



Executive Committee Agenda

Date: October 27, 2021
Time: 9:00 am
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

	Pages
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1. Introduction of New Items	
2.2. Approval of Agenda	
2.2.1. Agenda Context Notes	5 - 5
3. RISE AND REPORT DECISIONS FROM PREVIOUS CLOSED MEETING	
3.1. October 6, 2021 Closed Meeting	
See item 2.2.1 Agenda Context Notes	
4. ADOPTION OF MINUTES	
4.1. October 6th regular meeting draft minutes	6 - 13
4.2. October 13th special meeting draft minutes	14 - 15
5. FOLLOW UP ACTION LIST AND UPDATES	
5.1. Follow Up Action List/Director/CAO Updates	16 - 22
5.2. Local Trust Committee Chair Updates	
5.3. Islands Trust Conservancy Liaison Update	
6. BYLAWS FOR APPROVAL CONSIDERATION	
6.1. Hornby Island Local Trust Committee Bylaw No. 166 (OCP amendment)	23 - 42
THAT the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 166, cited as “Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021”, in accordance with Section 27 of the <i>Islands Trust Act</i>.	
6.2. Hornby Island Local Trust Committee Bylaw No. 167 (LUB amendment)	43 - 61
THAT the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 167 cited as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021”, in accordance with Section 27 of the <i>Islands Trust Act</i>.	

6.3. Gabriola Island Local Trust Committee Bylaw No. 310 (LUB amendment)

62 - 75

THAT the Islands Trust Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 310, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2021”, in accordance with Section 27 of the *Islands Trust Act*.

7. TRUST COUNCIL MEETING PREPARATION

7.1. Executive

7.1.1. September Trust Council draft minutes - pending late item

7.1.2. Trust Council Follow-up Action List

76 - 84

7.1.3. Nov/Dec draft Trust Council schedule - Discussion

85 - 85

7.2. Local Planning Services

7.3. Administrative Services

7.4. Trust Area Services

8. EXECUTIVE COMMITTEE PROJECTS

8.1. Trust Council Initiated

8.1.1. Executive

8.1.1.1. Executive Committee adoption of 2022 draft schedule & Trust Council 2022 schedule recommendations - RFD

86 - 89

See item 2.2.1 Agenda Context Notes

That Executive Committee adopt Islands Trust Executive Committee 2022 Draft Meeting Schedule, Attachment 1, as its meeting dates for 2022.

That Executive Committee recommends Trust Council adopt the following meeting dates for its 2022 schedule: March 8-10, June 21-23, September 20-22 and November 1-3.

8.1.1.2. Proposed Amendments to Trust Council Procedure Bylaw No. 101 - RFD

90 - 119

That Executive Committee consider the proposed amendments outlined in the report and reflected on the attached track-changes version of consolidated Bylaw No. 101; and

That staff be directed to draft an amendment bylaw which incorporates the agreed upon amendments, for review at the November 17, 2021 Executive Committee meeting, and consideration by Trust Council at its November 30 to December 2, 2022 meeting.

8.1.1.3. Trustee Feedback to Standards of Conduct Policy - Briefing

120 - 137

See item 2.2.1 Agenda Context Notes

8.1.1.4. Trustee Morrison re: sustained learning email dated October 8, 2021 - Discussion

138 - 138

8.1.2. Trust Area Services

See item 2.2.1 Agenda Context Notes

That Executive Committee recommend to the Financial Planning Committee, for inclusion in the Fiscal Year 2022/23 Budget:

- \$17,000 for Reconciliation Action Plan
- \$5,000 for History and Heritage Grants in Aid
- \$15,000 for Application Sponsorship
- \$50,000 for Communications
- \$5,000 for NAPTEP Regulation Exemption reduction tax shift analysis
- \$15,000 for Website design or functionality changes
- \$5,000 for Policy Statement Amendment Project
- \$1,000 for NAPTEP application sponsorship

8.1.3. Local Planning Services**8.1.4. Administrative Services****8.2. Executive Committee Initiated****8.2.1. Executive****8.2.2. Trust Area Services****8.2.3. Local Planning Services****8.2.3.1. IAP2 level for Official Community Plan and other bylaw reviews - Discussion**

149 - 150

8.2.4. Administrative Services**9. NEW BUSINESS****9.1. Executive/Trust Council****9.2. Trust Area Services****9.2.1. LTC Chairs Report on Local Advocacy Topics****9.3. Local Planning Services****9.4. Administrative Services****10. CORRESPONDENCE (for information unless raised for action)****10.1. Modernizing Forest Policy - Fall Local Government Engagement Session Invitation letter dated October 13, 2021**

151 - 152

See item 2.2.1 Agenda Context Notes

10.2. AVICC Call for Resolutions and Nominations 2022 email dated October 19, 2021

153 - 161

See item 2.2.1 Agenda Context Notes

10.3. Salish Sea Ecosystem Conference Call for Submissions extended to November 1, 2021

162 - 163

10.4. F. Attorp email dated October 10, 2021 re: SSI LTC conduct complaint

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10.5.	R. Bergerud email dated October 5, 2021 re: Vortex letter	166 - 166
11.	WORK PROGRAM	
11.1.	Review and amendment of current work program	167 - 171
12.	NEXT MEETING	
	The next meeting of the Executive Committee is scheduled for November 17, 2021.	
13.	CLOSED MEETING (scheduled)	
	That the meeting be closed to the public subject to Sections 90(1)(j) of the Community Charter in order to consider matters related to; information that if it were presented in a document would be prohibited from disclosure under section 21 of the <i>Freedom of Information and Protection of Privacy Act</i> , and that staff attend the meeting.	
14.	ADJOURNMENT	

Agenda No.	From	Context Notes
3./3.1	Executive Coordinator	Rise and Report Decisions from Previous Closed Meeting – October 6, 2021 Chair Luckham will rise and report that at the October 6, 2021 Executive Committee closed meeting, the September 8th in-camera minutes were adopted.
8.1.1.1	CAO	Trust Council 2022 Meeting Schedule An important area of focus is the last few months of 2022, post-election. The Islands Trust will need a working - primarily budgetary – meeting between September 2022 and March 2023. While it is tentative on the schedule presented, an additional Trust Council meeting in December is likely the best option for consideration.
8.1.1.3	CAO	Trustee Feedback to Standards of Conduct Policy This report on amendment to the Standards of Conduct policy is the subject of trustee correspondence and communication, making it challenging for staff to weigh competing political interests. Insight from EC on how to include trustee comments to the policy will assist completion of the update.
8.1.2.1	CAO	Executive Committee FY2022/23 Business Cases - RFD This RFD follows from the last EC meeting where the key elements were presented as a briefing. Of course, the FPC meeting has informed the budget process and EC may wish to discuss or refine these recommendations. Also included is the rationale for an ongoing engagement specialist position which was not discussed at FPC.
10.1	Executive Coordinator	Modernizing Forest Policy - correspondence The June 2nd Minister Conroy letter (incorrectly cited as being sent June 1st) was received at the June 7th Executive Committee pre-Trust Council meeting and forwarded to trustees as late item correspondence on the June 8th Trust Council meeting where it was received for information. The Zoom meeting links in this October 13th letter have been redacted in the public agenda as they are intended for electeds and government staff.
10.2	Executive Coordinator	AVICC Call for Resolutions - correspondence AVICC Call for Resolutions deadline is January 28, 2022. Trust Council Policy 6.12.2 (4.1) encourages trustees and staff to propose resolutions for submission to Association of Vancouver Island and Coastal Communities convention.

