will be removed. Bed & breakfast operations that comply with regulations should not cause any impacts on the neighbourhood or long term housing regardless if there is a secondary suite or detached secondary suite on the same property.

The enforcement approach will continue to be largely request-driven, with ongoing online monitoring and random checks at an annual rate of 1 per 20 registered STRs. This approach should not require additional staff capacity and is considered sufficient to effectively encourage compliance. Also, a STR licensee may receive up to three bylaw notices, each with reasonable warning for compliance, before their license is revoked. This three-strike approach allows ample time and opportunity for compliance.

The licensing fee for residential guest accommodation use will be kept relatively low, within the \$200-400 range found in many municipalities. The most significant cost will be the penalty for operating without a license, which will likely be the maximum bylaw notice amount of \$500 per day of offence.

² Canada Census data, 2016.

The Municipal & Regional District Tax (MRDT) program was strongly supported by the community. The tax is paid by guests and the revenue must go towards tourism and affordable housing initiatives. The intent is to have STR use on the island directly contribute to responsible management of tourism and help facilitate more affordable long term housing for the community.

IMPLEMENTATION

Establishment of STR regulation will require amendments to the *Land Use Bylaw*, *Business Licensing Bylaw* and *Bylaw Notice Enforcement Bylaw*, establishment of appropriate enforcement measures, and application for inclusion in the MRDT program. The effective date of STR regulation should be preceded by several months of stakeholder engagement to promote awareness and understanding.

Land Use Bylaw

Amend the Land Use Bylaw to facilitate residential guest accommodation use and allow STR use on properties containing a secondary suite or detached secondary suite. Regarding Residential guest accommodation use, the main intent is to allow STR use of an entire dwelling for a seasonal or full-time home when the owner is away. Total days of operation and number of guests should be capped. More intensive STR use may be permitted under the *Land Use Bylaw* as commercial uses, such as Commercial Guest Accommodation, Guest House or Inn.

1. Define residential guest accommodation
2. Permit residential guest accommodation as an accessory use in all residential zones
3. Require additional on-site parking for residential guest accommodation
4. Clarify definition for limited kitchen facilities
5. Revise bed & breakfast definition to include limited kitchen facilities
6. Remove restriction for bed & breakfast use on properties containing a secondary suite or detached secondary suite

Business Licensing Bylaw

Amend the *Business Licensing Bylaw* to include licensing requirements and fees for residential guest accommodation. The main intent of this amendment is to ensure STR operators are accountable for any impacts to neighbourhood.

1. Define residential guest accommodation
2. Establish licensing fee for residential guest accommodation
3. Require bed & breakfast and residential guest accommodation to display business licence number within any advertising.
4. Require residential guest accommodation applicant to enter into “Good Neighbour Agreement”, which will require the following:
 - a. Proof of adequate insurance for such use
 - b. Information for contact person that is located within the Municipality and available for the entire duration of operation
 - c. Disclosure of number of bedrooms offered
 - d. Disclosure of maximum number of guests in unit
 - e. Disclosure of number of on-site parking spaces

- f. Above information to be provided to neighbours and guests
 - g. Above information to be consistent with any advertisement for unit
 - h. Agreement to terms of use, including requirements of other applicable bylaws
 - i. Licence may be revoked for any contravention of requirements
5. Do not accept a renewal application for a revoked residential guest accommodation licence for a minimum of two years.

Bylaw Notice Enforcement Bylaw

Amend the *Bylaw Notice Enforcement Bylaw* to include penalties for non-compliance related to residential guest accommodation. The main intent of this amendment is to support compliance with the *Business Licensing Bylaw* requirements for STRs.

1. Establish penalties for operating a residential guest accommodation without a licence
2. Establish penalties for advertising a bed & breakfast or residential guest accommodation without displaying a valid licence number
3. Establish penalties for non-compliance with terms of licence for a residential guest accommodation

Enforcement Guidelines

Request-Driven

Enforcement of STR regulation will generally be request-driven in accordance with *Bylaw Services Investigation Policy #14-005*. The main intent is to attain voluntary compliance.

Random Checks

In addition, staff will conduct a review of compliance on randomly selected residential guest accommodation licences throughout the year. The number of such reviews per year will be approximately one for every twenty registered residential guest accommodation licences.

Online Monitoring

Ongoing online monitoring will also be enlisted to review compliance of online STR listings. Such monitoring services entail significant costs that should be considered when establishing licensing fees for residential guest accommodations.

Contraventions

Verified contraventions will be issued a warning letter calling for compliance within a reasonable time period. After such time period, continued contraventions will be issued a bylaw notice and subject to penalties in accordance with the *Bylaw Notice Enforcement Bylaw*.

A residential guest accommodation that receives more than three bylaw notices will have its licence revoked, as authorized by the *Business Licensing Bylaw*.

Municipal & Regional District Tax

The MRDT program helps provide funding for local tourism and affordable housing initiatives. The program applies up to 3% tax to sale of STR accommodations.

The application process to be included in the MRDT program will take about a year and will need to specify the tax rate requested (up to 3%) and proportion to be allocated between tourism and affordable housing use. Allocation should be split between tourism and affordable housing.

The MRDT application is separate from the bylaw amendments and establishment of enforcement detailed above. These processes can take place concurrently.

Policy adopted by Council at its regular Council Meeting held November 25, 2019

(ORIGINAL SIGNED)

Gary Ander
Mayor

(ORIGINAL SIGNED)

Hope Dallas-Kerr
Corporate Officer



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No. 501, 2020 – File: LUB Amendment for Short Term Rental

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

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

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	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
✓	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:



To: Mayor Ander and Council

From: Emma Chow, Island Community Planner, Planning

Date: April 16, 2020

Meeting Date: April 27, 2020

Subject: **Bylaw Amendments for Short Term Rental Policy #19-05**

RECOMMENDATION

That Bylaw No. 501, 2020, cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 501, 2020", be read a first time; and

That Bylaw No. 502, 2020, cited as "Bowen Island Municipality Business Licensing Bylaw No. 465, 2018, Amendment Bylaw No. 502, 2020", be read a first time; and

That Bylaw No. 503, 2020, cited as "Bowen Island Municipality Bylaw Notice Enforcement Bylaw No. 196, 2008, Amendment Bylaw No. 503, 2020", be read a first time; and

That Council refer Bylaw No. 501, 2020 to the Islands Trust, Advisory Planning Commission, Community Economic Development Committee and the Housing Advisory Committee; and

That Council direct staff to hold an open house for Bylaws No. 501, 502 & 503.

PURPOSE

To present to Council bylaw amendments required for the implementation of the Short Term Rental (STR) Policy #19-05 for discussion and consideration of first reading.

BACKGROUND

At the November 25, 2019 meeting, Council directed staff to amend bylaws to enact the Short Term Rental Policy:

RES#19-615

It was Moved and Seconded

That Council direct staff to prepare bylaws to amend the Land Use Bylaw, Business Licence Bylaw, and the Bylaw Notice Enforcement Bylaw as necessary to enact the Short Term Rental Policy.

Councillors Kaile and Morse opposed.

CARRIED

BYLAW AMENDMENTS

Under the STR Policy, the overall approach is to allow STR use of residential dwellings under the use of “residential guest accommodation” and to regulate such use through the *Land Use Bylaw* and *Business Licensing Bylaw* to minimize impacts on residents and neighbourhoods.

Land Use Bylaw

The main intent is to allow STR use of an entire dwelling for a seasonal or full-time home when the residents are away. More intensive STR use may be permitted under the *Land Use Bylaw* as commercial uses, such as commercial guest accommodation, guest house or inn.

The *Land Use Bylaw* was amended to define “residential guest accommodation”, add parking requirements for this use and permit this use, as well as bed and breakfast use, on all residential lots including those with secondary suites or detached secondary suites. A bed and breakfast regulation was also revised to allow limited kitchen facilities. In accordance with the STR Policy and legal counsel received, the proposed residential guest accommodation definition is as follows:

“RESIDENTIAL GUEST ACCOMMODATION” means an accessory use of a dwelling unit, or a portion of one, that is ordinarily occupied as a residence, as temporary accommodation for a paying guest for a period of less than 30 consecutive days, and for clarity does not include a bed and breakfast, commercial guest accommodation, guest house, inn, or retreat centre.

A new section was added for rules specific to residential guest accommodation, such as a 120-day limit on the use and maximum 2 guests per bedroom. One on-site parking space will be required for every guest room offered in a residential guest accommodation.

Business Licensing Bylaw

The main intent is to ensure STR operators are accountable for any impacts to the neighbourhood. The *Business Licensing Bylaw* was amended to include licensing requirements and fee for residential guest accommodation. Licensing fees for bed and breakfast, commercial guest accommodations and guest houses were also amended to reflect costs of an online monitoring service, as directed by the STR Policy. Such services are priced according to number of online listings within a community, regardless of category of use.

Research found current short term rental licence fees from 11 BC communities averaging at \$356. An estimate of staff time to licence residential guest accommodations and enforce related regulations to be approximately \$285. The proposed licence fee in the amendment is \$300.

The amendment also includes a provision to allow the Licence Inspector to refuse to issue and to cancel a licence for failure to comply with requirements. “Good neighbor” requirements have been incorporated in a dedicated “Residential Guest Accommodation” section, including proof of insurance, disclosure of number of rooms, maximum guests and parking spaces, notifying neighbours and providing contact information for a “designated individual”, which is defined as:

“DESIGNATED INDIVIDUAL” means a person designated as the primary contact for a residential guest accommodation. The designated individual may be the operator or someone that is authorized to make decisions in relation to the premises and the operation of the residential guest accommodation.

The designated individual must be available for contact 24 hours a day while a residential guest accommodation is rented and respond within 2 hours to a nuisance complaint.

Bylaw Notice Enforcement Bylaw

The main intent is to support compliance with the *Business Licensing Bylaw* requirements for residential guest accommodations. The main change in this amendment is the addition of penalties for operating a residential guest accommodation without a licence:

Bylaw Section No.	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
3.	Operating a residential guest accommodation without a licence – first contravention	\$150	\$125	\$175	NO
3.	Operating a residential guest accommodation without a licence – further contravention	\$500	\$450	\$500	NO

Research found similar fines from 12 BC communities averaging at \$350, with half the communities imposing the maximum bylaw notice fine of \$500.

The STR Policy also calls for penalties for advertising a bed and breakfast or residential guest accommodation without displaying a licence number and for non-compliance with terms of a licence for a residential guest accommodation. The existing penalties for both these contraventions were considered adequate at \$25, \$50 and \$150 for first, second and further contraventions, respectively. Therefore, no additional penalties were included for these contraventions in the amendment.

FINANCIAL IMPLICATIONS

Project expenditures to date total about \$1,550 out of the \$2,200 budgeted. An additional \$500-1,000 is anticipated for legal review during the bylaw adoption process.

The main cost of implementation will be for the online monitoring service, which was quoted at \$4,000USD in 2019. The quote was based on \$30USD per listing. This cost is reflected in the proposed business licence fees for residential guest accommodations, bed and breakfasts, commercial guest accommodations and guest houses as part of Bylaw No. 502.

COMMUNICATION STRATEGY

Notice of Council's decision will be included in the Council Highlights and in Council minutes of the meeting. Further public communication will be carried out throughout the bylaw amendment process and a public open house.

ECOLOGICAL/ENVIRONMENTAL/CLIMATE IMPLICATIONS

No direct ecological/climate impacts expected.

CONCLUSION

Staff recommend that Council give first reading to the Bylaws No. 501, 502 & 503.

ALTERNATIVES

1. That Council give first reading to the Bylaws No. 501, 502 & 503;
2. That Council refer the draft back to staff for more information;
3. Other options as determined by Council.

Attachments and References:

Attachment 1 -	Short Term Rental Policy #19-05
Attachment 2 -	Draft Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 501, 2020
Attachment 3 -	Draft Business Licensing Bylaw No. 465, 2018, Amendment Bylaw No. 502, 2020
Attachment 4 -	Draft Bylaw Notice Enforcement Bylaw No. 196, 2008, Amendment Bylaw No. 503, 2020

Submitted by: Emma Chow, Island Community Planner, Planning Department

REVIEWED BY:

CAO	☒
Communications	☒
Bylaw Services	☒
Finance	☒
Fire & Emergency	☐
Parks & Environment	☒
Building & Planning	☐
Public Library	☐
Public Works	☐
Recreation & Community Services	☐

POLICY

**BOWEN ISLAND
Municipality**

Policy Adopted: November 25, 2019

Policy # 19-05

Short Term Rentals

POLICY OBJECTIVE:

This policy aims to establish a regulatory approach for Short Term Rentals (STRs) to help facilitate fair STR use and mitigate negative impacts for the community.

REASON FOR POLICY:

Several months of community engagement was undertaken to better understand needs and concerns around STRs on Bowen Island. Findings showed that STRs are considered an important part of the local economy, but that moderate regulation is needed to ensure minimal impact on neighbourhoods and long term housing.

SCOPE:

This policy governs the municipal regulation of STRs, including land use, business licensing, enforcement, and taxation.

DEFINITIONS:

Short Term Rental (STR) means a dwelling unit, or a portion of one, that is rented for a period of less than 30 days. Examples of STRs include bed & breakfasts and residential guest accommodations.

Bed & Breakfast means a home occupation located within a detached dwelling or accessory building or both and restricted to providing temporary overnight accommodation and a breakfast meal to transient paying guests; the accommodation may contain limited kitchen facilities.

Residential Guest Accommodation means a dwelling unit, or a portion of one, that is rented for a period of less than 30 consecutive days and for a total of up to 120 days in one calendar year; maximum guest capacity shall be two adults per bedroom offered in the unit.

Secondary Suite means a self-contained dwelling unit that is secondary, incidental and associated with a primary dwelling located within the same building.

Secondary Suite, Detached means a self-contained dwelling unit, located within an accessory building that is secondary, incidental and associated with a primary detached dwelling on the same lot.

SYNOPSIS:

Bed & breakfast is an STR use of an accessory building or portion of a dwelling. Bed & breakfasts have always been allowed and not known to cause any issues within the community. Existing bed & breakfast regulation will not be affected by this policy.

STR use of an entire dwelling unit is currently not permitted on the island but is considered an important part of the local economy. Entire dwelling STRs are also a source of community concern as they have potential to negatively impact neighbourhoods and long term housing. To mitigate impacts, STR use in residential

neighbourhoods should be allowed only as accessory to the primary use of dwelling for full- and part-time residents, who are invested in and accountable to the greater community.

This policy details a regulatory approach to ensure STR use of an entire dwelling unit is kept secondary to the primary use of residence for the community. Commercial STR use of properties that do not house any community residents and are operated year-round may be allowed on Bowen through the appropriate commercial zoning. Alternatively, a dwelling unit may be rented for a period greater than 30 days at anytime and such use would not be subject to the regulations put forth in this policy.

BACKGROUND:

Currently, bed & breakfast is the only form of STR use allowed within residential land use zones. A bed & breakfast must be operated by a resident of the dwelling. STR use of an entire dwelling unit is not permitted. Commercial STR use – including commercial guest accommodation, guest house, inn, and retreat centre – is allowed in most commercial zones (see Appendix A). A commercial STR use in a residential area may be allowed through a Temporary Use Permit or rezoning, which would involve a public notice period for neighbours to comment.

In 2008, Council allowed secondary suites with the intent to produce more affordable housing on the island. In 2017, Council allowed detached secondary suites as well. Bed & breakfast use is not allowed anywhere on properties with a secondary suite or detached secondary suite to help preserve them for long term housing use.

Recent community engagement identified that STRs play a critical role in the local economy by providing the main form of visitor accommodation on the island and important income for many households. Most STRs found online were for entire dwellings units¹, including houses and secondary suites, which are currently not permitted.

