



Executive Committee Electronic Meeting Agenda

Date: April 29, 2020
Time: 9:00 am
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

	Pages
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
3. ROUND TABLE	
4. BYLAWS FOR APPROVAL CONSIDERATION	
4.1 Saturna Island Local Trust Committee Bylaw No. 131 (meeting procedures bylaw)	1 - 10
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 <i>Islands Trust Act</i> .	
5. BUSINESS	
5.1 Bylaw Enforcement Statistics - Briefing	11 - 11
6. NEW BUSINESS	
7. CLOSED MEETING	
That the Executive Committee close this meeting to the public subject to Section 90(1)(k), of the Community Charter in order to consider matters related to negotiations and discussions respecting the proposed provision of a service that is at its preliminary stages; and that staff be invited to remain in the meeting.	
8. RISE AND REPORT	
9. ADJOURNMENT	



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: Saturna Island Local Trust
Committee Bylaw No. 131

DATE OF MEETING: April 29, 2020
TO: Executive Committee
FROM: Jas Chonk, Legislative Clerk
SUBJECT: Saturna Island Local Trust Committee – Bylaw to Amend the Saturna Island Local Trust
Committee Meeting Procedure Bylaw

RECOMMENDATION

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*.

DIRECTORS COMMENTS

Saturna Island Local Trust Committee has referred Bylaw No. 131 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 Saturna 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 Saturna 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 Saturna Island Local Trust Committee regarding the Executive Committee decision by May 5, 2020.

Other

None

PURPOSE

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 (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 April 16, 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 Saturna 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 SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 131.

Submitted By:	Jas Chonk, Legislative Clerk	April 21, 2020
Concurrence:	Robert Kojima, Regional Planning Manager	April 21, 2020

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. EC Policy Checklist
4. Saturna LTC Bylaw No. 131



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Saturna Island Local Trust Committee

Bylaw No.: SA-131

Bylaw Type: Meeting Procedure Bylaw

Date of resolution referring bylaw to Executive Committee: 16-Apr-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: SA-131

Trust Area: Saturna Island Local Trust Committee
Type: Meeting Procedure Bylaw
Bylaw No.: SA-131
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 16-Apr-2020

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web: 21-Apr-2020

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: ,

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:
Second Reading Date: 16-Apr-2020

Delivery Notices:
Date Public Hearing Held:
Third Reading Date: 16-Apr-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

None

Completed By: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 16-Apr-2020

Reading:

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 131

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

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

1. Saturna Island Local Trust Committee Meeting Procedure Bylaw No. 83, 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 Saturna Island Local Trust Committee."

2. This bylaw may be cited as "Saturna Island Local Trust Committee Meeting Procedure Bylaw No. 83, 2004, Amendment No. 1, 2020".

READ A FIRST TIME THIS 16TH DAY OF APRIL, 2020

READ A SECOND TIME THIS 16TH DAY OF APRIL, 2020

READ A THIRD TIME THIS 16TH DAY OF APRIL, 2020

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

ADOPTED THIS _____ DAY OF _____, 20____

CHAIRPERSON

SECRETARY



BRIEFING

To:	Executive Committee	For the Meeting of:	April 29, 2020
From:	Warren Dingman, Bylaw Compliance and Enforcement Manager	Date Prepared:	April 21, 2020
SUBJECT:	Bylaw Compliance and Enforcement Report		

PURPOSE:

This report summarizes the number of bylaw enforcement files as of April 21, 2020.

File Update:

There are currently 371 open bylaw compliance & enforcement files. Karol Kudyba who had been working on Salt Spring, and left on March 25th, still has 94 files assigned to his name, as they have yet to be transferred to another officer who can undertake active investigations. Daniel Schneider, who was hired in November 2019 and has Gabriola as his reporting office, has 45 files assigned to him, and he is being assigned all new files for the Northern Region, Salt Spring, and Mayne, until such time as a new Salt Spring office can be hired.

New files for Galiano, North Pender, South Pender and Saturna, will continue to be assigned to the manager to investigate. The hiring process for the Admin Assistant and a bylaw officer for Salt Spring is only through the initial screening phase, and no interviews have been scheduled. While the Admin Assistant position may be filled in May, the earliest expected and realistic start date for the Salt Spring officer is June.

Proactive enforcement on short-term vacation rentals on Hornby is under way, and the annual reviews of new vacation rental operations will be underway on Salt Spring, Galiano and North Pender in May, time and staffing permitting.

Covid-19 restrictions on the travel of bylaw staff will have an impact on the number of files that can receive follow-up site visits and be closed in the short-term so the overall file number is high. We have received only three complaints about Covid-19 for the Gulf islands; two phone calls (Hornby & Salt Spring), and one written complaint (North Pender). Complainants expressed their concerns about lack of social distancing, and self-isolation, but there were no grounds to forward concerns to a Public Health Officer for further action. The majority of phone calls received at our office have been for the City of Victoria; some internet searches for 'Victoria bylaw enforcement' return Islands Trust contact information as the top result.

Prepared By:	Warren Dingman, Bylaw Compliance and Enforcement Manager
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Reviewed By/Date:	David Marlor, Director Local Planning Services
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