Executive Committee Minutes of Regular Meeting

Date: October 6, 2021
Location: Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Members Present: Peter Luckham, Chair, Thetis Island Trustee (Victoria boardroom)
Dan Rogers, Vice Chair, Gambier/Keats Island Trustee (electronic)
Laura Patrick, Vice Chair, Salt Spring Island Trustee (Victoria boardroom)
Sue Ellen Fast, Vice Chair, Bowen Island Municipal Trustee (Victoria boardroom)

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (CAO) (Victoria boardroom)
David Marlor, Director, Local Planning Services (DLPS) (Victoria boardroom)
Clare Frater, Director, Trust Area Services (DTAS) (electronic)
Julia Mobbs, Director, Administrative Services (DAS) (electronic)
Carmen Thiel, Legislative Services Manager (LSM) (Victoria boardroom)
Lisa Wilcox, Senior Intergovernmental Policy Advisor (electronic)
Mark van Bakel, Information Services Manager (Victoria boardroom)
Lori Foster, Executive Coordinator/Recorder (Victoria boardroom)

Members of the public: None in attendance

1. CALL TO ORDER

At 9:04 a.m., Chair Luckham called the meeting to order and humbly stated gratitude to live and work on Coast Salish First Nations traditional and treaty territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

For consideration to add the following late item at:
8.2.1.1 Executive Committee and Electronic Meetings – Briefing

2.2 Approval of Agenda

By general consent, the agenda was approved as amended.

2.2.1 Agenda Context Notes

For information as contained in the agenda package.

3. RISE AND REPORT DECISIONS FROM PREVIOUS CLOSED MEETING - None

4. ADOPTION OF MINUTES

4.1 September 20, 2021 draft minutes

By general consent, the September 20, 2021, minutes were adopted as presented.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List (FUAL)/Director/CAO Updates

Chief Administrative Officer (CAO) Hotsenpiller and Directors gave status updates on FUAL items as presented in the report.

CAO Hotsenpiller and Directors gave verbal updates on:

- Consideration for all BC Public Service workers be vaccinated,
- Legislative changes and policy work for electronic meetings.

Information Services Manager, van Bakel, spoke to the deployment of hardware kits via the Chair and Vice Chairs, for conducting electronic streaming and recording of LTC meetings open to the public at on-site locations.

5.2 Local Trust Committee Chair Updates

Chair and Vice Chairs gave verbal updates on recently attended local trust committee (LTC) meetings, status of LTC applications, rezonings, and projects.

A Southern Gulf Islands Forum was recently held and, there are Átl'ka7tsem/Howe Sound and Ocean Watch Forums being held October 22 as an in-person electronic hybrid meeting on Nexwlélexwm/Bowen Island.

5.3 Islands Trust Conservancy Liaison Update

Vice Chair of Islands Trust Conservancy/Municipal Trustee Fast said the Conservancy met yesterday and noted new member, Risa Smith recently joined the board.

The meeting recessed for a break at 10:46 a.m. and reconvened at 10:58 a.m.

6. BYLAWS FOR APPROVAL CONSIDERATION

6.1 Galiano Island Local Trust Committee Bylaw No. 271 (LUB amendment) – RFD

Vice Chair Rogers spoke to the land use bylaw amendment (LUB) request for decision (RFD) which would rezone the property, which is close to the ferry terminal, from Village Residential 1 to Retail Commercial 1.

EC-2021-128

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 271, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2019" in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.2 Gabriola Island Local Trust Committee Bylaw No. 303 (LUB amendment) – RFD

Vice Chair Rogers spoke to the land use bylaw amendment (LUB) request for decision (RFD) rezoning regarding a commercial cannabis production.

Discussion followed on indoor/outdoor cannabis production, staff work on setbacks and other regulations, public hearing comments and referral feedback.

EC-2021-129

It was Moved and Seconded,

THAT the Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 303, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2019", under Section 27 of the *Islands Trust Act*.

CARRIED

6.3 Denman Island Local Trust Committee Bylaw No. 239 (housing agreement) – RFD

Director of Local Planning Services (DLPS) Marlor spoke to the housing agreement which accompanies Bylaws No. 233 and 234 for eight units of seniors' affordable housing.

Executive Committee discussed the agreement as presented.

EC-2021-130

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Denman Island Local Trust Committee Bylaw No. 239, cited as "Denman Island Housing Agreement Bylaw No. 239, 2020", in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

7. TRUST COUNCIL MEETING REVIEW & PREPARATION

7.1 Executive

7.1.1 Roundtable Review September Trust Council – verbal

Executive Committee and staff gave verbal reviews of the Trust Council meeting.

Comments included:

- Tightening up delegation application processes,
- Defining a delegation versus town hall,
- Recurring theme around centralization versus LTC autonomy,

- Budget implications arising from the Policy Statement Engagement implementation,
- Ongoing challenge of verifying which trustees are present in an electronic meeting.

7.1.1.1 Feedback - Trustee Grove

Trustee Grove's email regarding COVID safety measures dated September 24th was received for information.

7.1.1.2 Feedback - Trustee Johnston

Executive Committee (EC) addressed Trustee Johnston's feedback email dated September 23rd. EC discussed why Directors updates are outside the consent agenda format and the benefits of hearing from Directors at Trust Council due to any departmental changes between publication date of the agenda and meeting time and, familiarize Trustees with Directors.

7.1.2 September Trust Council Business Decision Highlights

Executive Committee discussed the order of the document's items, that they be rearranged to match readers' interests.

EC-2021-131

It was Moved and Seconded,

That the Continuous Learning Plan and Trust Council Policy Review Project items be moved to the end of the Business Decision Highlights document.

CARRIED

7.1.3 Trust Council Follow Up Action List (FUAL)

Staff noted the Trust Council FUAL will be brought to the October 27th Executive Committee meeting.

- 7.2 Local Planning Services - None**
- 7.3 Administrative Services - None**
- 7.4 Trust Area Services - None**

The meeting recessed for a break at 12:03 p.m. and reconvened at 12:33 p.m.

8. EXECUTIVE COMMITTEE PROJECTS

8.1 Trust Council Initiated

8.1.1 Executive

8.1.1.1 UBCM Minister Meeting Synopsis – Briefing

Executive Committee and CAO Hotsenpiller spoke to the meeting with Minister Rankin and possible outcomes including forming a staff-to-staff working/focus group on reconciliation and agreements.

8.1.1.2 Trust Council (TC) / Executive Committee (EC) 2022 draft schedule – Briefing

Discussion ensued on the draft TC/EC 2022 schedule, the upcoming election year meeting logistics and, potential additional Trust Council meetings for new trustee orientation in 2023.