Community feedback also showed major concerns around impacts of unregulated STR use on long term housing and neighbourhood character and safety. Specifically, entire dwelling STRs may cause significant disruption to a neighbourhood, including issues with noise, parking, garbage and fire hazard. Generally, STRs are considered to reduce long term housing affordability and availability.

GUIDING PRINCIPLES:

The following principles will be applied to the regulation of STRs:

- Prioritise neighbourhood character and safety
- Minimise impacts on availability and affordability of long term housing
- Require business licence for STR
- Allow residential guest accommodation use
- Allow STR use on properties with a secondary suite or detached secondary suite
- Maintain fair and consistent bed & breakfast regulations for existing compliant operators
- Hold STR operators accountable for impacts to neighbourhood and greater community
- Ensure that enforcement of STR regulation is viable

¹Host Compliance data, January 2019

POLICY DIRECTION & RATIONALE

Bed & breakfast have been operating without issue on the island and will not be affected by this policy, except for the requirement to show business licence number on any advertising.

Business licensing is the main regulatory tool for STRs in almost every municipality. This approach was well supported by the community and Council. Licensing will allow for cost-effective accountability of STR operators, along with specific requirements and penalties for violations.

STR use of entire dwellings, including secondary suites and detached secondary suites, will be permitted as a residential guest accommodation use to help facilitate community economic development. STR use within secondary suites and detached secondary suites was a prevalent request in community feedback. This was also strongly supported by the Housing Advisory Committee on the premise that restricting such use would lead to costly decommissioning of potential long term rental units and a net reduction in long term rental stock. Permitting this use would help preserve units for long term rental use. Each dwelling unit used for residential guest accommodation will require its own individual licence.

Residential guest accommodation use will be regulated to minimise impacts on neighbourhood character and safety and long term housing. Regulations will chiefly involve a 120-day limit for residential guest accommodation use, along with a maximum 2 guests per room, additional on-site parking, a contact person on-island during operation, adequate insurance, acknowledgement and adherence to other applicable bylaws, online monitoring and relevant enforcement measures. This approach directly addresses the key concerns that were identified in the community engagement process.

To protect residential areas and long term housing, most municipalities across the province and beyond have restricted STR use to principal residences. However, Bowen Island has a high proportion of non-principal residences (over 20% of homes²) where the part-time residents are still an integral part of the community. Similar communities have used a 120-day limit for STR use rather than the principal residence restriction to help address the same concerns and still allow part-time residents STR use of their properties. STR operation for greater than 120 days is considered a commercial use, which may be allowed with a Temporary Use Permit or rezoning. Alternatively, a dwelling unit may be rented for a period greater than 30 days at anytime.

The 120-day limit would also help minimise impacts on long term housing. 120 days of STR operation would yield similar income to a full year of long term rental, allowing the option of long term rental to remain competitive with STR.

The prohibition of bed & breakfast use on properties with a secondary suite or detached secondary suite will be removed. Bed & breakfast operations that comply with regulations should not cause any impacts on the neighbourhood or long term housing regardless if there is a secondary suite or detached secondary suite on the same property.

The enforcement approach will continue to be largely request-driven, with ongoing online monitoring and random checks at an annual rate of 1 per 20 registered STRs. This approach should not require additional staff capacity and is considered sufficient to effectively encourage compliance. Also, a STR licensee may receive up to three bylaw notices, each with reasonable warning for compliance, before their license is revoked. This three-strike approach allows ample time and opportunity for compliance.

The licensing fee for residential guest accommodation use will be kept relatively low, within the \$200-400 range found in many municipalities. The most significant cost will be the penalty for operating without a license, which will likely be the maximum bylaw notice amount of \$500 per day of offence.

² Canada Census data, 2016.

The Municipal & Regional District Tax (MRDT) program was strongly supported by the community. The tax is paid by guests and the revenue must go towards tourism and affordable housing initiatives. The intent is to have STR use on the island directly contribute to responsible management of tourism and help facilitate more affordable long term housing for the community.

IMPLEMENTATION

Establishment of STR regulation will require amendments to the *Land Use Bylaw*, *Business Licensing Bylaw* and *Bylaw Notice Enforcement Bylaw*, establishment of appropriate enforcement measures, and application for inclusion in the MRDT program. The effective date of STR regulation should be preceded by several months of stakeholder engagement to promote awareness and understanding.

Land Use Bylaw

Amend the *Land Use Bylaw* to facilitate residential guest accommodation use and allow STR use on properties containing a secondary suite or detached secondary suite. Regarding Residential guest accommodation use, the main intent is to allow STR use of an entire dwelling for a seasonal or full-time home when the owner is away. Total days of operation and number of guests should be capped. More intensive STR use may be permitted under the *Land Use Bylaw* as commercial uses, such as Commercial Guest Accommodation, Guest House or Inn.

1. Define residential guest accommodation
2. Permit residential guest accommodation as an accessory use in all residential zones
3. Require additional on-site parking for residential guest accommodation
4. Clarify definition for limited kitchen facilities
5. Revise bed & breakfast definition to include limited kitchen facilities
6. Remove restriction for bed & breakfast use on properties containing a secondary suite or detached secondary suite

Business Licensing Bylaw

Amend the *Business Licensing Bylaw* to include licensing requirements and fees for residential guest accommodation. The main intent of this amendment is to ensure STR operators are accountable for any impacts to neighbourhood.

1. Define residential guest accommodation
2. Establish licensing fee for residential guest accommodation
3. Require bed & breakfast and residential guest accommodation to display business licence number within any advertising.
4. Require residential guest accommodation applicant to enter into "Good Neighbour Agreement", which will require the following:
 - a. Proof of adequate insurance for such use
 - b. Information for contact person that is located within the Municipality and available for the entire duration of operation
 - c. Disclosure of number of bedrooms offered
 - d. Disclosure of maximum number of guests in unit
 - e. Disclosure of number of on-site parking spaces

- f. Above information to be provided to neighbours and guests
 - g. Above information to be consistent with any advertisement for unit
 - h. Agreement to terms of use, including requirements of other applicable bylaws
 - i. Licence may be revoked for any contravention of requirements
5. Do not accept a renewal application for a revoked residential guest accommodation licence for a minimum of two years.

Bylaw Notice Enforcement Bylaw

Amend the *Bylaw Notice Enforcement Bylaw* to include penalties for non-compliance related to residential guest accommodation. The main intent of this amendment is to support compliance with the *Business Licensing Bylaw* requirements for STRs.

1. Establish penalties for operating a residential guest accommodation without a licence
2. Establish penalties for advertising a bed & breakfast or residential guest accommodation without displaying a valid licence number
3. Establish penalties for non-compliance with terms of licence for a residential guest accommodation

Enforcement Guidelines

Request-Driven

Enforcement of STR regulation will generally be request-driven in accordance with *Bylaw Services Investigation Policy #14-005*. The main intent is to attain voluntary compliance.

Random Checks

In addition, staff will conduct a review of compliance on randomly selected residential guest accommodation licences throughout the year. The number of such reviews per year will be approximately one for every twenty registered residential guest accommodation licences.

Online Monitoring

Ongoing online monitoring will also be enlisted to review compliance of online STR listings. Such monitoring services entail significant costs that should be considered when establishing licensing fees for residential guest accommodations.

Contraventions

Verified contraventions will be issued a warning letter calling for compliance within a reasonable time period. After such time period, continued contraventions will be issued a bylaw notice and subject to penalties in accordance with the *Bylaw Notice Enforcement Bylaw*.

A residential guest accommodation that receives more than three bylaw notices will have its licence revoked, as authorized by the *Business Licensing Bylaw*.

Municipal & Regional District Tax

The MRDT program helps provide funding for local tourism and affordable housing initiatives. The program applies up to 3% tax to sale of STR accommodations.

The application process to be included in the MRDT program will take about a year and will need to specify the tax rate requested (up to 3%) and proportion to be allocated between tourism and affordable housing use. Allocation should be split between tourism and affordable housing.

The MRDT application is separate from the bylaw amendments and establishment of enforcement detailed above. These processes can take place concurrently.

Policy adopted by Council at its regular Council Meeting held November 25, 2019

(ORIGINAL SIGNED)

Gary Ander
Mayor

(ORIGINAL SIGNED)

Hope Dallas-Kerr
Corporate Officer

**BOWEN ISLAND MUNICIPALITY
BYLAW NO. 501, 2020**

A Bylaw to amend Land Use Bylaw No. 57, 2002

WHEREAS, “Bowen Island Land Use Bylaw No. 57, 2002” establishes zoning classifications and regulations for land within the municipality, and minimum and average lot size areas for the purpose of new subdivisions; and

WHEREAS, Council wishes to amend “Bowen Island Land Use Bylaw No. 57, 2002” to enable short term rental use of entire dwellings

THEREFORE, be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1.0 Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 501, 2020”.

2.0 Amendment

- 2.1 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by adding the following definition to section 1.1:

“RESIDENTIAL GUEST ACCOMMODATION” means an *accessory use* of a *dwelling unit*, or a portion of one, that is ordinarily occupied as a residence, as temporary accommodation for a paying guest for a period of less than 30 consecutive days, and for clarity does not include a *bed and breakfast*, *commercial guest accommodation*, *guest house*, *inn*, or *retreat centre*.

- 2.2 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by replacing section 3.34.9 with the following:

3.34.9 In a *bed and breakfast* a separate kitchen or cooking facilities for use by guests of the *bed and breakfast* are not permitted, with the exception of *limited kitchen facilities*.

- 2.3 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by replacing section 3.54 with the following:

ACCESSORY RESIDENTIAL USE

3.54 Where permitted in a zone, an accessory residential use shall comply with the following regulations:

1. not more than one (1) *accessory residential use* shall be permitted on a *lot*;
2. in addition to the parking requirements set out in Part 5 of this Bylaw, at least one *parking space* must be provided on the *lot* for each *secondary suite* or *detached secondary suite*;
3. a *detached secondary suite* shall not exceed a total *floor area* of 65 square metres plus 0.625% of *lot area* to a maximum of 115 square metres;
4. the minimum size of *lot* on which a *detached secondary suite* may be located is 0.36 hectares; and
5. a *secondary suite* shall not exceed a total *floor area* of 90 square metres.

2.4 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by inserting section 3.56 Residential Guest Accommodation as follows:

RESIDENTIAL GUEST ACCOMODATION

3.56 Where permitted in a zone, a dwelling unit must not be used as a *residential guest accommodation*:

1. for more than 120 days in total any calendar year;
2. by more than two adults per bedroom in the *residential guest accommodation* during any rental period, or
3. for more than one booking at a time.

2.5 “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by adding *residential guest accommodation* as an *accessory use* in tables set out in sections 4.1.1(1)[RR1, RR2, RR3], 4.5.1(1) [SR1, SR2], 4.6.1(1) [VR1], 4.14.1 (1) [CD1: Area 2], 4.15.1(1) [CD2: Area 1 and Area 2], 4.15.4(1) [CD2: Area 4], 4.16.1(1) [CD3], 4.17.1(1) [CD4: Area 1], 4.19.1(1) [CD7: Area 1 and Area 2], 4.20.1(1) [CD8: Area 1], 4.21.1(1) [CD6: Area 8], 4.22.1(1) [CD9: Area 1], 4.23.1(1) [CD10: Area 1 and Area 2], 4.25.1(1) [CD12: Area 1 and Area 2], 4.27.1(1) [CD15: Area 3], 4.28.1(1) [CD16], and 4.29.1(1) [CD17: Area 1].

2.6 "Bowen Island Municipality Land Use Bylaw No. 57, 2002" is amended by adding the following to Table 5-1 with the following:

All Zones	RESIDENTIAL GUEST ACCOMMODATION 1 per guest room
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READ A FIRST TIME this XX day of March 2020;

READ A SECOND TIME this XX day of April 2020;

PUBLIC HEARING this XX day of April 2020;

READ A THIRD TIME this XX day of April 2020;

FINALLY ADOPTED this ____ day of ____ 2020.

Gary Ander
Mayor

Hope Dallas-Kerr
Corporate Officer

**BOWEN ISLAND MUNICIPALITY
BYLAW NO. 502, 2020**

A Bylaw to amend Business Licensing Bylaw No. 465, 2018

WHEREAS, “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” regulates business licences on Bowen Island; and

WHEREAS, Council wishes to amend “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” to include provisions for the regulation of residential guest accommodations.

THEREFORE be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1.0 Citation

1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018, Amendment Bylaw No. 502, 2020”.

2.0 Amendment

2.1 “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” is amended by adding the following definitions to section 2:

“RESIDENTIAL GUEST ACCOMMODATION” has the same meaning as defined in the Bowen Island Municipality Land Use Bylaw No. 57, 2002, as amended or replaced from time to time.

2.2 “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” is amended by replacing section 8 as follows:

8. An annual licence fee prescribed in Schedule “A” shall be reduced by one-half in respect of a Licence issued to a business that begins operations after July 31st in that year.

2.3 “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” is amended by replacing section 11 as follows:

11. The application for a Licence shall:
1. be in the form or forms as prescribed from time to time by the *Licence Inspector*;
 2. be completed by the owner of the business or their duly authorized agent, provided that in the case of partnerships or multiple owners, any one of

such owners or partners may apply and such owner or partner applying shall be deemed to be the only authorized agent of all the owners or partners;

3. include written consent of the property owner authorization if the applicant is not the owner of the property where the business is located; and
4. include evidence of strata authorization if the property where the business is located is a strata lot.

2.4 “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” is amended by replacing section 15 as follows:

DISPLAY OF LICENCE

- 15.1 Every Licensee shall keep the Licensee’s copy of the Licence posted in a conspicuous place on the premises in respect of which the Licence is issued. Where the Licensee has no business premises in the Municipality, the Licence shall be carried upon the Licensee’s person at all times when the Licensee is engaged within the Municipality in the business for which the Licence was issued.
- 15.2 For any advertising of *Bed and Breakfasts* and *Residential Guest Accommodations*, the Licence number must be displayed in the advertisement.

2.5 “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” is amended by replacing section 18 as follows:

- 18 The *Licence Inspector* may refuse to issue, or suspend or cancel a licence for failure to comply with the requirements of this bylaw, another bylaw of the Municipality or other applicable enactment, or for any other reasonable cause by, by giving notice in writing to the operator.

2.6 “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” is amended by inserting section 21 as follows, and renumbering subsequent sections to follow:

RECONSIDERATION

- 21.1 Any person that has been refused a Licence, or whose Licence has been suspended or cancelled, may request reconsideration by Council within 14 days after the date on which the decision of the *Licence Inspector* has been delivered to the Licence applicant or holder.
- 21.2 A request for reconsideration must be delivered in writing to the corporate officer for the Municipality, must include a copy of the notice from the

Licence Inspector, and must state the grounds on which the applicant considers the *Licence Inspector's* decision is inappropriate.

- 21.3 Council may consider the request in written form or through an in-person hearing, or both, and may require any and all information and further information that it considers may be relevant. After considering the appeal, Council may either confirm the decision of the *Licence Inspector* or substitute its own decision and may impose conditions that it considers to be warranted in the circumstances to ensure compliance and a safe and reasonable business operation.