Executive Committee will consider adopting its 2022 schedule at the October 27th EC meeting.

8.1.1.3 December Trust Council Logistics

EC discussed December Trust Council meeting logistics, consideration of actual in-person attendees, and legislative requirements for bylaw readings.

EC-2021-132

It was Moved and Seconded,

That Executive Committee schedule a Special Electronic meeting on October 13, 2021, beginning at 9:00 a.m., and that staff be asked to canvas trustees as to their desires regarding an in-person November/December Trust Council meeting.

CARRIED

8.1.2 Trust Area Services

8.1.2.1 2022/23 Executive Committee project budget requests – Briefing

Director of Trust Area Services (DTAS) Frater referenced the agenda context notes, anticipating this be brought back to the October 27th meeting as a request for decision.

8.1.3 Local Planning Services

8.1.3.1 GL-RZ-2021.1 (GALI) Development Application Fee Sponsorship – RFD

Vice Chair Rogers spoke to the request for decision for Executive Committee sponsorship of the Galiano Affordable Living Initiative (GALI), formerly Galiano Green, rezoning application costs.

EC-2021-133

It was Moved and Seconded,

THAT the Executive Committee approve financial sponsorship of \$4400 for rezoning application GL-RZ-2021.1 (GALI) which would amend the land use bylaw to allow for an affordable housing development with up to 20 dwelling units.

CARRIED

8.1.4 Administrative Services - None

8.2 Executive Committee Initiated

8.2.1 Executive

8.2.1.1 Executive Committee and Electronic Meetings – Briefing

Legislative Services Manager Thiel outlined options to resolve changes facing Executive Committee electronic meetings since Ministerial Order 192 ceased being in effect on September 29.

8.2.2 Trust Area Services - None

8.2.3 Local Planning Services - None

8.2.4 Administrative Services - None

9. NEW BUSINESS

9.1 Executive/Trust Council

9.1.1 Trustee Busheikin Conference Funding Request

EC-2021-134

It was Moved and Seconded,

That Executive Committee approve Trustee Busheikin's funding request to attend Vancouver Island Economic Summit October 27-28.

CARRIED

9.2 Trust Area Services

9.2.1 LTC Chairs Report on Local Advocacy Topics

Chair Luckham called for any verbal reports from members, there were none.

9.3 Local Planning Services - None

9.4 Administrative Services – None

10. CORRESPONDENCE (for information unless raised for action)

10.1 S. Brands re: News Release IT to improved development application process email dated Sept 14, 2021

Received for information.

10.2 D. Korbin re: Governance of the gulf islands email dated September 10, 2021

Item 10.2 was referred by the Select Committee on September 13, 2021 and received for information by the Executive Committee.

10.3 D. Korbin re: for addition to next agenda email dated August 4, 2021

EC-2021-135

It was Moved and Seconded,

That a response to D. Korbin's August 8, 2021, email be sent from the Executive Committee.

CARRIED

Chair Luckham will work with staff to craft a response.

10.4 S. Warwick re: News Release IT to improved development application process email dated Sept 9, 2021

Received for information.

10.5 Private Forest Landowners Association letter dated August 30, 2021

Received for information.

10.6 Rebuild Lytton Fund letter dated Aug 27, 2021

Received for information.

10.7 Minister Heyman re: rodenticide ban email dated July 21, 2021

Received for information.

11. WORK PROGRAM

11.1 Review and amendment of current work program

Received for information.

12. NEXT MEETING

Executive Committee scheduled a Special Electronic Meeting for October 13, 2021 beginning at 9:00 a.m. The next regular meeting of the Executive Committee is scheduled October 27, 2021.

13. CLOSED MEETING

At 2:18 p.m. the meeting was closed to the public.

EC-2021-136

It was Moved and Seconded,

That the meeting be closed to the public subject to Sections 90(1)(f) and (j) of the Community Charter in order to consider matters related to law enforcement if the committee considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment and; information that is prohibited, or information that if it were presented in a document would be prohibited from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*, and that staff attend the meeting.

CARRIED

At 2:30 p.m., the meeting was re-opened to the public.

14. ADJOURNMENT

EC-2021-137

It was Moved and Seconded,

That the meeting be adjourned at 2:32 p.m.

CARRIED

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder



Executive Committee Minutes of Special Electronic Meeting

Date: October 13, 2021

Location: Electronic Zoom Meeting

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

Staff Present: Russ Hotsenpiller, Chief Administrative Officer
Carmen Thiel, Legislative Services Manager
Lori Foster, Executive Coordinator/Recorder

Members of the Public: None (The public could attend via Zoom webinar link posted to the website).

1. CALL TO ORDER

At 9:02 a.m., Chair Luckham called the meeting order and humbly stated gratitude to live and work on Coast Salish First Nations traditional and treaty territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items - None

By general consent, the agenda was adopted as presented.

3. TRUST COUNCIL MEETING PREPARATION

3.1 November/December Trust Council Attendance – RFD

Executive Committee discussed the recommendation in the request for decision.
Discussion ensued on:

- The number trustees participating electronically,
- Communicating in a resolution without meeting (RWM) about a unanimous vote.

EC-2021-138

It was Moved and Seconded,

That Executive Committee request staff to conduct a Trust Council Resolution Without Meeting (RWM) to waive the requirements in section 4.4(c) of Trust Council Bylaw 101 to allow up to ten (10) council members to participate electronically in the November/December 2021 regular Trust Council meeting.

CARRIED

4. NEW BUSINESS ITEMS – None

5. NEXT MEETING

The next meeting of the Executive Committee is scheduled for October 27, 2021.

6. ADJOURNMENT

EC-2021-139

It was Moved and Seconded,

That the special meeting be adjourned at 9:25 a.m.

CARRIED

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. By general consent, at its Dec 16, 2020 meeting, Executive Committee put this item on hold pending review by Trust Programs Committee.	Russ Hotsenpiller	Meeting: 12-Sep-2017 Target: 05-Dec-2017	In Progress
2 Trust Council referred the matter of electronic meetings back to Executive Committee for further consideration including cost/benefits and all comments at Trust Council.	Russ Hotsenpiller	Meeting: 09-Jun-2021 Target: 21-Sep-2021	In Progress
3 THAT Executive Committee direct that staff develop draft policy regarding the provision of electronic meetings for application by Trust Council and Committees for when the Provincial State of Emergency is concluded.	Carmen Thiel Russ Hotsenpiller	Meeting: 30-Sep-2020 Target: 10-Nov-2021	In Progress
4 That Executive Committee ask staff to write a letter to our minister respecting possible follow-up actions regarding the meeting with K'òmoks and Minister Conroy.	Russ Hotsenpiller	Meeting: 26-May-2021 Target: 10-Nov-2021	In Progress
5 That the report Potential legislative and procedure change by the Islands Trust in relation to forest protection - Briefing be brought to a future Executive Committee meeting for next steps.	Russ Hotsenpiller	Meeting: 18-Nov-2020 Target: 10-Nov-2021	In Progress



Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
6 Bring back to EC, a briefing on the Trust Council tree cutting session from its September meeting.	Russ Hotsenpiller	Meeting: 21-Sep-2021 Target: 17-Nov-2021	In Progress
7 Reorder September Trust Council business decision highlights items putting Continuous Learning Plan and Policy Review at end of document.	Russ Hotsenpiller	Meeting: 06-Oct-2021 Target: 13-Oct-2021	Completed
8 Schedule a Special Electronic meeting on October 13, 2021 beginning at 9:00 a.m., and canvas trustees as to their desires regarding an in-person November/December Trust Council meeting.	Russ Hotsenpiller	Meeting: 06-Oct-2021 Target: 13-Oct-2021	Completed
9 Approve Trustee Busheikin's funding request to attend Vancouver Island Economic Summit October 27-28.	Russ Hotsenpiller	Meeting: 06-Oct-2021 Target: 17-Nov-2021	In Progress
10 Conduct a Trust Council Resolution Without Meeting to waive the requirements in section 4.4(c) of Trust Council Bylaw 101 to allow up to ten (10) council members to participate electronically in the November/December 2021 regular Trust Council meeting.	Russ Hotsenpiller	Meeting: 13-Oct-2021 Target: 17-Nov-2021	Completed

Director, Administrative Services

Activity	Responsibility	Dates	Status
1 Review Islands Trust Policy 6.5.2 as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed 'overspends' for any particular budget item.	Carmen Thiel Julia Mobbs	Meeting: 21-Oct-2020 Target: 10-Nov-2021	In Progress



Follow Up Action Report

Executive Committee

Director, Administrative Services

Activity	Responsibility	Dates	Status
2 That more information be brought back regarding the financial implications of Employee & Family Assistance Plan EFAP if the deductible changed to further consider if staff should enrol the new term of trustees in the Union of British Columbia Municipalities (UBCM) enhanced benefits plan with the Employee & Family Assistance Plan add-on.	Julia Mobbs	Meeting: 26-May-2021 Target: 10-Nov-2021	In Progress
3 The expenses for the Chair to attend the celebration of the Alt'ka7tsem/Howe Sound Biosphere Reserve announcement be covered by the Executive Committee.	Julia Mobbs	Meeting: 04-Aug-2021 Target: 17-Nov-2021	In Progress

Director, Local Planning Services

Activity	Responsibility	Dates	Status
1 That Executive Committee support an amendment to current funding from the provincial Healthy Watersheds Initiative to receive additional grant funding of up to \$55,000 to support work with Naut'sa mawt Tribal Council and the Islands Trust.	David Marlor	Meeting: 08-Sep-2021 Target: 17-Nov-2021	In Progress
2 Staff review the sponsorship policy and report back recommendations on local trust committee approvals, communications, and funding mechanisms.	David Marlor	Meeting: 14-Apr-2021 Target: 10-Nov-2021	In Progress



Follow Up Action Report

Executive Committee

Director, Local Planning Services

Activity	Responsibility	Dates	Status
3 That Executive Committee request staff to continue this discussion (Local Planning Services Renewal Status Report - Briefing) to a future Executive Committee meeting and the pros and cons of reducing the projects per local trust committee to one.	David Marlor	Meeting: 03-Feb-2021 Target: 10-Nov-2021	In Progress
4 that Executive Committee endorse the proposed amendments to Trust Council Policy 5.5.1 and request staff draft a Request for Decision for the September 2021 Trust Council meeting. Deferred to December 2021	David Marlor	Meeting: 04-Aug-2021 Target: 10-Nov-2021	In Progress
5 that Executive Committee direct staff to draft amendments to the Trust Council Bylaw Compliance and Enforcement Policy (5.5.1) to include the following: a) Debts incurred as the result of default on bylaw notices may be cancelled if the Director of Local Planning Services and the Bylaw Compliance and Enforcement Manager concur that contraventions on the subject property no longer exist, and it is not in the interest of Islands Trust to pursue the debt.	David Marlor	Meeting: 04-Aug-2021 Target: 10-Nov-2021	In Progress
6 Inform Galiano LTC re: bylaw 271; Gabriola LTC re bylaw 303; and Denman LTC re bylaw 239 were approved by Executive Committee.	David Marlor	Meeting: 06-Oct-2021 Target: 27-Oct-2021	Completed
7 Approve and process financial sponsorship of \$4400 for rezoning application GL-RZ-2021.1 (GALI) formerly Galiano Green.	David Marlor	Meeting: 06-Oct-2021 Target: 06-Oct-2021	In Progress



Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 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: 10-Nov-2021	In Progress
2 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: 10-Nov-2021	In Progress
3 Collaborate with Bowen Island Municipal staff on an insert for the tax notice and a delay for a year would be appropriate.	Clare Frater	Meeting: 14-Apr-2021 Target: 01-Feb-2022	In Progress
4 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: 10-Nov-2021	In Progress
5 That Trust Council request that the Executive Committee support Bowen Island Municipality in its efforts to oppose recreational use of motorized vehicles on Mount Gardner Crown land, subject to consultation with First Nations.	Clare Frater	Meeting: 17-Jun-2020 Target: 17-Nov-2021	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
6 The Executive Committee request staff to provide a Learning at Home series on the Murdered and Missing Indigenous Women and Girls Calls for Justice.	Clare Frater	Meeting: 05-Aug-2020 Target: 10-Nov-2021	In Progress
7 Staff to investigate the benefits and opportunities for the Islands Trust to cooperate with others in the anticipated Fall 2021 grant intake for the Government of Canada Nature Smart Climate Solutions Fund.	Clare Frater	Meeting: 05-May-2021 Target: 10-Nov-2021	In Progress
8 That Executive Committee recommends staff investigate preparing a discussion guide to support and facilitate public engagement on the draft policy statement.	Clare Frater	Meeting: 21-Jul-2021 Target: 10-Nov-2021	In Progress
9 that Executive Committee request Trust Area Services staff to work closely with the Howe Sound Biosphere Region Initiative organization regarding a joint communications plan and strategy for the Biosphere.	Clare Frater	Meeting: 04-Aug-2021 Target: 30-Sep-2021	In Progress
10 Executive Committee request staff to provide a briefing on the potential for webinars on Indigenous perspectives on climate change.	Clare Frater	Meeting: 08-Sep-2021 Target: 10-Nov-2021	In Progress
11 Trust Council requested staff prepare correspondence for the Chair to the appropriate ministries affirming Trust Council's support for the location of a dedicated Emergency Response Towing Vessel in Sidney, B.C.	Clare Frater	Meeting: 23-Sep-2021 Target: 17-Nov-2021	In Progress



Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
12 Trust Council requested staff provide a report outlining potential options for how the Trust and local trust committees can engage and assist with the Coast Guard Oil Spill response planning process.	Clare Frater	Meeting: 23-Sep-2021 Target: 17-Nov-2021	In Progress
13 That a response to D. Korbin's Aug 8, 2021 email be sent from the Executive Committee.	Clare Frater	Meeting: 06-Oct-2021 Target: 17-Nov-2021	In Progress