2.7 “Bowen Island Municipality Business Licensing Bylaw No. 465, 2018” is amended by inserting section 23 as follows, and renumbering subsequent sections to follow:

RESIDENTIAL GUEST ACCOMMODATION

- 23.1 “DESIGNATED INDIVIDUAL” in this section, means a person designated as the primary contact for a *residential guest accommodation*. The *designated individual* may be the operator or someone that is authorized to make decisions in relation to the premises and the operation of the *residential guest accommodation*.
- 23.2 Prior to the issuance of a licence, the operator of a *residential guest accommodation* must provide the following to the *Licence Inspector*:
1. proof of insurance coverage, in a form acceptable to the *Licence Inspector*, for the use of the dwelling unit as a *residential guest accommodation*;
 2. name and 24-hour contact information of the *designated individual*;
 3. number of bedrooms to be offered within the dwelling unit for *residential guest accommodation*;
 4. maximum number of guests that will be accommodated in the unit;
 5. number of on-site parking spaces;
 6. other information requested by the *Licence Inspector* that the *Licence Inspector* considers to be relevant to ensuring compliance with applicable enactments and the safe and reasonable operation of *residential guest accommodation*.
- 23.3 The operator of a *residential guest accommodation* must:

1. only allow *residential guest accommodation* on premises that have been approved and identified on the licence application;
2. notify neighbouring property owners on all adjacent sides of the licenced premises that a *residential guest accommodation* is being operated thereupon and provide contact information for the *designated individual* to such neighbours;
3. provide guests with contact information for the *designated individual*;
4. ensure the *designated individual* is available for contact 24 hours a day during periods when the premises are rented as a *residential guest accommodation*, and responds to any nuisance complaint within 2 hours of notification;
5. notify the *Licence Inspector* within 24 hours of a change in contact information for a *designated individual*; and
6. comply with all applicable requirements in the Municipality's Land Use Bylaw and Building Bylaw, and in the BC Building Code, BC Fire Code and related enactments.

2.8 "Bowen Island Municipality Business Licensing Bylaw No. 465, 2018" is amended by amending Schedule "A" Business Categories and Fees as follows:

<u>Category</u>	<u>Licence Fee</u>
Bed and Breakfasts	\$150
Commercial Guest Accommodations	\$150
Guest House	\$150

2.9 "Bowen Island Municipality Business Licensing Bylaw No. 465, 2018" is amended by adding the following to Schedule "A" Business Categories and Fees:

<u>Category</u>	<u>Licence Fee</u>
Residential Guest Accommodation	\$300

READ A FIRST TIME this **XX** day of March 2020;

READ A SECOND TIME this **XX** day of April 2020;

READ A THIRD TIME this **XX** day of April 2020;

FINALLY ADOPTED this ____ day of ____ 2020.

Gary Ander
Mayor

Hope Dallas-Kerr
Corporate Officer

**BOWEN ISLAND MUNICIPALITY
BYLAW NO. 503, 2020**

A Bylaw to amend Bylaw Notice Enforcement Bylaw No. 196, 2008

WHEREAS, “Bowen Island Bylaw Notice Enforcement Bylaw No. 196, 2008” allows for the issuance of bylaw notices to gain compliance of some Municipal bylaws; and

WHEREAS, Council wishes to amend “Bowen Island Bylaw Notice Enforcement Bylaw No. 196, 2008” to include provisions for the enforcement of regulation of residential guest accommodations.

THEREFORE be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1.0 Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Bylaw Notice Enforcement Bylaw No. 196, 2008, Amendment Bylaw No. 503, 2020”.

2.0 Amendment

- 2.1 “Bowen Island Municipality Bylaw Notice Enforcement Bylaw No. 196, 2008” and all amending bylaws are amended by replacing all instances of the term “offence” and “offences” with “contravention” and “contraventions”, respectively.
- 2.2 “Bowen Island Municipality Bylaw Notice Enforcement Bylaw No. 196, 2008” is amended by adding the following to Schedule “AJ”:

Bylaw Section No.	Description	A1 Penalty	A2 Early Payment Penalty	A3 Late Payment Penalty	A4 Compliance Agreement Available
3.	Operating a residential guest accommodation without a licence – first offence	\$150	\$125	\$175	NO
3.	Operating a residential guest accommodation without a licence – further offence	\$500	\$450	\$500	NO

READ A FIRST TIME this XX day of March 2020;

READ A SECOND TIME this XX day of April 2020;

READ A THIRD TIME this XX day of April 2020;

FINALLY ADOPTED this ____ day of ____ 2020.

Gary Ander
Mayor

Hope Dallas-Kerr
Corporate Officer

Trust Council June Quarterly Meeting Schedule
June 16-17, 2020

Monday, June 15	Trust Council Tuesday, June 16	Trust Council Wednesday, June 17	Thursday, June 18
9:00 Executive Committee pre-Trust Council Meeting	9:00 Call to Order and Approval of Agenda General Business Arising RWMs Adoption of Minutes FUAL Trustee Round Table - topic focus Executive Consent Agenda Item(s) EC Work Program Decision/Discussion Items CAO's Report Continuous Learning Plan 11:00	9:00 Closed Meeting	
		BREAK	
		10:30 Delegations/Town Hall	
		11:30	
	11:00-1:00 BREAK	11:30-1:00 BREAK	
Potential Place holder Afternoon Session Pre-Trust Council Webinar / Learning	1:00 Local Planning Services Consent Agenda Items Director's Report LPC Work Program Decision/Discussion Items Trust Area Services Consent Agenda Items Director's Report TPC Work Program Decision/Discussion Items Administrative Services Consent Agenda Items Director's Report FPC Work Program Decision/Discussion Items 3:00	1:00 New Business Items Trustee/Summary Updates BC Ferries Advisory Committee Chairs GINPR Advisory Committee SSIWPA Howe Sound Community Forum Anchorage Roundtable Update Priorities Chart September TC Draft Schedule Disposition of Delegations Correspondence 3:00 	



Islands Trust Council

Quarterly Meeting Agenda

Date: Tuesday, June 16 - Wednesday, June 17, 2020

Location: Victoria Boardroom

#200 - 1627 Fort Street, Victoria BC

Pages

1. CALL TO ORDER
2. APPROVAL OF AGENDA
3. GENERAL BUSINESS ARISING
 - 3.1 Resolutions Without Meeting
 - 3.2 March 10-12 Trust Council Meeting Draft Minutes
 - 3.3 April 20, 2020 Trust Council Electronic Meeting Draft Minutes
 - 3.4 Trust Council Follow Up Action List
 - 3.5 Trustee Round Table
4. EXECUTIVE
 - 4.1 Chief Administrative Officer's Report
 - 4.2 Executive Committee Work Program Report
 - 4.3 Islands Trust COVID-19 Response Situational Report - Briefing
 - 4.4 Islands Trust COVID-19 Response Organizational Recovery Plan / Outline - Briefing
 - 4.5 Continuous Learning Plan
 - 4.6 Strategic Plan Update
 - 4.7 Bylaw No. 180, "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment No. 5, 2020" - RFD
5. LOCAL PLANNING
 - 5.1 Director of Local Planning Services Report
 - 5.2 Local Planning Committee Work Program Report
 - 5.3 Application Processing Procedures in Relation to Trust Council Policy - Briefing
 - 5.4 Development Application Volumes - Briefing

- 6. ORGANIZATIONAL / FINANCE
 - 6.1 Director of Administrative Services Report
 - 6.2 Financial Planning Committee Work Program Report
 - 6.3 Q1 Quarterly Financial Report
- 7. TRUST AREA SERVICES
 - 7.1 Director of Trust Area Services Report
 - 7.2 Trust Programs Committee Work Program Report
 - 7.3 Annual Report - RFD
 - 7.4 Islands 2050 Engagement Report - Briefing
 - 7.5 Islands 2050 First Nations Engagement Update - Briefing
 - 7.6 Legislative Monitoring - Briefing
 - 7.7 Islands Trust Conservancy Report
 - 7.8 ITC Financial Statements - Briefing
 - 7.9 Baile NAPTEP Application (North Pender) - RFD
 - 7.10 Coastal Douglas-fir / NAPTEP Communications - Briefing
 - 7.11 ITC Climate Projections Report - Briefing
if referred by board on May 26
 - 7.12 ITC 30th Anniversary Celebration Plans - Briefing
if referred by board on May 26
- 8. COLLABORATION / ENGAGEMENT
 - 8.1 Invited Speakers
 - 8.2 Community Presentations
 - 8.3 Delegations & Town Hall
- 9. STRATEGIC PLAN (Amendments)
- 10. CORRESPONDENCE
- 11. SUMMARY / UPDATES
 - 11.1 Trustee Updates
 - 11.1.1 BC Ferries (Ferry Advisory Committee Chairs)
 - 11.1.2 First Nations
 - 11.1.3 Gulf Islands National Park Reserve Advisory Committee

11.1.4 Salt Spring Island Watershed Protection Alliance (SSIWPA)

11.1.5 Howe Sound Community Forum

11.1.6 Anchorages Roundtable Update

11.2 Priorities Chart

By General Consent

11.3 Proposed September Trust Council Agenda Program

For information.

11.4 Disposition of Delegations and Town Hall Requests

By General Consent

12. NEW BUSINESS

13. CLOSED MEETING (Separate Agenda)

14. NEXT MEETING

15. ADJOURNMENT

DRAFT

**Trust Council****Resolutions Without Meetings Log**

Resolution Number	Action	Date
2020-002 It was Moved by Trustee Grove and Seconded by Colbourne, That Trust Council will hold a regular electronic Trust Council meeting on June 16th and June 17th, 2020.	In Favour	06-May-2020
2020-001 It was Moved by Trustee Colbourne and Seconded by Langereis: That the Islands Trust Council convene a Special Electronic Meeting on Monday, April 20, 2020 at 1:00 PM to consider the Financial Planning Committee recommendation regarding a budget amendment to Financial Plan Bylaw No. 178; and to consider the Executive Committee recommendation to cancel the in-person June Trust Council meeting on Hornby Island.	In Favour	15-Apr-2020

ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-RWM-2020-002 dated May 6, 2020

The following matter is considered urgent and necessary in order for Trust Council to consider holding an electronic Trust Council meeting June 16th to June 17th, 2020.

On May 6, 2020,

It was Moved by Trustee Grove and Seconded by Colbourne,

That Trust Council will hold a regular electronic Trust Council meeting on June 16th and June 17th, 2020.

<u>TRUSTEES RESPONDED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. David Critchley	May 6, 2020	In favour
2. Laura Patrick	May 6, 2020	In favour
3. Peter Grove	May 6, 2020	In favour
4. Paul Brent	May 6, 2020	In favour
5. Michael Kaile	May 6, 2020	In favour
6. Kees Langereis	May 6, 2020	In favour
7. Jane Wolverton	May 6, 2020	In favour
8. Sue Ellen Fast	May 6, 2020	In favour
9. Doug Fenton	May 6, 2020	In favour
10. Dan Rogers	May 6, 2020	In favour
11. Laura Busheikin	May 6, 2020	In favour
12. Jeanine Dodds	May 6, 2020	In favour
13. Cameron Thorn	May 6, 2020	In favour
14. Lee Middleton	May 6, 2020	In favour
15. Grant Scott	May 6, 2020	In favour
16. Benjamin McConchie	May 6, 2020	In favour
17. Kate Louise Stamford	May 6, 2020	In favour
18. David Maude	May 6, 2020	In favour
19. Scott Colbourne	May 6, 2020	In favour
20. Tahirih Rockafella	May 6, 2020	In favour
21. Peter Johnston	May 6, 2020	In favour
22. Peter Luckham	May 6, 2020	In favour
23. Alex Allen	May 7, 2020	In favour
24. Steve Wright	May 7, 2020	In favour

TRUSTEE VOTES NOT RECEIVED AT TIME OF MAJORITY (14) VOTE

Deb Morrison, Tim Peterson

FINAL VOTE COUNT (24) IN FAVOUR () OPPOSED DECISION **CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON May 7, 2020

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

ADOPTED

ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-RWM-2020-001 dated April 15, 2020

The following matter is considered urgent and necessary in order for Trust Council to consider the Financial Planning Committee recommendation regarding a budget amendment to Financial Plan Bylaw No. 178; and to consider the Executive Committee recommendation to cancel the in-person June Trust Council meeting on Hornby Island.

On April 15, 2020

It was Moved by Trustee Colbourne and Seconded by Langereis:

That the Islands Trust Council convene a Special Electronic Meeting on Monday, April 20, 2020 at 1:00 PM to consider the Financial Planning Committee recommendation regarding a budget amendment to Financial Plan Bylaw No. 178; and to consider the Executive Committee recommendation to cancel the in-person June Trust Council meeting on Hornby Island.

<u>TRUSTEES RESPONDED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Steve Wright	April 15, 2020 time 1:25 PM PST	In Favour
2. Paul Brent	April 15, 2020	In Favour
3. Dan Rogers	April 15, 2020	In Favour
4. Scott Colbourne	April 15, 2020	In Favour
5. Deb Morrison	April 15, 2020	In Favour
6. Jeanine Dodds	April 15, 2020	In Favour
7. Cameron Thorn	April 15, 2020	In Favour
8. Kees Langereis	April 15, 2020	In Favour
9. Michael Kaile	April 15, 2020	In Favour
10. Jane Wolverton	April 15, 2020	In Favour
11. David Critchley	April 15, 2020	In Favour
12. Benjamin McConchie	April 15, 2020	In Favour
13. Timothy Peterson	April 15, 2020	In Favour
14. Laura Busheikin	April 15, 2020	In Favour
15. Peter Luckham	April 15, 2020	In Favour
16. Laura Patrick	April 15, 2020	In Favour
17. Sue Ellen Fast	April 15, 2020 time 2:37 PM PST	In Favour

TRUSTEE VOTES NOT RECEIVED AT TIME OF MAJORITY (14) VOTE

1. Peter Johnston; 2. Doug Fenton; 3. Tahirih Rockafella; 4. David Maude; 5. Lee Middleton; 6. Peter Grove; 7. Alex Allen; 8. Kate Louise Stamford; 9. Grant Scott.

FINAL VOTE COUNT	(17) IN FAVOUR	() OPPOSED	DECISION	<u>CARRIED</u>
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THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON April 15, 2020

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

ADOPTED



Trust Council Minutes of Regular Meeting

Date: March 10-12, 2020

Location: Harbour House Hotel
121 Upper Ganges Road
Salt Spring Island, BC

Executive Present: Peter Luckham, Chair, Thetis Island
Sue Ellen Fast, Vice Chair, Bowen Island Municipality
Laura Patrick, Vice Chair, Salt Spring Island
Dan Rogers, Vice Chair, Gambier/Keats Island

Trustees Present: Michael Kaile, Bowen Island Municipality
Laura Busheikin, Denman Island
David Critchley, Denman Island
Scott Colbourne, Gabriola Island
Kees Langereis, Gabriola Island
Tahirih Rockafella, Galiano Island
Jane Wolverton, Galiano Island
Kate-Louise Stamford, Gambier Island
Alex Allen, Hornby Island
Grant Scott, Hornby Island
Peter Johnston, Lasqueti Island
Timothy Peterson, Lasqueti Island
Jeanine Dodds, Mayne Island
David Maude, Mayne Island
Ben McConchie, North Pender Island – March 11 & 12
Deb Morrison, North Pender Island
Peter Grove, Salt Spring Island
Paul Brent, Saturna Island
Lee Middleton, Saturna Island
Cameron Thorn, South Pender Island – March 11
Steve Wright, South Pender Island
Doug Fenton, Thetis Island

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Carmen Thiel, Legislative Services Manager
Lori Foster, Executive Coordinator/Recorder
Nigel Hughes, Computer Applications Support Technician
Lisa Wilcox, kwakwemtenaat, Senior Intergovernmental Policy Advisor
Dilani Hippola, Acting Senior Policy Advisor

March 10, 2020

Regrets - Ben McConchie, North Pender Island; Cameron Thorn, South Pender Island.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 1:30 PM stating gratitude for being on Coast Salish Territory.

Salt Spring Island (SSI) Trustees, Patrick and Grove, welcomed Trust Council to Salt Spring Island.

Chair Luckham paid respect to the sudden passing of former Salt Spring Island Trustee, George Erhing.