Legislative Services Manager

Activity	Responsibility	Dates	Status
1 Staff to draft amendments for replacement of those Trust Council policies deemed as top priority for updating, based on policy review analysis, for consideration of approval by Trust Council.	Carmen Thiel	Meeting: 03-Feb-2021 Target: 01-Dec-2021	In Progress
2 THAT Executive Committee direct that staff develop draft policy regarding the provision of electronic meetings for application by Trust Council and Committees for when the Provincial State of Emergency is concluded.	Carmen Thiel Russ Hotsenpiller	Meeting: 30-Sep-2020 Target: 10-Nov-2021	In Progress
3 Review Islands Trust Policy 6.5.2 as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed 'overspends' for any particular budget item.	Carmen Thiel Julia Mobbs	Meeting: 21-Oct-2020 Target: 10-Nov-2021	In Progress



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20
2021 MALA

DATE OF MEETING: October 27, 2021
TO: Islands Trust Executive Committee
FROM: Teresa Mahikwa, Island Planner
SUBJECT: Hornby Island Local Trust Committee – Bylaw No. 166

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 166, cited as “Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021”, in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Hornby Island Local Trust Committee has referred Bylaw No. 166 (Attachment 6) 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 (Attachment 4).

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to the **Hornby Island Local Trust Committee** regarding the Executive Committee decision by **October 29, 2021**.

Other

None.

PURPOSE

Hornby Island Local Trust Committee Bylaw No. 166, cited as “Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021” (Attachment 6) is intended to amend the current Hornby Island Official Community Plan (OCP) Bylaw 149 by proposing multiple changes to the Hornby Island OCP to ensure consistency between the OCP Policies and the Hornby Island Land Use Bylaw (LUB) regulations with regard to minimum lot size and minimum average lot area (MALA) in the various land use designations in the OCP.

BACKGROUND

Hornby Island Local Trust Committee Bylaw No. 166

- The Hornby Island LTC added the “Minimum Average Lot Area (MALA)” project to their Top Priority Project list and then endorsed the Project Charter at their regular business meeting on January 29, 2021.
- Staff drafted an OCP amendment (BL 166 – Attachment 6)), and the LTC determined the Bylaw was not contrary to or at variance with the Islands Trust Policy Statement (Attachment 4), and gave **first reading** to the Bylaw at their regular business meeting on **March 26, 2021**.
- In late April 2021, BL 166 was referred to 13 First Nations for comment, with a requested response deadline request of June 25, 2021. No issues relating to First Nations interest were noted by any of the First Nations that were referred the Bylaw (Attachments 3 & 7).
- BL 166 was also referred to 2 Provincial Agencies: the Ministry of Forests, Lands, and Natural Resource Operations and Rural Development (FLNRORD), and the Ministry of Transportation and Infrastructure (MOTI), as well as 3 Regional Agencies: Comox Valley Regional District (CVRD), Island Health, and School District 71. Only Island Health responded to comment that their interests were unaffected by the Bylaw (Attachment 3).
- BL 166 was also referred to 1 Local Trust Committee: the Denman Island Local Trust Committee, who responded to comment that their interests were unaffected by the Bylaw (Attachment 3).
- At the regular business meeting on **July 16, 2021**, the LTC made a slight amendment to the Bylaw and gave the Bylaw **second reading, as amended**.
- A Community Information Meeting (CIM) was scheduled, and a Public Hearing (PH) publicly advertised and then held on October 8, 2021. No public submissions were received.
- Following the CIM and PH, the LTC gave the Bylaw **third reading** during their regular business portion of their meeting on **October 8, 2021**, and passed a resolution to forward the Bylaw to EC for approval, as well as the Minister of Municipal Affairs and Housing for approval.

Issues Relating To Provincial or Regional Interest

None (Attachment 3).

Issues Relating To First Nation Interest

No issues relating to First Nations interest were noted by any of the First Nations that were referred the Bylaw (Attachments 3 & 7).

In late April 2021, staff referred BL 166 to the following 13 First Nations for review and comment (with a requested response deadline of June 25, 2021):

- Cowichan Tribes, Halalt First Nation, Homalco (Xwemalhkwa) First Nation, K'ómoks First Nation, Lake Cowichan First Nation, Lyackson First Nation, Nanwakolas Council, Penelakut Tribe, Qualicum First Nation, Stz'uminus First Nation, Tla'amin Nation, We Wai Kai Nation, and Wei Wai Kum Nation.
- Of the 13 First Nations referred, only Cowichan Tribes, Tla'amin First Nation, We Wai Kai Nation, and Wei Wai Kum Nation responded with "No comment".
- No responses were received from the other 9 First Nations.

Issues Relating To Resources and Enforcement

None (Attachment 3).

Public Comments

None received.

Staff Comments

Given that Bylaw 166 is not contrary to or at variance with the ITPS (Attachment 4); that no issues relating to Provincial or Regional interest, First Nation interest, issues relating to resources or enforcement, and that no public submissions were received (Attachments 3 & 7); and that, following the CIM and PH for the Bylaw, which did not identify any key issues to be addressed, the LTC gave the Bylaw third reading; staff are recommending that the Islands Trust EC approve Bylaw 166, as noted on page 1 of this report.

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*
- Islands Trust Policy Statement Directive Policies (Attachment 4)
- Islands Trust Policy 1.3.i [Policy Statement Implementation Policy]

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Hornby Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 166, cited as "Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Hornby Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Teresa Mahikwa, MCIP, RPP, Island Planner	October 12, 2021
Concurrence:	Robert Kojima, for David Marlor, MCIP, RPP Director, Local Planning Services	October 21, 2021

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 166
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Hornby Island Local Trust Committee

Bylaw No.: HO-166

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 08-Oct-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: HO-166

Trust Area: Hornby Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: HO-166
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 26-Mar-2021

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web: 29-Mar-2021

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 20-Sep-2021

File complete and ready for Public review: Yes

Public Hearings:

Location: Room to Grow, 2100 Sollans Road, Hornby Island
Proofread By: Mahikwa, Teresa

Legal Paper: Hornby Tribune
First Publish Date: 22-Sep-2021

Second Publish Date: 29-Sep-2021

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:
Second Reading Date: 16-Jul-2021

Delivery Notices:
Date Public Hearing Held: 08-Oct-2021
Third Reading Date: 08-Oct-2021

Referrals: Bylaw HO-166

Agency	Sent	Received
Comox Valley Regional District 600 Comox Road: Alana Mullaly	13-May-2021	
Cowichan Tribes Chief and Council: Candace Charlie Comment: no comment	26-Apr-2021	13-May-2021
Denman Island Local Trust Committee 700 North Road: Denman Island Trustees Comment: Interests unaffected	22-Apr-2021	04-Jun-2021
Halalt First Nation 7973 Chemainus Rd: Raven August Comment:	22-Apr-2021 15-Jun-2021	
Island Health 3rd Floor, 6475 Metral Drive: Referrals Referrals Comment: Interests unaffected	22-Apr-2021	08-Jun-2021
K'omoks First Nation 3320 Comox Road: Todd Boychuk Comment:	22-Apr-2021 15-Jun-2021	
Lake Cowichan First Nation 313B Deer Road: Carole Livingstone Comment:	26-Apr-2021 15-Jun-2021	
Lyackson First Nation 7973A Chemainus Road: Referrals Coordinator Comment:	22-Apr-2021 15-Jun-2021	
Ministry of Forests, Lands, Natural Resource Operations & Rural Development 2080 - A Labieux Road: FrontCounter BC	22-Apr-2021	
Ministry of Transportation and Infrastructure Courtenay Area Office: Tammy Thompson	22-Apr-2021	
Nanwakolas Council 203-2005 Eagle Drive: Referrals Office	22-Apr-2021	
Penelakut Tribe Chief and Council: Denise James Comment:	26-Apr-2021 15-Jun-2021	

Referrals: Bylaw HO-166

Agency	Sent	Received
Qualicum Indian Band 5850 River Road: Michael Recalma <i>Comment:</i>	22-Apr-2021 15-Jun-2021	
School District 71 607 Cumberland Road: Tom Demeo	22-Apr-2021	
Stz'uminus First Nation 12611 A Trans Canada Hwy: Ray Gauthier <i>Comment:</i>	26-Apr-2021 15-Jun-2021	
Tla'amin First Nation RR #2, Sliammon Road: Denise Smith <i>Comment:</i> received response - no comment	26-Apr-2021	15-Jun-2021
We Wai Kai Nation 690 Headstart Crescent: Samantha Chickite <i>Comment:</i> No Comment	22-Apr-2021	23-Apr-2021
We Wai Kum First Nation 1400 Weiwaikum Road: Chris Roberts <i>Comment:</i> No Comment	22-Apr-2021	28-Apr-2021
Xwemalhkwa (Homalco) First Nation 1218 Bute Crescent: Referrals Coordinator <i>Comment:</i>	22-Apr-2021 15-Jun-2021	



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 LTC Work Program 2021 MALA

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	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
✓	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.
	4.2	Forests
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.
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
✓	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.

n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY
	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.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	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
n/a	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 08-Oct-2021

Reading:

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 166

A BYLAW TO AMEND HORNBY ISLAND OFFICIAL COMMUNITY PLAN, 2014

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

1. Citation

This bylaw may be cited for all purposes as “Hornby Island Official Community Plan, 2014, Amendment No. 1, 2021”.

2. Hornby Island Local Trust Committee Bylaw No. 149, cited as “Hornby Island Official Community Plan, 2014,” is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 26TH DAY OF MARCH , 2021

READ A SECOND TIME THIS 16TH DAY OF JULY , 2021

PUBLIC HEARING HELD THIS 8TH DAY OF OCTOBER , 2021

READ A THIRD TIME THIS 8TH DAY OF OCTOBER , 2021

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 166
Schedule “1”

1. **Schedule “A”** of Hornby Island Official Community Plan, 2014 is amended as follows:

- 1.1 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.1 Objectives and Policies for Development**, article **6.1.2** text is deleted in its entirety and replaced with:

“A minimum lot size should be established within the Land Use Bylaw regulations for a lot that may be subdivided pursuant to section 514 of the *Local Government Act* (subdivision to provide residence for a relative) so as to uphold the objectives of the applicable designation in this Plan.”

- 1.2 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.2 Small Lot Residential**, policy **6.3.2.2** text is deleted in its entirety and replaced with:

“For subdivision of properties in the Small Lot Residential (SR) designation, a minimum lot size should be established within the Land Use Bylaw regulations to ensure that potential growth and development is compatible with the preservation and protection of the environment, natural amenities, resources and community character.”

- 1.3 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential**, is amended by making changes to the following policies:

- 1.3.1 Policy **6.3.3.1** text is deleted in its entirety and replaced with:

“For subdivision of properties in the Rural Residential (RR) designation, a minimum lot size should be established within the Land Use Bylaw regulations to ensure that potential growth and development is compatible with the preservation and protection of the environment, natural amenities, resources and community character. A smaller minimum lot size than is established within the Land Use Bylaw may be considered if the subdivision is for the purpose of creating a park, ecological reserve, community land trust, or other community service use.”

- 1.3.2 Policy **6.3.3.4** text is deleted in its entirety and replaced with:

“Only one dwelling unit should be permitted on lots smaller than 4.0 hectares, and a maximum of two dwelling units should be permitted on lots 4.0 hectares or greater.”

- 1.4 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.4 Forest**, policy **6.3.4.1** text is deleted in its entirety and replaced with:

“For subdivision of properties in the Forest (F) designation, a minimum lot size and minimum average lot size should be established within the Land Use Bylaw

regulations to ensure that potential growth and development is compatible with the preservation and protection of the environment, natural amenities, resources and community character. A smaller minimum lot size and minimum average lot size than is established within the Land Use Bylaw may be considered if the subdivision is for the purpose of creating a park, ecological reserve, community land trust, or other community service use.”

1.5 Section VI - Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE, Subsection 6.4 Agriculture, article 6.4.1 Agriculture, is amended by making changes to the following policies:

1.5.1 Policy 6.4.1.1 text is deleted in its entirety and replaced with:

“For subdivision of properties in the Agriculture (AG) designation, a minimum lot size should be established within the Land Use Bylaw regulations.”

1.5.2 Policy 6.4.1.3 text is deleted in its entirety and replaced with:

“Only one dwelling (which may contain a secondary suite) may be permitted on lots smaller than 4.0 hectares.”

1.5.3 Policy 6.4.1.4 text is deleted in its entirety and replaced with:

“On lots 4.0 hectares or greater, the following should be permitted:
a) one dwelling with a secondary suite within the dwelling; or
b) two dwellings, with the second dwelling limited in size, and if the land is in the Agricultural Land Reserve the second dwelling should only be permitted if the second dwelling is necessary for farm use as determined by the Local Trust Committee in consultation with a Provincial Regional Agrologist and is otherwise consistent with the Agricultural Land Reserve related enactments; or if authorized as a non-farm use by the Agricultural Land Commission.”

1.6 Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE, Subsection 6.4 Agriculture, article 6.4.2 Additional Policies for Land in the Agricultural Land Reserve, policy 6.4.2.3 text is deleted in its entirety and replaced with:

“For subdivision of properties within the Agricultural Land Reserve, a minimum lot size should be established within the Land Use Bylaw regulations. A smaller minimum lot size than is established within the Land Use Bylaw may be considered for subdivision where a portion of a lot has been leased to another farm operation for at least the five previous consecutive years and such subdivision is approved by the Agricultural Land Commission.”

1.7 Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE, Subsection 6.5 Commercial and Home Occupations, article 6.5.1 Retail and Personal Service, policy 6.5.1.5 text is deleted in its entirety and replaced with:

“For subdivision of properties in the Retail and Personal Service (CS) designation, a minimum lot size should be established within the Land Use Bylaw regulations.”