2. APPROVAL OF AGENDA

For consideration to add the following items:

- 5.2.3 Salt Spring Island Bylaw No. 175
- 14.1 Adapting To Corona Virus Threats
- 16.2 Trustee Johnston Correspondence
- 16.3 UBCM Resolutions

By general consent, the agenda was adopted as amended.

3. GENERAL BUSINESS ARISING

3.1 Resolutions Without Meeting – None

3.2 December Trust Council Draft Minutes

Amend community group reference in item 16.3. by removing “Galiano” and replacing with “Saturna”.

By general consent, the minutes were adopted as amended.

3.3 Trust Council Follow Up Action List (FUAL)

Chief Administrative Officer (CAO) Hotsenpiller and Directors spoke to the progress of items on the FUAL.

Director of Trust Area Services (DTAS) Frater introduced Acting Senior Policy Advisor Hippola to Council.

3.4 Trustee Round Table

Council discussed the Statement of Solidarity, as presented in item 4.2.1. and the emerging issue regarding the Wet’suwet’en Nation.

A Council roundtable followed hearing trustees local area updates on recently attended meetings, advocacy work and applications. Common issues included short-term vacation rentals, housing needs, protection of the Coastal Douglas-fir ecosystem and other species at risk.

The meeting recessed for a break at 2:52 PM and reconvened at 3:05 PM.

4. EXECUTIVE

4.1 Consent Agenda Items:

By general consent, items 4.1.2., Victoria Office Renovation and 4.1.3., Continuous Learning Plan were removed from 4.1., Consent Agenda and added under 4.2., Decision/Discussion Items.

By general consent, Trust Council adopted the recommendation contained in the following item presented in the March 10-12, 2020 Trust Council Consent Agenda:

4.1.1 Executive Committee Work Program Report

That the Islands Trust Council approve the Executive Committee Work Program Report as presented.

4.2 Decision/Discussion Items:

4.1.2 Victoria Office Renovation – Briefing

CAO Hotsenpiller spoke to the report and the request to re-examine this item.

Discussion followed on the request for proposal (RFP) process, the budget increase to the renovation project, and consideration to review policy 6.5.2.

4.1.3 Continuous Learning Plan

It was indicated that webinars will be incorporated into the Continuous Learning Plan following the successful delivery of the water licensing session.

4.2.1 Statement of Solidarity – Briefing

Trust Council discussed changes to the wording of the Statement of Solidarity as presented in the briefing.

TC-2020-001

It was Moved by Trustee Busheikin and Seconded by Trustee Wolverton,

That Islands Trust Council endorse the Statement of Solidarity proposed in the February 27th briefing with the following changes:

- Change the title to Statement of Reconciliation,
- Change the first paragraph to read - The Islands Trust area is a community in which Indigenous People were forcibly removed and disenfranchised from their village sites and gathering places, and the history of that legacy continues to this day.

TC-2020-002

It was Moved by Trustee Rogers and Seconded by Trustee Fast,

That motion **TC-2020-001** be tabled and brought back before lunch on Wednesday, March 11th.

CARRIED

Chair Luckham acknowledged that CAO Hotsenpiller and Trustees Busheikin, Colbourne and Brent have agreed to have a conversation on TC-2020-001 before it comes back for consideration on Wednesday, March 11th.

4.2.2 Chief Administrative Officer's Report

CAO Hotsenpiller spoke to the report and answered questions on the status of the requested audit review, now that the Auditor General for Local Government is closing. He noted the original motion has been fulfilled and awaits further direction on this item.

4.2.3 Proposed Amendments to Trust Council Meeting Procedures Bylaw 101 – RFD

Legislative Services Manager (LSM) Thiel spoke to the proposed bylaw amendments on the consent agenda process.

TC-2020-003

It was Moved by Trustee Rogers and Seconded by Trustee Brent,

That staff be directed to prepare an amendment bylaw to implement changes to Bylaw No. 101, "Islands Trust Council Meeting Procedures Bylaw, 2004" as outlined in Appendix 1; and that the amendment bylaw be referred to Trust Council for readings at the June 2020 Trust Council meeting.

CARRIED

4.2.4 Amendment to Annual Meeting Frequency – Briefing

CAO Hotsenpiller spoke to the briefing.

Discussion was held on the value of Trust Council in person meetings, meeting frequency reduction and implementing electronic meetings.

4.2.5 Strategic Planning Actions Update – Briefing

CAO Hotsenpiller spoke to the briefing and next steps toward implementation.

5. LOCAL PLANNING SERVICES

5.1 Consent Agenda Items:

By general consent, Trust Council removed Item 5.1.1. Director of Local Planning Services Report and 5.1.2. Local Planning Committee Work Program Report from the Consent Agenda and added them to 5.2., Decision/Discussion Items.

5.2 Discussion/Decision Items:

5.1.1 Director of Local Planning Services Report

Director of Local Planning Services (DLPS) Marlor responded to questions on application fees and processes, revenues, staff costs and LTC uptake on model bylaws.

By general consent, the Director of Local Planning Services Report was received for information.

5.1.2 Local Planning Committee Work Program Report

Trustee Patrick asked for clarification on the target date to complete item 3 of the Top Priorities.

DLPS Marlor noted this date would be to bring back a strategy for consideration.

By general consent, Trust Council received the Local Planning Committee Work Program Report as presented.

By general consent, Trust Council agreed to address item 5.2.2 next and return to item 5.2.1 on Wednesday.

5.2.2 Bylaw Compliance and Enforcement Statistical Reports – Briefing

Bylaw Enforcement and Compliance Manager Dingman spoke to the briefing and answered questions concerning the litigation budget, an increase in short term vacation rental files, and the volume of ongoing open files.

5.2.3 Salt Spring Island Local Trust Committee Bylaw No. 175

DLPS Marlor introduced the bylaw which was given third reading at December Trust Council in Victoria.

TC-2020-004

It was Moved by Trustee Rogers and Seconded by Trustee Busheikin,
That Trust Council Bylaw No. 175, cited as “Salt Spring Island Local Trust
Committee Development Approvals Information Bylaw No. 175, 2018”
be adopted.

CARRIED

By general consent, the meeting adjourned for the day at 5:33 PM.

Wednesday March 11, 2020

At 8:30 AM, Chair Luckham reconvened the meeting stating gratitude for working and living on Coast Salish territory.

All twenty-six (26) trustees were present and three (3) members of the public.

Chair Luckham returned to agenda item 5.2.1.

5.2.1 Local Planning Services 2018 Review Implementation Update – Briefing

DLPS Marlor spoke to the briefing and the implementation of the recommendations contained in the report.

DLPS Marlor presented a YouTube video posted to the internet on January 31, 2020, by the Cowichan Valley Regional District entitled *Harmonization to Modernization* which addressed drawing together the official community plans of municipalities and various electoral areas in the region.

Council discussed the video addressing the similarities and differences of local trust areas.

Comments were offered on the following:

- Having a flexible planning staff that can stay engaged;
- Autonomy of local trust areas; and
- Robust community engagement for OCP public process.

4.2.1 Statement of Solidarity – Briefing

Chair Luckham returned to the postponed motion and business regarding item 4.2.1.

Trustee Busheikin presented an amended version of the statement presented in the briefing.

TC-2020-005

It was Moved by Trustee Fast and Seconded by Trustee Wright,
That Trust Council lift the motion TC-2020-001 from the table.

CARRIED

By unanimous consent, Motion TC-2020-001 was withdrawn.

TC-2020-006

It was Moved by Trustee Busheikin and Seconded by Trustee Wolverson,

That Trust Council assert the following: Statement of the Islands Trust:

The Islands Trust area is a community in which Indigenous People were forcibly removed and disenfranchised from their village sites and gathering places, and the history of that legacy continues to this day, not only in the Trust area but throughout British Columbia and Canada.

We ask that the Federal and Provincial Governments take steps to uphold the guiding principles of the United Nations Declaration on the Rights of Indigenous Peoples signed by the Government of Canada in 2010, and the Declaration on the Rights of Indigenous Peoples Act adopted by the Government of British Columbia in 2020. We ask the Governments to engage and work together to maintain and strengthen the relationship with Indigenous Peoples and we ask the Governments to look to the guiding principles of the Truth and Reconciliation Calls to Action 2012 and the Calls for Justice tabled by the National Inquiry into Missing and Murdered Indigenous Women and Girls in 2019 as a way forward.

The Islands Trust remains committed to strive toward relationships that are respectful of human rights, and human dignity, and the work of reconciliation, and acknowledges that Indigenous, Metis, and Inuit have lived on these lands since time immemorial.

Discussion ensued and several trustees spoke in opposition to the motion, that this is not part of the Islands Trust object.

CARRIED

Trustees Critchley, Brent, Maude, Langereis, Kaile, Thorn, Middleton and Wright Opposed

6. TRUST AREA SERVICES

6.1 Consent Agenda Items:

By general consent, Item 6.1.1., Trust Programs Committee Work Program be removed from 6.1., Consent Agenda and added under 6.2., Decision/Discussion Items.

By general consent, Trust Council adopted the recommendations contained in the following items presented in the March 10-12, 2020 Trust Council Consent Agenda:

6.1.2 Islands Trust Conservancy Report
Received for information.

6.1.3 Legislative Monitoring Report - Briefing
Receive for information.

6.2 Discussion/Decision Items

6.1.1 Trust Programs Committee Work Program

Comments were made that work program items are subject to funding through the budget discussion which is on today's agenda.

By general consent approved as presented.

6.2.1 Director of Trust Area Services Report

Director of Trust Area Services (DTAS) Frater reported on the website update showing a mock-up of the new platform and design.

Discussion ensued on what would happened to historic documents.

6.2.2 Redress of Historical Wrongs Against Japanese Canadians in BC - RFD

Trustee Wolverton spoke to the request for decision as presented in the report.

Discussion was heard by some trustees that while supportive, this issue was not in the prevue of Trust Council.

TC-2020-007

It was Moved by Trustee Wolverton and Seconded by Trustee Brent,
That Islands Trust Council request the Chair to send a letter of support to the Premier of British Columbia for redress of historical wrongs against Japanese Canadians.

CARRIED

Trustees Critchley, Kaile, Langereis and Wright Opposed

6.2.3 Community Stewardship Awards Program Policy 2.1.11 and Nomination Form – RFD

Chair of the Trust Programs Committee, Trustee Morrison spoke to the request for decision.

TC-2020-008

It was Moved Trustee Morrison and Seconded Peterson,

That the Islands Trust Council amend Policy 2.1.11 Administration of the Community Stewardship Awards Program dated March 7, 2003 with the revised Policy 2.1.11 Administration of the Community Stewardship Awards Program dated December 5, 2019.

There was discussion on the proposed amendments to the policy and whether to reconsider the section on eligibility with regards to open bylaw enforcement files.

TC-2020-009

It was Moved by Trustee Brent and Seconded by Trustee Busheikin,

That Motion TC-2020-008 be tabled and referred to Trust Programs Committee for further consideration and brought back to Trust Council.

CARRIED

6.2.4 Islands 2050 Update – Briefing

DTAS Frater spoke to the briefing and answered questions regarding cost and staff time with this engagement. There is continued work on this project.

7. ADMINISTRATIVE SERVICES

7.1 Consent Agenda Items:

By general consent, Trust Council adopted the recommendation(s) contained in the following items presented in the March 10-12, 2020 Trust Council Consent Agenda:

7.1.1 Director of Administrative Services Report

Receive for information.

7.1.2 Financial Planning Committee Work Program

That the Islands Trust Council approves the Financial Planning Committee Work Program Report as presented.

7.2 Decision/Discussion Items:

7.2.1 December 31, 2019 Financial Report - RFD

DAS Mobbs spoke to the request for decision and answered questions on staffing costs, increase in applications and fees revenue.

TC-2020-010

It was Moved Trustee Grove and Seconded Trustee Brent,

That Trust Council approve the December 31, 2019 Financial Report as presented.

CARRIED

TC-2020-011

It was Moved Trustee Morrison and Seconded by Trustee Brent,
That Trust Council request the Financial Planning Committee provide a report detailing the full staff costs associated with processing land-use applications, by application type.

CARRIED

At 10:55 AM, the meeting was closed to the public.

8. CLOSED MEETING SESSION - CONTINUOUS LEARNING (under separate cover)

TC-2020-012

It was Moved Trustee Rogers and Seconded by Trustee Fenton,

That the Islands Trust Council close this meeting to the public subject to Section 90(1)(g) and (i) of the Community Charter in order to consider matters related to litigation or potential litigation affecting the Islands Trust and the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose and that staff be invited to remain in the meeting.

CARRIED

At 12:05 PM, the meeting was reopened to the public.

At 12:05, PM the meeting recessed for lunch and reconvened at 12:45 PM

9. LUNCH AND LEARN – TINE ROSSING GUEST SPEAKER

Trustee Patrick introduced guest speaker, Tine Rossing, who gave a Power Point presentation entitled “How Can We Use Nature-Based Solutions to Address Climate Change” on adaptation, ecosystem management and resilience.

Questions and discussion ensued.

10. DELEGATIONS

Approximately 50 members of the public were present.

Chair Luckham acknowledge being on Coast Salish territory and Council introduced themselves, roundtable, to the public attendees.

10.1 Maxine Leichter - Bylaws Should Be Enforced

Salt Spring Island resident, Maxine Leichter, presented a report to Trust Council entitled “Recommendations for Improving the Islands Trust Bylaw Enforcement Policy and Process from the Perspective of the Complainant.”

10.2 Eric Booth - Application Fees

Salt Spring Island resident, Eric Booth read from a letter similar to email correspondence received January 6, 2020 citing an inefficient application processing bureaucracy.

10.3 Salt Spring Community Energy Society re: Community Energy Manager

Kjell Liem, Salt Spring Island resident, addressed Trust Council on behalf of the society requesting that the Community Energy Manager role funded by BC Hydro be pursued by Islands Trust.

10.4 Gulf Island Frontlines - The Way Forward in a time of Reconciliation - requesting support for a resolution

Dave Ages, Galiano Island resident, spoke to the statement of solidarity request to support the Unist'ot'en and Wet'suwet'en.

Chair Luckham read the statement Council adopted at item 4.2.1.

10.5 Gulf Islands Alliance re: Forestry

Jan Slakov of Salt Spring Island, and Susan Yates of Gabriola Island, asked Trust Council to advance discussions with the Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD) requiring urgent forest protection concerning private managed forestlands in the Trust Area.

10.6 Town Hall

Chair Luckham offered 3 minutes to members of the public to speak to Trust Council.

The following persons voiced their issues:

Michael Sketch – North Pender Island resident, spoke to his December Trust Council request to have Policy Directive wording amended in the Policy Statement to meaningfully improve effectiveness. He stated bylaws are being adopted that have no effect because they are being precluded by other legislation.

Jenny Balk – Denman Island resident, discussed wetland protection and providing opportunities for bat friendly communities through education and protection.

Wayne Hewitt– Salt Spring Island resident, addressed Trust Council on its preserve and protect mandate, its tax exemption plan, subdivision policies regarding policy statement and water supply, bylaw contravention, and illegal dwellings being used for residential use.

Toby Elliot – from Snuneymuxw and Gabriola Island requested funding be set aside from reserves for a housing initiative.

Ian Peace - Salt Spring Island resident, spoke to Policy directive 4.4.2. and the word “shall” in the policy. He noted, if rainwater is going to be substituted, it should be strictly rainwater, and not drilled a well.

Leanne Boyer - visitor on Coast Salish territory from Salt Spring Island, thanked Council for their commitment to reconciliation and asked how is Islands Trust addressing hereditary leadership and the referral process.