First Nation Engagement

Referral of: HO BL 166 and 167

First Nation: COWICHAN TRIBES

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>May 13, 2021</i>	<i>Response received from C. Charlie – no comment on this referral</i>	

First Nation: HALALT FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: HOMALCO (XWEMALHKWU) FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: K'OMOKS FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: LAKE COWICHAN FIRST NATION

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email and added to knowledge keeper database</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	

First Nation: LYACKSON FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: NANWAKOLAS COUNCIL

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email- for information only</i>	<i>BM/TM</i>

First Nation: PENELAKUT TRIBE

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: QUALICUM FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: STZ'UMINUS FIRST NATION

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: TLA'AMIN NATION

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	

First Nation: WE WAI KAI NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>April 23, 2021</i>	<i>Response received from Samantha Chickite – no comment</i>	

First Nation: WEI WAI KUM NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>April 28, 2021</i>	<i>Response received from Chief Chris Roberts – no comment</i>	

TM = Teresa Mahikwa, Island Planner
BM = Becky McErlean, Legislative Clerk



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20
2021 MALA

DATE OF MEETING: October 27, 2021
TO: Islands Trust Executive Committee
FROM: Teresa Mahikwa, Island Planner
SUBJECT: Hornby Island Local Trust Committee – Bylaw No. 167

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 167 cited as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021”, in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Hornby Island Local Trust Committee has referred Bylaw No. 167 (Attachment 6) 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 (Attachment 4).

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to **Hornby Island Local Trust Committee** regarding the Executive Committee decision by **October 29, 2021**.

Other

None.

PURPOSE

Hornby Island Local Trust Committee Bylaw No. 167, cited as “Hornby Island Land Use Bylaw, 2014,” (Attachment 6) is intended to amend the current Hornby Island Land Use Bylaw (LUB) No. 150 by proposing one single change to the Hornby Island LUB: to delete regulation 8.2(9) of the LUB in its entirety, in order to clarify that the minimum average lot area for subdivision in the Large Lot (R2) zone on Hornby Island is at least 2.0 hectares in size, instead of 4.0 hectares.

BACKGROUND

Hornby Island Local Trust Committee Bylaw No. 167

- The Hornby Island LTC added the “Minimum Average Lot Area (MALA)” project to their Top Priority Project list and then endorsed the Project Charter at their regular business meeting on January 29, 2021.
- Staff drafted an LUB amendment (BL 167 – Attachment 6)), and the LTC determined the Bylaw was not contrary to or at variance with the Islands Trust Policy Statement (Attachment 4), and gave **first reading** to the Bylaw at their regular business meeting on **March 26, 2021**.
- At their regular business meeting on **March 26, 2021**, the LTC also passed a resolution to **waive the requirement for a Public Hearing for Bylaw 167**, as they determined it was consistent with the OCP. Staff **publicly advertised the PH waiver in advance of consideration of third reading at the October LTC meeting**.
- In late April 2021, BL 167 was referred to 13 First Nations for comment, with a requested response deadline request of June 25, 2021. No issues relating to First Nations interest were noted by any of the First Nations that were referred the Bylaw (Attachments 3 & 7).
- BL 167 was also referred to 2 Provincial Agencies: the Ministry of Forests, Lands, and Natural Resource Operations and Rural Development (FLNRORD), and the Ministry of Transportation and Infrastructure (MOTI), as well as 3 Regional Agencies: Comox Valley Regional District (CVRD), Island Health, and School District 71. Only Island Health responded to comment that their interests were unaffected by the Bylaw (Attachment 3).
- BL 167 was also referred to 1 Local Trust Committee: the Denman Island Local Trust Committee, who responded to comment that their interests were unaffected by the Bylaw (Attachment 3).
- At the regular business meeting on **July 16, 2021**, the LTC gave the Bylaw **second reading**.
- Given that the requirement for a PH was waived, the LTC gave the Bylaw **third reading** during their regular business portion of their meeting on **October 8, 2021**, and passed a resolution to forward the Bylaw to EC for approval.

Issues Relating To Provincial Interest

None (Attachment 3).

Issues Relating To First Nation Interest

No issues relating to First Nations interest were noted by any of the First Nations that were referred the Bylaw (Attachments 3 & 7).

In late April 2021, staff referred BL 167 to the following 13 First Nations for review and comment (with a requested response deadline of June 25, 2021):

- Cowichan Tribes, Halalt First Nation, Homalco (Xwemalhkwu) First Nation, K'ómoks First Nation, Lake Cowichan First Nation, Lyackson First Nation, Nanwakolas Council, Penelakut Tribe, Qualicum First Nation, Stz'uminus First Nation, Tla'amin Nation, We Wai Kai Nation, and Wei Wai Kum Nation.
- Of the 13 First Nations referred, only Cowichan Tribes, Tla'amin First Nation, We Wai Kai Nation, and Wei Wai Kum Nation responded with "No comment".

No responses were received from the other 9 First Nations.

Issues Relating To Resources and Enforcement

None (Attachment 3).

Public Comments

None received.

Staff Comments

Given that Bylaw 167 is not contrary to or at variance with the ITPS (Attachment 4); that no issues relating to Provincial or Regional interest, First Nation interest, issues relating to resources or enforcement, and that no public submissions were received (Attachments 3 & 7); and that the requirement for a PH for the Bylaw was waived and publicly advertised, and that the LTC gave the Bylaw third reading; staff are recommending that the Islands Trust EC approve Bylaw 167, as noted on page 1 of this report.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Hornby Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. [NUMBER], cited as "Hornby Island Land Use Bylaw, 2014," is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Hornby Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Teresa Mahikwa, MCIP, RPP, Island Planner	October 12, 2021
Concurrence:	Robert Kojima, for David Marlor, Director, MCIP, RPP Local Planning Services	October 21, 2021

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ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 167
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Hornby Island Local Trust Committee

Bylaw No.: HO-167

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 08-Oct-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: HO-167

Trust Area: Hornby Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: HO-167
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 26-Mar-2021

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 29-Mar-2021

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 22-Sep-2021

File complete and ready for Public review: Yes

Public Hearings:

Location: Room to Grow, 2100 Sollans Road, Hornby Island
Proofread By: McErlean, Becky

Legal Paper: Hornby Tribune
First Publish Date: 22-Sep-2021

Second Publish Date: 29-Sep-2021

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:

Second Reading Date: 16-Jul-2021

Delivery Notices:
Date Public Hearing Held:
Third Reading Date: 08-Oct-2021

Referrals: Bylaw HO-167

Agency	Sent	Received
Comox Valley Regional District 600 Comox Road: Alana Mullaly	13-May-2021	
Cowichan Tribes Chief and Council: Candace Charlie Comment:	26-Apr-2021	13-May-2021
Denman Island Local Trust Committee 700 North Road: Denman Island Trustees	22-Apr-2021	04-Jun-2021
Halalt First Nation 7973 Chemainus Rd: Raven August Comment:	22-Apr-2021 15-Jun-2021	
Island Health 3rd Floor, 6475 Metral Drive: Referrals Referrals Comment: Interests unaffected	22-Apr-2021	08-Jun-2021
K'omoks First Nation 3320 Comox Road: Todd Boychuk Comment:	22-Apr-2021 15-Jun-2021	
Lake Cowichan First Nation 313B Deer Road: Carole Livingstone Comment:	26-Apr-2021 15-Jun-2021	
Lyackson First Nation 7973A Chemainus Road: Referrals Coordinator Comment:	22-Apr-2021 15-Jun-2021	
Ministry of Forests, Lands, Natural Resource Operations & Rural Development 2080 - A Labieux Road: FrontCounter BC Comment:	22-Apr-2021	
Ministry of Transportation and Infrastructure Courtenay Area Office: Tammy Thompson	22-Apr-2021	
Nanwakolas Council 203-2005 Eagle Drive: Referrals Office	22-Apr-2021	
Penelakut Tribe Chief and Council: Denise James Comment:	26-Apr-2021 15-Jun-2021	