Akasha Forest – Galiano Island resident, commented that there are missing voices from the table referring to First Nations and to look at the truth part of reconciliation.

The meeting recessed for a break at 3:00 PM and reconvened at 3:15 PM.

7.2.2 2019/20 Financial Forecast – Briefing

Director of Administration (DAS) Mobbs spoke to the briefing contained in the report.

7.2.3 Transfer from General Revenue Surplus Fund to LTC- Project Specific Reserve Fund – RFD

DAS Mobbs spoke to the request for decision and answered questions.

TC-2020-013

It was Moved Trustee Grove and Seconded by Trustee Colbourne,
That Trust Council approve a transfer \$150,000 from the General Revenue Surplus Fund to the Local Trust Committee - Project Specific Reserve Fund.

CARRIED

11. FINANCIAL PLANNING COMMITTEE INTRODUCTION OF 2020/21 BUDGET

11.1 Draft 2020/21 Budget Session Outline

Financial Planning Committee Chair, Trustee Grove, introduced the budget and asked Council for support of the work that is being presented.

By general consent, Trust Council agreed to address item 11.6 next.

11.6 2020/21 Budget Public Consultation Feedback - Briefing

DTAS Frater reviewed the feedback to the budget consultation survey noting we received the largest number of respondents in the history of our budget public process.

11.2 Draft 2020/21 Budget Assumptions and Principles

DAS Mobbs presented the draft 20/21 budget as detailed in the agenda reports.

11.3 Draft 2020/21 Budget Overview

DAS Mobbs spoke to the report and reviewed changes as outlined.

11.4 Draft 2020/21 Budget Funding Requests

Following the budget introduction and overview, DAS Mobbs answered specific trustee questions.

Discussion ensued on groundwater/freshwater strategy.

TC-2020-014

It was Moved by Trustee Busheikin and Seconded by Trustee Peterson,
That Trust Council add to the 2020-2021 budget “Northern Islands Groundwater Sustainability Strategy,” with an amount of \$50,000, and that work on this project not commence until products of the Southern groundwater study project have been reviewed.

Discussion ensued.

TC-2020-015

It was Moved by Trustee Rogers and Seconded by Trustee Grove,
That Trust Council amend TC-2020-014 by deleting the word “reviewed” and inserting “peer reviewed and deemed useful by Trust Council.

CARRIED

Trustees Middleton, McConchie and Patrick Opposed

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

It was Moved by Trustee Busheikin and Seconded by Trustee Peterson,
That Trust Council add to the 2020-2021 budget “Northern Islands Groundwater Sustainability Strategy,” with an amount of \$50,000, and that work on this project not commence until products of the Southern groundwater study project have been peer reviewed and deemed useful by Trust Council.

CARRIED

Trustees Kaile, Middleton, McConchie, Patrick Opposed

TC-2020-016

It was Moved by Trustee Brent and Seconded by Trustee Rogers,
That Trust Council increase the amount allocated to the development of a regional fresh water management strategy by \$16,000.00 for a total of \$20,000.00.

CARRIED

Trustee McConchie Opposed

TC-2020-017

It was Moved by Trustee Rogers and Seconded by Trustee Stamford,
That the eelgrass mapping project in the Strategic Plan be deferred to 2021/22.

DEFEATED

TC-2020-018

It was Moved by Trustee Grove and Seconded by Trustee Brent,
That the increase of \$66,000.00 be funded from surplus.

CARRIED

Trustees Langereis, Rockafella and Busheikin Opposed

11.5 Salt Spring Island Watershed Protection Alliance (SSIWPA) Tax Requisition - RFD

TC-2020-019

It was Moved by Trustee Patrick and Seconded by Trustee Grove,

That the Islands Trust Council include a special property tax requisition for the Salt Spring Island Local Trust Area in the amount of \$75,500 in its 2020/21 annual budget, to fund additional operations of the Salt Spring Island Local Trust Committee (LTC) in preserving and protecting the quality and quantity of water resources within the Salt Spring Island Local Trust Area.

CARRIED

By general consent, Council agreed to address item 14. New Business next.

14. NEW BUSINESS

14.1 Adapting To Corona Virus Threats

Trustee Brent spoke to the unfolding global pandemic requesting Islands Trust respond and stay ahead of the curve.

TC-2020-020

It was Moved by Trustee Brent and Seconded by Trustee Dodds,

That staff prepare a plan on how Islands Trust will adapt to the unfolding coronavirus pandemic through development of a business continuity plan.

CARRIED

By general consent, the meeting recessed for the day at 5:30 PM.

Thursday March 12, 2020

At 8:30 AM, Chair Luckham reconvened the meeting and welcomed trustees back to this final day of the March quarterly.

Regrets: Cameron Thorn, South Pender Island Trustee

At 8:30 AM, the meeting was closed to the public.

12. CLOSED MEETING SESSION (under separate cover)

TC-2020-021

It was Moved by Trustee Luckham and Seconded by Trustee Fast,

That the Islands Trust Council close this meeting to the public subject to Sections 90(1)(g)(i)(k) and (2)(b) of the Community Charter in order to consider matters related to (g) litigation or potential litigation affecting the Islands Trust; (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; (k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public and 2(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party and that staff remain in the meeting.

CARRIED

At 9:28 AM, the meeting was reopened to the public.

12.1 Rise and Report

Chair Luckham reported that the minutes of the December 3-5, 2019 in-camera meeting were adopted.

13. 2020/21 BUDGET APPROVAL

DAS Mobbs presented the budget amendments and spoke to the recalculated draw from surplus which is \$87,000. She also showed the revised budget detail.

13.1 Financial Plan Bylaw No. 178 – RFD

TC-2020-022

It was Moved by Trustee Grove and Seconded by Trustee Brent,

That Islands Trust Council Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21” be read a first time.

CARRIED

TC-2020-023

It was Moved by Trustee Grove and Seconded by Trustee Wolverton,

That Islands Trust Council Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21” be read a second time.

CARRIED

TC-2020-024

It was Moved by Trustee Grove and Seconded by Trustee Langereis,

That Islands Trust Council Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21” be read a third time.

CARRIED

TC-2020-025

It was Moved by Trustee Grove and Seconded by Trustee Fenton,

That Islands Trust Council Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21” be forwarded to the Minister of Municipal Affairs and Housing for approval consideration.

CARRIED

13.2 Revenue Anticipation Bylaw No. 179 - RFD

TC-2020-026

It was Moved by Trustee Grove and Seconded by Trustee Colbourne,
That Islands Trust Council Bylaw 179, cited as the "Revenue Anticipation
Borrowing Bylaw 2020-21" be read a first time.

CARRIED

TC-2020-027

It was Moved by Trustee Grove and Seconded by Trustee Rogers,
That Islands Trust Council Bylaw 179, cited as the "Revenue Anticipation
Borrowing Bylaw 2020-21" be read a second time.

CARRIED

TC-2020-028

It was Moved by Trustee Grove and Seconded by Trustee Critchley,
That Islands Trust Council Bylaw 179, cited as the "Revenue Anticipation
Borrowing Bylaw 2020-21" be read a third time.

CARRIED

TC-2020-029

It was Moved by Trustee Grove and Seconded by Trustee Stamford,
That Islands Trust Council Bylaw 179, cited as the "Revenue Anticipation
Borrowing Bylaw 2020-21" be forwarded to the Minister of Municipal Affairs
and Housing for approval consideration.

CARRIED

15. SUMMARY / UPDATES

Trustee Rockafella addressed Council regarding litigation costs associated with short-term vacation rentals (STVR's) and bylaw enforcement capacity.

TC-2020-030

It was Moved by Trustee Rockafella and Seconded by Trustee Colbourne,
That Trust Council request a staff report on bylaw enforcement capacity and the
number of active cases.

CARRIED

15.1 Trustee Updates

15.1.1 BC Ferries (Ferry Advisory Committee Chairs)

Trustee Colbourne noted his representation on the Gabriola Ferry Advisory Committee while considering an active application with BC Ferries. Discussion followed.

15.1.2 First Nations

Comments were made on the following:

- Dust and Bones screening on Gabriola,
- Collaboration with the TETÁĆES Climate Action Project and WSÁNEĆ,
- Meeting with the Naut'sa mawt Tribal Council.

15.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Middleton spoke regarding Southern Resident Killer Whale advocacy and works with Parks Canada. He called for more coordination with the federal and provincial governments to address the whale watching industry and support the work of Washington State.

There was a suggestion to bring this to Trust Council in a June presentation.

15.1.4 Salt Spring Island Watershed Protection Alliance (SSIWPA)

Trustee Patrick gave updates, noting an upcoming public event workshop and spoke to a rainwater guide.

15.1.5 Howe Sound Community Forum

Trustee Rogers noted the next forum is in Whistler on April 25th.

15.1.6 Anchorage Roundtable Update

Trustees Colbourne and Fenton updated Council on the recently attended Ocean Protection Plan forum held in Vancouver.

CAO Hotsenpiller requested to address Trust Council regarding urgent and emerging news on the coronavirus.

Discussion followed on LTC's electronic meeting capacity and an Islands Trust response to this issue.

TC-2020-031

It was Moved by Trustee Dodds and Seconded by Trustee Brent,
That Trust Council direct staff to send out a subscriber information notice and news release which references trusted information available regarding COVID-19.

CARRIED

The meeting recessed for a break at 10:30 AM and reconvened at 10:45 AM.

Trustee Rogers reported on information meetings with the Coast Guard regarding oil spill response plans that Islands Trust was overlooked being invited to. Executive Committee is looking at how Islands Trust could be involved in the response process and will keep Council updated.

15.2 Priorities Chart

Received for information.

15.3 Proposed June Trust Council Agenda Program

An early draft of the schedule was presented. Trustee Colbourne suggested a presenter for the next council meeting.

TC-2020-032

It was Moved by Trustee Colbourne and Seconded by Trustee Stamford,
That Executive Committee investigate the presentation of Dr. Richard Hebda at the next trust council meeting or webinar.

CARRIED

Trustee Middleton requested addressing the Southern Resident Killer Whale recovery plan at the next council meeting suggesting Michelle Saunders.

15.4 Disposition of Delegations and Town Hall Requests

TC-2020-033

It was Moved by Trustee Morrison and Seconded by Trustee Colbourne,
That Trust Council direct Executive Committee to follow up with Ministry of Forests, Lands, Natural Resource Operations & Rural Development (FLNRORD) around forest management.

CARRIED

TC-2020-034

It was Moved by Trustee Rogers and Seconded by Trustee Fenton,
That Trust Council request that staff prepare a report for Executive Committee and Financial Planning Committee outlining the Trust Policies relating to processing planning applications and whether or not those are being followed.

CARRIED

Discussion was heard on engagement and response with Delegations.

TC-2020-035

It was Moved by Trustee Wolverton and Seconded by Trustee Busheikin,
That Trust Council expand the break after Delegations to 30 minutes for the next Trust Council and make it clear to delegates about this opportunity.

CARRIED

16. CORRESPONDENCE

16.1 Minister Jordon's resp re: additional resources for enforcement of shellfish aquaculture regulations dated January 28, 2020

Received for information.

16.2 Trustee Johnston Correspondence

Trustee Johnston was thanked for his correspondence which was discussed and received for information.

16.3 UBCM Resolutions

Provided for information.

17. NEXT MEETING

The next Islands Trust Council Quarterly meeting will be held on Hornby Island, June 16-18, 2020.

18. ADJOURNMENT

By general consent, the meeting adjourned at 11:30 AM.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder



Trust Council Minutes of Special Electronic Meeting

Date: April 20, 2020

Location: Islands Trust Victoria
#200 – 1627 Fort Street
Victoria, BC

Executive Present: Peter Luckham, Chair, Thetis Island (at Victoria Office)
Sue Ellen Fast, Vice Chair, Bowen Island Municipality
Laura Patrick, Vice Chair, Salt Spring Island
Dan Rogers, Vice Chair, Gambier/Keats Island

Trustees Present: Michael Kaile, Bowen Island Municipality
Laura Busheikin, Denman Island
David Critchley, Denman Island
Scott Colbourne, Gabriola Island
Kees Langereis, Gabriola Island
Jane Wolverton, Galiano Island
Kate-Louise Stamford, Gambier Island
Alex Allen, Hornby Island
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Timothy Peterson, Lasqueti Island
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David Maude, Mayne Island
Ben McConchie, North Pender Island
Deb Morrison, North Pender Island
Peter Grove, Salt Spring Island
Paul Brent, Saturna Island
Lee Middleton, Saturna Island
Cameron Thorn, South Pender Island
Doug Fenton, Thetis Island

Regrets: Steve Wright, South Pender Island
Tahirih Rockafella, Galiano Island

Absent: Peter Johnston, Lasqueti Island

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (at Victoria office)
David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Carmen Thiel, Legislative Services Manager
Lori Foster, Executive Coordinator/Recorder (at Victoria office)
Nigel Hughes, Computer Applications Support Technician
Mark van Bakel, Information Services Manager

1. CALL TO ORDER

Chair Luckham called the meeting to order at 1:15 PM stating gratitude for the ability to meet fully across the Salish Sea, on Coast Salish territory, at this precedent setting, Islands Trust Council electronic meeting.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

For consideration to add the following:

4.1 New Business – Stay Home 2 Visitor Press Release

2.2 Approval of Agenda

By general consent, the agenda was adopted as amended.

2.2.1 Agenda Context Notes

Provided for background to agenda items as indicated.

3. BUSINESS ITEMS

3.1 Proposed Procedure for amending Financial Plan Bylaw – Briefing

Chief Administrative Officer (CAO) Hotsenpiller spoke to the report which provided the legislative procedure for amending the Financial Plan Bylaw in this agenda package.

3.2 2020/21 Financial Plan Considerations Re: COVID-19 – RFD

Director of Administrative Services (DAS) Mobbs addressed Trust Council acknowledging this inaugural electronic meeting. She spoke to the request for decision and indicated where planned expenditures would not be realized resulting in the reduction as presented.

Chair of the Financial Planning Committee (FPC), Grove told Council FPC met last week and this report represents its recommendation.

TC-2020-036

It was Moved by Trustee Grove and Seconded by Trustee Peterson,

That Trust Council amend the 2020/21 Financial Plan Bylaw No. 178 to reduce the property tax requisition to a 0% increase from last year and that this be achieved through reducing planned expenditures.

CARRIED

3.3 Financial Plan Bylaw No. 178 (Re-open and amend) – RFD

DAS Mobbs spoke to the procedure for amending Financial Plan Bylaw No. 178.

TC-2020-037

It was Moved by Trustee Grove and Seconded by Trustee Langereis,
That Islands Trust Council rescind the Third Reading of Islands Trust Council Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21”.

CARRIED

TC-2020-038

It was Moved by Trustee Grove and Seconded by Trustee Wolverton,
That Islands Trust Council amend Schedule A of Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21” as resolved.

CARRIED

TC-2020-039

It was Moved by Trustee Grove and Seconded by Trustee Fenton,
That Islands Trust Council Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21” be Read a Third Time as amended.

CARRIED

TC-2020-040

It was Moved by Trustee Grove and Seconded by Trustee Fast,
That Islands Trust Council Bylaw 178, cited as the “Financial Plan Bylaw, 2020/21” be forwarded to the Minister of Municipal Affairs and Housing for approval consideration.

CARRIED

3.3 Cancellation of the in-person June Trust Council meeting – RFD

CAO Hotsenpiller spoke to the request for decision, that due to COVID-19 response requirements, a physical meeting of June Trust Council is not recommended. An electronic meeting format is being pursued.

TC-2020-041

It was Moved by Trustee Brent and Seconded by Trustee Busheikin,
That the June 16-18, 2020 in-person Trust Council meeting on Hornby Island be cancelled.

CARRIED

Trustee Morrison joined the meeting at 2:05 PM.

4. NEW BUSINESS

4.1 Stay Home 2 Visitor Press Release

Discussion in consideration of sending a press release reminding visitors about non-essential travel and public health safety, as the May long weekend approaches, ensued.

TC-2020-042

It was Moved by Trustee Allen and Seconded by Trustee Wolverton,

That Trust Council request staff write a press release that reminds people to avoid non-essential travel and minimize community interaction if coming to the islands in the Islands Trust area, as per the British Columbia Centre for Disease Control (BCCDC) guidelines.

CARRIED

Trustee McConchie Opposed

5. ADJOURNMENT

By general consent, Islands Trust Council adjourned the meeting at 2:40 PM.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder



Follow Up Action Report

Trust Council

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 that Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Julia Mobbs Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 20-Nov-2019	In Progress
2 That Trust Council request the Executive Committee schedule a Special Meeting for the purpose of testing our current capacity for holding a Trust Council meeting electronically, and assessing the practicality of holding a Trust Council meeting electronically.	Julia Mobbs Russ Hotsenpiller	Meeting: 04-Dec-2019 Target: 10-Mar-2020	Completed
3 Prepare a business continuity plan on how Islands Trust will adapt to the unfolding coronavirus pandemic.	Russ Hotsenpiller	Meeting: 12-Mar-2020 Target: 15-Apr-2020	In Progress
4 That the Islands Trust Council approves the Executive Committee Work Program Report as presented.	Russ Hotsenpiller	Meeting: 10-Mar-2020 Target: 25-Mar-2020	Completed
5 That the June 16-18, 2020 in-person Trust Council meeting on Hornby Island be cancelled.	Russ Hotsenpiller	Meeting: 20-Apr-2020 Target: 13-May-2020	Completed
6 That Trust Council expand the break after Delegations to 30 minutes for the next Trust Council and make it clear to delegates about this opportunity.	Russ Hotsenpiller	Meeting: 12-Mar-2020 Target: 16-Jun-2020	In Progress

Follow Up Action Report

Trust Council

Chief Administrative Officer

Activity	Responsibility	Dates	Status
7 That Executive Committee investigate the presentation of Dr. Richard Hebda at the next trust council meeting or webinar.	Russ Hotsenpiller	Meeting: 12-Mar-2020 Target: 16-Jun-2020	In Progress

Director, Administrative Services

Activity	Responsibility	Dates	Status
1 that Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Julia Mobbs Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 20-Nov-2019	In Progress
2 That Trust Council request the Executive Committee schedule a Special Meeting for the purpose of testing our current capacity for holding a Trust Council meeting electronically, and assessing the practicality of holding a Trust Council meeting electronically.	Julia Mobbs Russ Hotsenpiller	Meeting: 04-Dec-2019 Target: 10-Mar-2020	Completed
3 The Administrative Directors Report and FPC work program were approved as presented.	Julia Mobbs	Meeting: 11-Mar-2020 Target: 15-Apr-2020	Completed



Follow Up Action Report

Trust Council

Director, Administrative Services

Activity	Responsibility	Dates	Status
4 That Trust Council approve the December 31, 2019 Financial Report as presented.	Julia Mobbs	Meeting: 11-Mar-2020 Target: 15-Apr-2020	Completed
5 That Trust Council request FPC to provide a report detailing the full staff costs associated with processing land-use applications, by application type.	David Marlor Julia Mobbs	Meeting: 11-Mar-2020 Target: 09-Jun-2020	In Progress
6 That Trust Council approve a transfer \$150,000 from the General Revenue Surplus Fund to the LTC - Project Specific Reserve Fund.	Julia Mobbs	Meeting: 11-Mar-2020 Target: 15-Apr-2020	Completed
7 Add project 'Northern Islands Groundwater Sustainability Strategy,' with an amount of \$50,000.	Julia Mobbs	Meeting: 12-Mar-2020 Target: 10-Jun-2020	Completed
8 Trust Council also increased the amount allocated to the development of a regional fresh water strategy by \$16,000 for a total of \$20,000, and that the increase of \$66,000 to the budget to be funded from surplus.	Julia Mobbs	Meeting: 12-Mar-2020 Target: 10-Jun-2020	Completed
9 That Revenue Anticipation Bylaw No. 179 be given First, Second and Third readings, as presented, and be forward to the Minister of Municipal Affairs and Housing for approval consideration.	Julia Mobbs	Meeting: 12-Mar-2020 Target: 15-Apr-2020	Completed
10 Trust Council approved a special property tax requisition for the Salt Spring Island Local Trust Area in the amount of \$75,500 in its 2020/21 annual budget.	Julia Mobbs	Meeting: 12-Mar-2020 Target: 10-Jun-2020	Completed

Follow Up Action Report

Trust Council

Director, Administrative Services

Activity	Responsibility	Dates	Status
11 That Trust Council amend the 2020/21 Financial Plan Bylaw No. 178 to reduce the property tax requisition to a 0% increase from last year and that this be achieved through reducing planned expenditures.	Julia Mobbs	Meeting: 20-Apr-2020 Target: 13-May-2020	Completed
12 That Islands Trust Council rescind the Third Reading dated March 12, 2020 of Islands Trust Council Bylaw 178, cited as the "Financial Plan Bylaw, 2020/21".	Julia Mobbs	Meeting: 20-Apr-2020 Target: 13-May-2020	Completed
13 That Islands Trust Council amend Schedule A of Bylaw 178, cited as the "Financial Plan Bylaw, 2020/21" as resolved.	Julia Mobbs	Meeting: 20-Apr-2020 Target: 13-May-2020	Completed
14 That Islands Trust Council Bylaw 178, cited as the "Financial Plan Bylaw, 2020/21" be Read a Third Time as amended and forwarded to the Minister for approval consideration.	Julia Mobbs	Meeting: 20-Apr-2020 Target: 13-May-2020	Completed
15 That Financial Plan Bylaw No. 178 be give First, Second and Third readings and be forwarded to the Minister for approval consideration.	Julia Mobbs	Meeting: 12-Mar-2020 Target: 28-Apr-2020	Completed

Director, Local Planning Services

Activity	Responsibility	Dates	Status
1 That the Islands Trust Council approves the Local Planning Committee Work Program Report as presented.	David Marlor	Meeting: 10-Mar-2020 Target: 25-Mar-2020	Completed

Follow Up Action Report

Trust Council

Director, Local Planning Services

Activity	Responsibility	Dates	Status
2 That Trust Council Bylaws No. 175, cited as "Salt Spring Island Local Trust Committee Development Approvals Information Bylaw No. 175, 2018" be adopted.	David Marlor	Meeting: 10-Mar-2020 Target: 25-Mar-2020	Completed
3 That Trust Council request FPC to provide a report detailing the full staff costs associated with processing land-use applications, by application type.	David Marlor Julia Mobbs	Meeting: 11-Mar-2020 Target: 09-Jun-2020	In Progress
4 Staff were requested to prepare a report for Executive Committee and Financial Planning Committee outlining the Trust Policies relating to processing planning applications and whether or not those are being followed.	David Marlor	Meeting: 12-Mar-2020 Target: 10-Jun-2020	In Progress
5 Trust Council requested Executive Committee follow up with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) around forest management.	Clare Frater David Marlor	Meeting: 12-Mar-2020 Target: 10-Jun-2020	In Progress
6 Staff were requested to prepare a report on bylaw enforcement capacity and the number of active cases.	David Marlor	Meeting: 12-Mar-2020 Target: 10-Jun-2020	In Progress
7 Project 'Northern Islands Groundwater Sustainability Strategy,' not to commence until products of the Southern groundwater study project have been peer reviewed and deemed useful to Trust Council.	David Marlor	Meeting: 12-Mar-2020 Target: 16-Sep-2020	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 Identify and act on opportunities re freighter anchorages.	Clare Frater	Meeting: 16-Sep-2015 Target: 31-Mar-2019	In Progress
2 Trust Council request staff to provide a report to Trust Council with information about the implications of the Islands Trust taking on a secretariat role for the Howe Sound Community Forum that considers the needs of existing and potential regional coordination processes in the Baynes Sound/Lambert Channel and Saanich Inlet regions and that the Trust Programs Committee is authorized to provide initial support if it deems it advisable out of its existing budget.	Clare Frater	Meeting: 19-Jun-2018 Target: 31-Mar-2019	In Progress
3 Investigate options for increased use of federal or provincial stewardship agreements for species at risk in the Islands Trust Area.	Clare Frater Kate Emmings	Meeting: 20-Jun-2017 Target: 19-Mar-2019	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
4 Request staff to create a strong communications program that will support Islands Trust Conservancy conservation initiatives for Coastal Douglas Fir protection as well as support the land use planning process, with a special focus on communicating the role of Development Permit Areas as a tool for Coastal Douglas Fir protection that permits development. Request staff to bring recommendations for how the Natural Areas Property Tax Exemption Program (NAPTEP) can be tailored to highlight and prioritise contiguous tracks of the Coastal Douglas Fir zone in the outreach, communications, and approval of NAPTEP covenants by the Islands Trust Conservancy.	Clare Frater Kate Emmings	Meeting: 12-Mar-2019 Target: 18-Jun-2019	In Progress
5 that Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Julia Mobbs Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 20-Nov-2019	In Progress



Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
6 The following was adopted: Statement of the Islands Trust The Islands Trust area is a community in which Indigenous People were forcibly removed and disenfranchised from their village sites and gathering places, and the history of that legacy continues to this day, not only in the Trust area but throughout British Columbia and Canada. We ask that the Federal and Provincial Governments take steps to uphold the guiding principles of the United Nations Declaration on the Rights of Indigenous Peoples signed by the Government of Canada in 2010, and the Declaration on the Rights of Indigenous Peoples Act adopted by the Government of British Columbia in 2020. We ask the Governments to engage and work together to maintain and strengthen the relationship with Indigenous Peoples and we ask the Governments to look to the guiding principles of the Truth and Reconciliation Calls to Action 2012 and the Calls for Justice tabled by the National Inquiry into Missing and Murdered Indigenous Women and Girls in 2019 as a way forward. The Islands Trust remains committed to strive toward relationships that are respectful of human rights, and human dignity, and the work of reconciliation, and acknowledges that Indigenous, Metis, and Inuit have lived on these lands since time immemorial.	Clare Frater	Meeting: 11-Mar-2020 Target: 25-Mar-2020	Completed
7 Approved as presented Islands Trust Conservancy Report and Legislative Monitoring Briefing, Trust Programs Committee Work Program Report.	Clare Frater	Meeting: 11-Mar-2020 Target: 09-Jun-2020	Completed

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
8 That Islands Trust Council request the Chair to send a letter of support to the Premier of British Columbia for redress of historical wrongs against Japanese Canadians.	Clare Frater	Meeting: 11-Mar-2020 Target: 15-Apr-2020	In Progress
9 Trust Council referred the proposed amendments to Policy 2.1.11 Administration of the Community Stewardship Awards Program back to Trust Programs Committee to reconsider the open bylaw enforcement criteria regarding nominations for the award.	Clare Frater	Meeting: 11-Mar-2020 Target: 15-Apr-2020	In Progress
10 Send out a subscriber information notice and news release that would reference information available regarding COVID-19.	Clare Frater	Meeting: 12-Mar-2020 Target: 25-Mar-2020	Completed
11 Trust Council requested Executive Committee follow up with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) around forest management.	Clare Frater David Marlor	Meeting: 12-Mar-2020 Target: 10-Jun-2020	In Progress
12 That Trust Council request staff write a press release that reminds people to avoid non-essential travel and minimize community interaction if coming to the islands in the Islands Trust area, as per the British Columbia Centre for Disease Control (BCCDC) guidelines.	Clare Frater	Meeting: 20-Apr-2020 Target: 13-May-2020	In Progress

Legislative Services Manager

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Trust Council

Legislative Services Manager

Activity	Responsibility	Dates	Status
1 That staff be directed to prepare an amendment bylaw to implement changes to Bylaw No. 101, "Islands Trust Council Meeting Procedures Bylaw, 2004" as outlined in Appendix 1; and that the amendment bylaw be referred to Trust Council for readings at the June 2020 Trust Council meeting.	Carmen Thiel	Meeting: 10-Mar-2020 Target: 09-Jun-2020	In Progress

Manager, Islands Trust Conservancy

Activity	Responsibility	Dates	Status
1 Investigate options for increased use of federal or provincial stewardship agreements for species at risk in the Islands Trust Area.	Clare Frater Kate Emmings	Meeting: 20-Jun-2017 Target: 19-Mar-2019	In Progress

Follow Up Action Report

Trust Council

Manager, Islands Trust Conservancy

Activity	Responsibility	Dates	Status
2 Request staff to create a strong communications program that will support Islands Trust Conservancy conservation initiatives for Coastal Douglas Fir protection as well as support the land use planning process, with a special focus on communicating the role of Development Permit Areas as a tool for Coastal Douglas Fir protection that permits development. Request staff to bring recommendations for how the Natural Areas Property Tax Exemption Program (NAPTEP) can be tailored to highlight and prioritise contiguous tracks of the Coastal Douglas Fir zone in the outreach, communications, and approval of NAPTEP covenants by the Islands Trust Conservancy.	Clare Frater Kate Emmings	Meeting: 12-Mar-2019 Target: 18-Jun-2019	In Progress

BRIEFING

To: Executive Committee **For the Meeting of:** May 6, 2020

From: David Marlor, MCIP, RPP **Date Prepared:** April 28, 2020
Director, Local Planning Services

SUBJECT: Application Processing Procedures in Relation to Trust Council Policy

PURPOSE:

To provide an update on application processes in Local Planning Services

BACKGROUND:

At its regular meeting in March 2020, Trust Council passed the following resolution:

TC-2020-034

Request that staff prepare a report for Executive Committee and Financial Planning Committee outlining the Trust Policies relating to processing planning applications and whether or not those are being followed.

There are three Trust Council policies that guide staff in processing applications. They are:

- 5.6.1 Application Processing Services
- 5.6.2 Cost recovery agreements
- 5.6.3 Extraordinary Processing Services Guidelines

The Applications Processing Services policy outlines the work that will be undertaken for the application fee. These services are:

- comprehensive staff assessment
- staff referral to other agencies, advisory planning commissions, and analysis of their comments
- discussions between planners and applicant throughout process as required
- bylaw or resolution drafting, including review for compatibility with Trust Object and policies and the relevant Official Community Plan
- one community information meeting with planning staff present
- notification of public hearing, including cost of placing ad
- conducting one public hearing with staff present
- staff report with recommendation for local trust committee (LTC) approval consideration
- processing bylaws through Executive Committee for approval consideration, if necessary
- forwarding to Minister of Municipal Affairs and Housing for approval consideration, if necessary
- adoption of all bylaws or issuing of permits as required.

The Applications Processing Services policy establishes the following as extraordinary costs that are not covered by the fee:

- Covenant development

- Continuous dedicated staffing
- Additional public consultation including community information meetings, advisory planning commission meetings and public hearings
- Technical assessments or studies as required by the LTC
- Retaining special technical assistance required by the LTC
- Legal counsel services required for the application
- Process agreement negotiation
- Other resources and/or services required by the LTC to process the application
- Accelerated timeframe to process the application.

Policy 5.6.2 Cost recovery Agreements and Policy 5.6.3 Extraordinary Processing Services Guidelines outline the processes to undertake when using cost recovery agreements and extraordinary processing service fees.

Fee Bylaws:

All local trust committees have a fees bylaw. This bylaw establishes fees for each type of application and referral as permitted by legislation. The fee bylaws are based on a model that was created by Trust Council in the early 2000s.

The fee bylaws include a section on Extraordinary Cost Charges that states:

In the event the costs of processing, inspection, advertising and administration in respect of an application are estimated by the Islands Trust to exceed 150% (percent) of the applicable fee, the Applicant shall pay to the Islands Trust prior to the processing of the application the estimated actual costs of processing, site inspection, advertising and administration.

This section can only be used at the start of the application process and requires a comprehensive understanding of the application and work required to be effective. It is not used mid-stream in applications, where circumstances require additional staff reports or additional staff time. Response back from the Regional Planning Managers on this clause in the bylaw is that it is impractical as there is no ability nor enough understanding of complexities for a comprehensive consideration of the work needed per application upon receipt. The application and fee is received and processed by the planning team assistants, who have very little discretion

Without a clear understanding of what the expected costs of processing and inspection are, it is nearly impossible to estimate 150%. Moreover, monitoring staff time per application is generally not done; instead, processing of applications is lumped together when monitoring how staff time is spent.

It is virtually impossible at the beginning of processing an application to justify additional soft costs (staff processing time) to an applicant in any objective way. Most additional costs arise as the result of local trust committees imposing additional process mid-stream. Covenants, legal fees, extra hearings or community information meetings that arise in the course of processing are funded through cost recovery agreements.

Part of the Fee review being undertaken by the Local Planning Committee is to address this and propose a more robust approach to fee recovery.

Staff is following the policies in relation to application processing services and requiring cost recovery for those items identified as required to be funded by such. The Fee bylaw is being followed in relation to initial fee, but we are not reviewing the fee against the actual staff cost of processing at the start of the process for reasons provided above.

Staff has long recognized that the fees paid do not reflect the actual average cost to the organization. Work to review fees bylaws and options is underway by the Local Planning Committee.

FOLLOW-UP:

The Local Planning Committee is currently working on a new model fee bylaw and revisions to the application services processing, cost recovery and extraordinary application processing services guidelines policies.

Staff will forward this report to the Financial Planning Committee as requested by Trust Council.

Prepared By: David Marlor, MCIP, RPP, Director, Local Planning Services

Reviewed By/Date: Stefan Cermak, Regional Planning Manager/May 8, 2020
Robert Kojima, Regional Planning Manager/May 8, 2020
Heather Kauer, Regional Planning Manager/May 8, 2020

BRIEFING

To:	Executive Committee	For the Meeting of:	May 13, 2020
From:	David Marlor, MCIP, RPP Director, Local Planning Services	Date Prepared:	May 8, 2020
SUBJECT:	Development Application Volumes –April 9, 2020 – May 8, 2020		

PURPOSE: To update the Executive Committee on the volume of development applications over the past six weeks.

BACKGROUND:

Development applications are entered into the Trust Area Property Information System (TAPIS) on receipt. This systems allows Staff to track applications, and allows us to run reports for any point in time.

From April 9, 2020 to May 8, 2020 we have received 30 applications. Of these 20 are referrals such as building permits, Crown land, liquor and cannabis referrals, or siting and use permit applications. We have received two rezoning applications, four development variance permit applications, two development permit applications, one Agricultural Land Commission application and one temporary use permit application.

As of the date of printing the attached report, there were a total of 195 open applications (files that staff are working on) including the 30 new applications.

The attached report shows the breakdown by local trust area and type of application for the period April 9, 2020 to May 8, 2020.

By comparison, for the same period in 2019 (April 9, 2019 to May 8, 2019) we had received 37 applications, 26 were referrals such as building permits, Crown land, liquor and cannabis referrals, or siting and use permit applications. In the same period in 2019 we also received two development variance permit applications, two development permit applications, one agricultural land reserve application, one rezoning application, two temporary use permit application, one Board of Variance application, and one other type of application (not specified).

ATTACHMENT(S):

1. Application Statistic – April 9, 2020 to May 8, 2020

FOLLOW-UP:

None.

Prepared By: David Marlor, DLPS

Reviewed By/Date: Russ Hotsenpiller, CAO



Islands Trust

Application Statistics

Applications Received: April 9, 2020 to May 8, 2020

	NORTHERN TEAM									SALT SPRING		SOUTHERN TEAM								TOTAL	
Application	EX	DE	GB	GM	HO	LA	TH	SUM	/FTE	SS	/FTE	GL	MA	NP	SA	SP	SUM	/FTE	SUM	/FTE	
ALR	0	0	0	0	1	0	0	1	0.20	0	0.00	0	0	0	0	0	0	0.00	1	0.08	
BOV	0	0	0	0	0	0	0	0	0.00	0	0.00	0	0	0	0	0	0	0.00	0	0.00	
CL/BP/SUP/LCB	0	1	1	2	1	0	0	5	1.00	6	1.50	2	5	1	0	1	9	2.25	20	1.54	
DP	0	0	1	0	0	0	0	1	0.20	1	0.25	0	0	0	0	0	0	0.00	2	0.15	
DVP/FPE	0	0	1	0	0	0	0	1	0.20	1	0.25	0	0	2	0	0	2	0.50	4	0.31	
HAP	0	0	0	0	0	0	0	0	0.00	0	0.00	0	0	0	0	0	0	0.00	0	0.00	
OTH	0	0	0	0	0	0	0	0	0.00	0	0.00	0	0	0	0	0	0	0.00	0	0.00	
RZ	0	0	0	0	0	2	0	2	0.40	0	0.00	0	0	0	0	0	0	0.00	2	0.15	
SC	0	0	0	0	0	0	0	0	0.00	0	0.00	0	0	0	0	0	0	0.00	0	0.00	
SDP	0	0	0	0	0	0	0	0	0.00	0	0.00	0	0	0	0	0	0	0.00	0	0.00	
SRP	0	0	0	0	0	0	0	0	0.00	0	0.00	0	0	0	0	0	0	0.00	0	0.00	
SUB	0	0	0	0	0	0	0	0	0.00	0	0.00	0	0	0	0	0	0	0.00	0	0.00	
TUP	0	0	0	0	0	0	0	0	0.00	0	0.00	1	0	0	0	0	1	0.25	1	0.08	
TOTAL	0	1	3	2	2	2	0	10	2.00	8	2.00	3	5	3	0	1	12	3.00	30	2.31	

FTE = # of planner positions (North = 5, SS = 4, South = 4)

Application	EX	DE	GB	GM	HO	LA	TH	SUM	FTE	SS	FTE	GL	MA	NP	SA	SP	SUM	FTE	SUM	FTE
CL,BP,SUP,LCB	0	1	1	2	1	0	0	5	1.00	6	1.50	2	5	1	0	1	9	2.25	20	1.54
Permits/Referrals	0	0	2	0	1	0	0	3	0.60	2	0.50	1	0	2	0	0	3	0.75	8	0.62
RZ	0	0	0	0	0	2	0	2	0.40	0	0.00	0	0	0	0	0	0	0.00	2	0.15
TOTAL	0	1	3	2	2	2	0	10	2.00	8	2.00	3	5	3	0	1	12	3.00	30	2.31

Application	EX	DE	GB	GM	HO	LA	TH	SUM	FTE	SS	FTE	GL	MA	NP	SA	SP	SUM	FTE	SUM	FTE
OPEN	0	24	23	13	22	3	5	90	18	63	16	13	8	15	6	0	42	11	195	15



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** May 13, 2020

From: Penny Hawley, Planning Team **Date Prepared:** April 15, 2020
Assistant
Jaime Dubyna, Planner 2

SUBJECT: Request for Executive Committee Sponsorship of Development Application Fee

RECOMMENDATION: THAT the Executive Committee approve financial sponsorship of \$1,000.00 for rezoning application GB-RZ-2020.1 (Gabriola Housing Society [Scott]) which would amend Gabriola Island Official Community Plan Bylaw No. 166, 1997 and the Gabriola Island Land Use Bylaw No. 177, 1999 to allow for a proposed affordable housing project.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The attached application for Executive Committee sponsorship of development application fees complies with Islands Trust Policy 4.1.xiii.

1 PURPOSE:

The purpose of the Request for Decision (RFD) is to request the Executive Committee to consider the development application fee sponsorship application from the Gabriola Housing Society for the rezoning application GB-RZ-2020.1 (Gabriola Housing Society [Scott]).

2 BACKGROUND:

Staff have reviewed the rezoning application and confirmed that an amendment to the Gabriola Island Official Community Plan and the Gabriola Island Land Use Bylaw is required, the fee for which is \$1,000.00. See receipt of application and fee in Attachments. The Gabriola Housing Society has applied to rezone a parcel to create 24 units of affordable housing on Gabriola Island and request sponsorship of development application fees by the Executive Committee.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

None.

FINANCIAL:

Approval of the application for sponsorship would reduce the funds that would otherwise be received from the rezoning application fee. Trust Council has allocated funds to cover costs for applications that are approved for sponsorship.

POLICY:

The attached application for Executive Committee sponsorship of development application fees complies with Islands Trust Policy 4.1.xiii.

IMPLEMENTATION/COMMUNICATIONS:

Staff will inform the applicant of the outcome of their request of the Executive Committee and proceed with processing the rezoning application.

FIRST NATIONS:

None.

OTHER:

None.

4 RELEVANT POLICY(S):

Islands Trust Policy 4.1.xiii

5 ATTACHMENT(S):

1. Development Application Fee Sponsorship Application Form
2. Development Summary Statement from Applicant, dated April 13, 2020
3. Letter to Applicant, receipt of application and fee

RESPONSE OPTIONS**Recommendation:**

THAT the Executive Committee approve financial sponsorship of \$1,000.00 for rezoning application GB-RZ-2020.1 (Gabriola Housing Society [Scott]) which would amend Gabriola Island Official Community Plan Bylaw No. 166, 1997 and the Gabriola Island Land Use Bylaw No. 177, 1999 to allow for a proposed affordable housing development.

Alternative:

THAT the Executive Committee not approve financial sponsorship of \$1,000.00 for rezoning application GB-RZ-2020.1 (Gabriola Housing Society [Scott]) which would amend Gabriola Island Official Community Plan Bylaw No. 166, 1997 and the Gabriola Island Land Use Bylaw No. 177, 1999 to allow for a proposed affordable housing development.

**Prepared By: Penny Hawley, Planning Team Assistant
Jaime Dubyna, Planner 2**

Reviewed By/Date: Heather Kauer, Regional Planning Manager, May 4, 2020



Victoria Office
200-1627 Fort Street
Victoria, BC V8R 1H8
Telephone: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca
North Pender, South Pender,
Galiano, Mayne, Saturna

Salt Spring Office
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Telephone: (250) 537-9144
Fax: (250) 537-9116
ssinfo@islandstrust.bc.ca
Salt Spring

Northern Office
700 North Road
Gabriola Island BC V0R 1X3
Telephone: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
Gambier, Lasqueti, Hornby,
Denman, Gabriola, Thetis,
Ballenas-Winchelsea

Development Application Fee Sponsorship Application Form

Under Islands Trust Policy 4.1.xiii, Trust Council Executive Committee may sponsor development application fees. When applying for sponsorship, please submit this form, or the details in a letter, with your development application. Applicants are encouraged to file this form with or after their development application.

To be eligible for Executive Committee Sponsorship:

- ✓ The applicant is a non-profit agency or organization seeking to establish, expand or modify a facility for the benefit of the community at large and consistent with goals in the Official Community Plan (OCP).
- ✓ The applicant is an established or establishing institution supported by taxpayers that is seeking to establish, expand or modify a community facility. (Potential sponsorship of up to one half of the costs of the application)
- ✓ The applicant seeks to implement specific objectives of an OCP with broad community benefits.

The following are NOT eligible for Executive Committee Sponsorship:

- ✗ The applicant is a registered for-profit corporation under the Corporations Act.
- ✗ The applicant is a non-profit agency or organization seeking to establish, expand or modify a facility that would not benefit the community at large.
- ✗ An applicant claims that he or she cannot afford the cost of the application, and the application would not otherwise qualify for sponsorship or initiation.
- ✗ ALR and Subdivision referral application fees are not eligible.

SECTION 1: APPLICANT INFORMATION

(Please print or type all sections)

Organization Name:	Gabriola Housing Society		
Primary Contact:	Nancy Hetherington Peirce		
Address:	c/o PO Box 76, Gabriola BC V0R 1X6		
Telephone:	n/a	E-mail:	gabriolahousingsociety@gmail.com
Charitable Status Number (if applicable):	82578 1131 RR0001		
Organization Mandate (Attach bylaws, constitution or cite organization website):	gabriolahousing.ca		
Board Members (Name, Position):	Nancy Hetherington Peirce (President), Sibyl Frei (Vice-President), Jenni Gehlbach (Secretary), Barry Loescher (Treasurer), Margy Gilmour, Dave Neads, and Jim Ramsay		

SECTION 2: DEVELOPMENT APPLICATION INFORMATION

Check development application where fee refund is requested:

- ☒ Official Community Plan
☒ Zoning Bylaw Amendment
☒ Development Permit

- ☐ Development Variance Permit
☐ Temporary Use Permit
☐ Other: _____

Development Application Submitted? ☒ Yes ☐ No

Application #: GB-RZ-2020.1

Development Application Fees Paid (Amount): \$1,000

Receipt #: 0067

SECTION 3

Objective of Development Application: See accompanying letter

Describe how the Development Application furthers official community plan goals: See accompanying letter

SECTION 4

I/we declare that all of the above statements and the information contained in the material submitted in support of the application are to the best of my/our knowledge true and correct.

Nancy Hetherington Peirce

Printed Name: _____

Signature: _____

Date: _____

nhpeirce@gmail.com 250-247-8632

Contact Information (e-mail and/or phone): _____

INFORMATION TO BE COMPLETED BY ISLANDS TRUST

Date of Executive Committee Consideration: _____

Decision: _____

Financial Details: _____

Fee Refunded: _____

Organization Charitable Status Number: _____

LTC Notified (Date): _____

Applicant Notified (Date): _____



Working for affordable housing

Gabriola Housing Society

April 13, 2020

To the Islands Trust Council Executive Committee:

This letter accompanies the "Development Application Fee Sponsorship Application Form" from the Gabriola Housing Society (GHS). Specifically, this letter addresses Section 3 of the Form.

Objective of the Development Application

The objective is to construct and operate a multi-dwelling affordable rental housing project of 24 homes on a 5-acre property owned by GHS on Paisley Place, Gabriola Island, close to public transportation, health and education facilities, and the village centre. This housing project (recently named "Paisley Place") will serve Gabriola residents of all ages with low to modest incomes who are struggling to find suitable, secure, and affordable rental housing.

Vision for Paisley Place: Affordable, comfortable, secure rental housing for Gabriolans of all ages who have low to modest incomes.

Guiding Principles for Paisley Place:

- *Build healthy and efficient homes*
- *Build homes near services and public transportation routes*
- *Respect the natural settings and limits of the development sites*
- *Provide affordable housing for a mix of Gabriolans to encourage a sense of community*
- *Keep rents affordable, with modest development and operational costs.*

How the Development Application furthers Official Community Plan [OCP] goals

The application contributes to achieving the Islands Trust Policy Statement goal to "sustain island character and healthy communities," and identifies the importance of affordable housing as part of a healthy community.

Regarding the Gabriola OCP, one of its Major Social Goals is: *"to preserve the rural character and atmosphere of the Gabriola Planning Area and ensure that the community remains a viable, healthy place in which to live, providing for a variety of lifestyles in harmony with the natural environment."* (p.10).

Paisley Place will further the above Major Social Goal for Gabriola in the following ways:

- The Guiding Principle of "Respect the natural settings and limits of the development site" supports the intent to *"... preserve the rural character and atmosphere ..."*
- Provision of suitable, secure and affordable housing for people with low to modest incomes is an essential aspect of a *"... viable, healthy place in which to live ..."*.

Thank-you for your consideration of the GHS application for fee sponsorship.

Sincerely,

Nancy Hetherington Peirce, President, Gabriola Housing Society



Northern Office

700 North Road, Gabriola Island, BC V0R 1X3
Telephone **250 247-2063** Fax 250 247-7514

Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

January 22, 2020

File No. GB-RZ-2020.1

By email: nhpeirce@gmail.com

Gabriola Housing Society
C/O Nancy Hetherington Peirce
PO Box 76
Gabriola Island, BC V0R 1X0

Dear Nancy:

Re: Bylaw Amendment Application

PID: 028-580-095

**Lot 1, Section 19, Gabriola Island, Nanaimo
District Plan EPP11544**

PID: 028-580-109

**Lot 2, Section 19, Gabriola Island, Nanaimo
District Plan EPP11544**

This letter acknowledges that we have received a Bylaw Amendment (Rezoning) application for the above-noted property. Our receipt no. 0067 in the amount of \$1,000.00 is enclosed for your records.

Jaime Dubyna is the planner assigned to your application and she will keep you apprised as to its status. She may be reached through toll-free access via Service BC: in Vancouver at 604-660-2421 and elsewhere in BC at 1-800-663-7867 and request a transfer to 250-247-2212. Please quote the above-noted file number on any correspondence or inquiries you may have.

Please be advised that the Islands Trust Northern Office is currently experiencing a high volume of applications, which may delay the processing of your application.

Yours truly,

Penny Hawley
Planning Team Assistant
Enclosure

cc: Gabriola Island Local Trustees



Islands Trust

RECEIPT NO 0067

THE SUM OF One Thousand ⁰⁰/₁₀₀ DOLLARS \$ 1,000.00
ON ACCOUNT OF

Application Fee
40400-620
GB-RZ-2020.1

GL CODE TRUST AREA

RECEIVED FROM Gabriola Housing Society ON Jan 15 2020

ISSUING OFFICE Northern ISSUING OFFICER'S SIGNATURE Penny Hawley

WHITE: CUSTOMER CANARY: ISLANDS TRUST PINK: RETAIN FOR AUDIT

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** May 13, 2020
From: Marnie Eggen **Date Prepared:** May 6, 2020
SUBJECT: Coastal Douglas Fir Conservation Partnership Letter of Support

RECOMMENDATION: THAT Executive Committee request staff to prepare a draft letter of support to be signed by the Chair on behalf of the Executive Committee for the Coastal Douglas Fir Conservation Partnership (CDFCP) in support of their Real Estate Foundation of BC General Grant Application.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

- 1 PURPOSE:** To present information to Executive Committee on the request for a letter of support for the Coastal Douglas Fir Conservation Partnership in support of their Real Estate Foundation of BC General Grant Application.

BACKGROUND: [Coastal Douglas Fir Conservation Partnership](#) (CDFCP) is applying to the Real Estate Foundation of BC for a grant to assist with the following:

- Hire a Coordinator for the Partnership;
- Update our 2015 Conservation Strategy;
- Promote implementation of our Local Government Conservation Planning Guide; and
- Provide input into local government planning initiatives

The Coastal Douglas-fir Conservation Partnership is a collaboration of agencies, organizations and land managers who are interested in promoting and protecting healthy Coastal Douglas-fir and associated ecosystems. Their mission is to promote the conservation and stewardship of the Coastal Douglas-fir and associated ecosystems in south-western BC through sound science, shared information, supportive policies, and community education.

The Islands Trust Council and several Local Trust Committees have signed CDFCP's [Statement of Cooperation](#) in support of their work. Islands Trust Conservancy's Ecosystem Protection Specialist currently contributes as a member of the Steering Committee and the Islands Trust Conservancy manager is a member of the Securement Committee.

The Coastal Douglas-fir (CDF) Biogeoclimatic zone is found only along the southern edges of Vancouver Island and the Gulf Islands. The CDF zone has many rare species and ecosystems and includes associated ecosystems such as Garry Oak ecosystems, rocky outcrops, wetlands, and shorelines. The Islands Trust is entirely within the CDF zone.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The CDFCP works to improve protection of rare species and ecosystems in the Coastal Douglas-fir zone, directly advancing Island Trust's Object. Islands Trust and Islands Trust Conservancy (ITC) benefit directly from data and knowledge sharing, collaborative project development and implementation, and improved program delivery. In 2019-20:

- the Covenant Monitor and Outreach Specialist worked with the CDFCP to develop an outreach brochure highlighting the importance of CDF forest and encouraging stewardship actions; this will be distributed to ITC covenant holders and, by the new CDFCP Coordinator, throughout the Islands Trust Area;
- the Local Planning Committee's CDF Contiguous Forest Mapping project was conducted in partnership with the CDFCP, whose members provided expertise in developing the project scope and analysis methodology.

The CDFCP and its partners will continue to work with the Ecosystems Protection Specialist to interpret the results of the contiguous forest mapping and climate change impacts review, and to incorporate those results into the Regional Conservation Plan. They will also continue to be key partners in extension and outreach through the CDFCP eNews, outreach projects to islanders, and within their own organizations.

FINANCIAL: CDFCP contributed >\$2000 towards ITC's Climate Change Impacts Project, as part of their Federally-funded 'Special Places' funding. The partnership's contribution of the Coordinator's time and the members' expertise reduces both staff time and contractor cost of conservation planning and outreach projects.

POLICY: Several Strategic Plan Objectives and Islands Trust Policy Statement policies support protection planning for the CDF.

IMPLEMENTATION/COMMUNICATIONS: Staff will draft the letter of support to be signed by the Chair on behalf of the Executive Committee. Staff note that the request letter indicates that the Real Estate Foundation of BC General Grant Application deadline has passed, but that support letters can be submitted afterwards.

3 RELEVANT POLICY(S):

- [Islands Trust Strategic Plan 2018-2022](#) Strategies to achieve Land Stewardship and Climate Change Objectives:
 - Map contiguous tracks of the Coastal Douglas fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems.
 - Create a model development permit for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas fir zones throughout the Islands Trust Area.
 - Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater.
- [Protecting the Coastal Douglas-fir Zone & Associated Ecosystems: An Islands Trust Toolkit](#) proposes ways in which Islands Trust can better use its legislative scope to improve protection of the CDF zone.

- [Islands Trust Act](#), Section 3:
The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.
- [Islands Trust Policy Statement](#): There are many relevant sections of the policy statement that support good planning in the Coastal Douglas-fir and Associated Ecosystems:
 - Sections “3.1 Ecosystems”, “3.2 Forest Ecosystems” and “4.2 Forests”.
- [Islands Trust Advocacy Policy 6.10.iii](#)

4 ATTACHMENT(S):

- Email from Coastal Douglas Fir Conservation Partnership, dated April 28, 2020
- Draft Letter based on template provided by Coastal Douglas Fir Conservation Partnership

RESPONSE OPTIONS

Recommendation: THAT Executive Committee request staff to prepare a draft letter of support to be signed by the Chair on behalf of the Executive Committee for the Coastal Douglas Fir Conservation Partnership (CDFCP) in support of their Real Estate Foundation of BC General Grant Application.

Alternative: As identified by Executive Committee.

Prepared By: Marnie Eggen, Island Planner/May 6, 2020
Kathryn Martell, a/Ecosystems Protection Specialist/May 7, 2020

Reviewed By/Date: David Marlor/May 8, 2020

From: info@cdfcp.ca
Sent: Tuesday, April 28, 2020 3:30 PM
To: Darryn McConkey; kcalon@bccf.com
Subject: CDFCP letter of support request
Attachments: Draft CDFCP REFBC support letter.docx

Good Afternoon CDFCP Local Government members,

Hope this email finds you safe.

In partnership with the BC Conservation Foundation, the CDFCP is applying to the Real Estate Foundation of BC for a grant to help:

- Hire a Coordinator for the Partnership;
- Update our 2015 Conservation Strategy;
- Promote implementation of our Local Government Conservation Planning Guide; and
- Provide input into local government planning initiatives.

Our Coordinator's term ended March 31 and we hope to secure resources over the next couple of months to continue that position.

As 80% of the land in the CDF is private and local governments can have an influence on those lands, helping local governments will continue to be a focus for the partnership this year.

We are requesting a letter of support from our local government members and hoping to secure two of them for our application.

Our application is being submitted tomorrow, April 28 and we have confirmed that letters of support can be submitted afterwards.

Thank you for your consideration of this request. I've attached a draft letter if you find it useful.

Please let me know if you have any questions or would like more information.

Sincerely,
Darryn McConkey, RPBio
CDFCP Chair



200-1627 Fort Street Victoria BC V8R1H8
Telephone **250.405.5151** Fax 250.405.5155

Toll Free via Enquiry BC in Vancouver 604-660-2421 Elsewhere in BC **1.800.663.7867**

Email information@islandstrust.bc.ca

Web www.islandstrust.bc.ca

May XX, 2020

Via Email: info@refbc.com

Real Estate Foundation of British Columbia
460-355 Burrard Street
Vancouver, BC
V6C 2G8
Canada

Re: Real Estate Foundation of BC General Grant Application for the Coastal Douglas-fir Conservation Partnership (CDFCP)

Dear Review Committee,

Islands Trust supports the proposed work by the Coastal Douglas-fir Conservation Partnership (CDFCP) alongside the British Columbia Conservation Foundation (BCCF) to engage local governments and environmental non-governmental organizations (ENGOS) throughout the CDFCP boundary to raise awareness of the importance of protecting Coastal Douglas-fir ecosystems and the role this can play in climate change mitigation and the conservation of biodiversity in the region.

The CDFCP provides a strategic and collaborative approach which benefits us and the other 50 members, including all levels of governments, ENGOS, environmental consultants and community residents. We recognize and support the ongoing work of the CDFCP to raise awareness of biodiversity values, promote the implementation of conservation planning tools for local governments and their plan to review and update the 2015 Conservation Strategy. The BCCF is a long-standing administrative partner in the province of BC and is well poised to assist the Partnership with this project.

We are appreciative of the efforts of the CDFCP and BCCF over the last year to successfully provide a dedicated Coordinator for the Partnership. This resulted in improved communication to members and allowed the Partnership to increase its organizational operations and accomplishments. We hope resources can be secured to continue this position and look forward to working with the CDFCP.

Yours sincerely,

Peter Luckham
Chair, Islands Trust Council
pluckham@islandstrust.bc.ca

Preserving *Island* communities, culture and environment

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

April 20, 2020

Mr. Peter Luckham
Island Trust
200 - 1627 Fort Street
Victoria, BC
V8R 1H8

Email: pluckham@islandstrust.bc.ca

Re: COVID-19 and Construction

Dear Mr. Luckham,

The Vancouver Island Construction Association (VICA) along with the Canadian Home Builders' Association Vancouver (CHBAVI) and our 625 combined members have long prioritized safety and the well-being of the construction industry – for our workers and for the public.

In the last fiscal year, we saw continued gains in building permits in all communities on Vancouver Island and the Sunshine Coast. In addition, up until the COVID-19 pandemic, there was a trend of more activity in the residential building sector to keep-up with the increased demand for housing.

Many of the projects we deliver are essential to Vancouver Islander's quality of life – the clean water we drink, energy infrastructure, critical transportation infrastructure, public schools and universities, and the hospitals and other health care facilities where we receive care.

Like all Canadians, construction has been hit hard by COVID-19. The industry is already facing a workforce challenge, and now COVID-19 will further intensify the situation by putting many companies at risk and leaving thousands of employees out of work. As a designated essential service, we have been evolving, on what seems to be a daily basis, to adapt our work processes and procedures to ensure our workers remain safe and healthy. This is our commitment to ensure we can support construction.

Infrastructure will be a key component to our Island's economic recovery. The construction industry is ready to step up and support our community in its efforts, but for this we need help.

As we look to the future, we urge you to consider keeping your projects moving forward, both current and planned, provided they can be done safely and in accordance with the direction of the Provincial Health Officer. Our position is that compliant sites should be open and those that cannot consistently comply with measures and guidelines of public health authorities should shut down.

The construction sector is a vital component of our economic health. Over the past many years, the construction sector is one of the island's highest employers and has contributed nearly 10% to BC's GDP. I'm sure this is not lost on you. As we look to recovery, the role of the public sector will become even more critical in restoring and sustaining infrastructure investment.

Finally, we know the Island Trust understands that the impact of COVID-19 on construction contracts and contractors is unprecedented. Therefore, we are asking that fairness and consideration for these extreme circumstances be a guiding principle when dealing with schedule and cost impacts experienced by contractors on municipal contracts as follows:

- Providing fair extensions of time and fair compensation for reasonable costs incurred due to COVID-19 would remove much of the pressure from businesses already dealing with serious financial repercussions from this crisis. During the recovery phase, the industry will need time to return to full productivity as supply chains ramp up and some of the workforce may still be under quarantine or healing.
- Compensation for reasonable costs must be supported by sufficient documentation. They may include, but are not limited to, any expenses incurred relating to:
 1. Demobilization;
 2. Making the site safe;
 3. Interruptions of the supply chain;
 4. Extended rentals;
 5. Additional overheads during delay; and
 6. Site security.
- Contractors are to provide proper notices as required under contracts, to keep adequate records of all relevant information, to mitigate costs, and to be transparent and forthcoming in discussions with the all levels of government of the schedule and cost impacts related to the COVID19 pandemic.
- To recognize the undue stress on workers from interruptions in the payment chain, the Island Trust would continue existing payment terms with prompt and appropriate approvals to ensure timely release of monies.

We recognize that these are uncertain and challenging times. Together, VICA, CHBAVI and our members are ready to support your community's construction needs. Please feel free to reach out to either of the undersigned at any time to discuss this or any other matters concerning the construction industry.

Thank you for your leadership and consideration.

Sincerely,



Rory Kulmala
Chief Executive Officer - VICA
1075 Alston Street, Victoria, BC • V9A 3S6
T: 250 388 6471
rorykulmala@vicabc.ca
www.vicabc.ca



Kerriann Coady
Executive Officer- CHBA VI
170 Wallace Street, Nanaimo, BC V9R 5B1
T: 250 755 1366
kerriann@chbavi.com
www.chbavi.com

Distribution: All AVICC members

Top Priorities Report

Executive Committee

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.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 26-Oct-2016

2. *Update Islands Trust Policy Statement*

Undertake a First Nations and public engagement process to prepare for Policy Statement amendments.

Responsible

Clare Frater

Dates

Target: 31-Mar-2019

3. *Climate Change Emergency*

Matters pertaining to Islands Trust declaring a climate change emergency.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 05-Jun-2019

4. *Business Response to COVID-19*

Responsible

Russ Hotsenpiller

Dates

Rec'd: 15-Apr-2020

Top Priorities Report

Executive Committee

5. *Electronic Meetings*

The development of electronic meetings to conduct business.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 15-Apr-2020



Projects Report

Executive Committee

1. *Advocate to reduce negative impacts of shellfish aquaculture practices*

Develop project charter and budget requests to build organizational capacity (knowledge and time) related to shellfish aquaculture advocacy

Responsible

Clare Frater

Date Received

16-Aug-2017

2. *Improve communications about the Islands Trust object and history*

Develop communications strategy

Responsible

Clare Frater

Date Received

30-Aug-2017

3. *Revisions to Crown Land protocol agreements and letters of understanding*

Negotiate with BIM and FLNRORD

Responsible

Clare Frater

Date Received

19-Jun-2014

4. *Oil Spill and Shipping Safety*

Various advocacy activities including Chair letters and participation in forums

Responsible

Clare Frater

Date Received

01-Apr-2014

5. *Bowen Island Signage*

That Executive Committee request that Bowen Island signage be added to the Executive Committee projects list and that staff clarify the details of the request contained in the February 26th correspondence from Bowen Island Municipality.

Responsible

Date Received

25-Mar-2020