Referrals: Bylaw HO-167

Agency	Sent	Received
Qualicum Indian Band 5850 River Road: Michael Recalma <i>Comment:</i>	22-Apr-2021 15-Jun-2021	
School District 71 607 Cumberland Road: Tom Demeo	22-Apr-2021	
Stz'uminus First Nation 12611 A Trans Canada Hwy: Ray Gauthier <i>Comment:</i>	26-Apr-2021 15-Jun-2021	
Tla'amin First Nation RR #2, Sliammon Road: Denise Smith <i>Comment:</i> received response - no comment	26-Apr-2021	15-Jun-2021
We Wai Kai Nation 690 Headstart Crescent: Samantha Chickite <i>Comment:</i>	22-Apr-2021	23-Apr-2021
We Wai Kum First Nation 1400 Weiwaikum Road: Chris Roberts	22-Apr-2021	28-Apr-2021
Xwemalhkwa (Homalco) First Nation 1218 Bute Crescent: Referrals Coordinator <i>Comment:</i>	22-Apr-2021 15-Jun-2021	

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 LTC Work Program 2021 MALA

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	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
✓	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.
	4.2	Forests
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.
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
✓	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.

n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY
	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.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
n/a	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	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
n/a	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 08-Oct-2021

Reading:

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 167

A BYLAW TO AMEND HORNBY ISLAND LAND USE BYLAW, 2014

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

1. Citation

This bylaw may be cited for all purposes as “Hornby Island Land Use Bylaw, 2014, Amendment No. 1, 2021”.

2. Hornby Island Local Trust Committee Bylaw No. 150, cited as “Hornby Island Land Use Bylaw, 2014,” is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 26TH DAY OF MARCH 2021

READ A SECOND TIME THIS 16TH DAY OF JULY 2021

PUBLIC HEARING HELD THIS 8TH DAY OF OCTOBER 2021

READ A THIRD TIME THIS 8TH DAY OF OCTOBER 2021

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 202x

ADOPTED THIS _____ DAY OF _____ 202x

Chair

Secretary

**HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 167**

Schedule “1”

1. **Schedule “A”** of Hornby Island Land Use Bylaw, 2014 is amended as follows:
 - 1.1 **Part 8 – ZONE REGULATIONS**, Section **8.2 Residential 2 – Large Lot (R2) Zone**, is amended by deleting **Subsection 8.2(9) – Other Regulations** “Despite 8.2(8) for lots where two legal dwellings are permitted, the minimum average lot area must be greater than 4.0 hectares” in its entirety.

First Nation Engagement

Referral of: HO BL 166 and 167

First Nation: COWICHAN TRIBES

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>May 13, 2021</i>	<i>Response received from C. Charlie – no comment on this referral</i>	

First Nation: HALALT FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: HOMALCO (XWEMALHKWU) FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: K'OMOKS FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: LAKE COWICHAN FIRST NATION

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email and added to knowledge keeper database</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	

First Nation: LYACKSON FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: NANWAKOLAS COUNCIL

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email- for information only</i>	<i>BM/TM</i>

First Nation: PENELAKUT TRIBE

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: QUALICUM FIRST NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: STZ'UMINUS FIRST NATION

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	<i>BM</i>

First Nation: TLA'AMIN NATION

Date	Comment/Action	Initial
<i>April 26, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>June 9, 2021</i>	<i>Resent referral package advising of Public Hearing date.</i>	

First Nation: WE WAI KAI NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>April 23, 2021</i>	<i>Response received from Samantha Chickite – no comment</i>	

First Nation: WEI WAI KUM NATION

Date	Comment/Action	Initial
<i>April 22, 2021</i>	<i>Referral Package sent via email</i>	<i>BM/TM</i>
<i>April 28, 2021</i>	<i>Response received from Chief Chris Roberts – no comment</i>	

TM = Teresa Mahikwa, Island Planner
BM = Becky McErlean, Legislative Clerk



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20
(Expanded Community Use)

DATE OF MEETING: October 27, 2021
TO: Islands Trust Executive Committee
FROM: Teresa Mahikwa, Island Planner
SUBJECT: Gabriola Island Local Trust Committee – Bylaw No. 310

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 310, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2021”, in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Gabriola Island Local Trust Committee has referred Bylaw No. 310 (Attachment 6) 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 (Attachment 4).

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to the **Gabriola Island Local Trust Committee** regarding the Executive Committee decision by **October 29, 2021**.

Other

None.

PURPOSE

Gabriola Island Local Trust Committee Bylaw No. 310, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2021” (Attachment 6) is intended to:

1. Remove the geographic restriction that currently allows community resource centres to be permitted as a principal use on only one lot in the IN1 zone, thereby permitting community resource centres as a principal use on any lot that is zoned IN1; and
2. Add a site-specific permitted accessory use in the IN1 zone in order to allow the Gabriola Island Recycling Organization (GIRO) to repair and process used items into usable goods that the recycling centre can sell.

BACKGROUND

Gabriola Island Local Trust Committee Bylaw No. 310

- June 17, 2021 GB LTC regular business meeting: The LTC added this project to the LTC’s Top Priorities List and endorsed the Project Charter, including that staff prepare draft bylaw amendments.
- **July 29, 2021** GB LTC regular business meeting: The LTC determines that Bylaw No. 310 is **not contrary to or at variance with the Islands Trust Policy Statement (ITPS)** (Attachment 4); the LTC gave **Bylaw No. 310 first reading**; the LTC **waived the requirement for a Public Hearing**, as the bylaw is consistent with the OCP and requested staff to proceed with public notification as such; Bylaw No. 310 was referred to the Regional District of Nanaimo (RDN) and the Gabriola Island Advisory Planning Commission (APC) for review and comment.
- No response from the RDN was received. The Gabriola APC recommended approval.
- **October 21, 2021** GB LTC regular business meeting: Given that the PH was waived, the LTC gave Bylaw No. 310 **second and third readings** and requested staff to forward to the Executive Committee for approval.

Issues Relating To Provincial Interest

None.

Issues Relating To First Nation Interest

Planning staff, in discussion with the Islands Trust’s Senior Intergovernmental Policy Advisor, determined that since the Bylaw No. 310 LUB amendments would result in no direct or immediate impacts to lands (no construction or disturbance of or near any known archaeology sites) or waters (no nearby streams, no impacts to groundwater use etc), that Snuneymuxw would likely see a referral for an amendment like this as an additional business change of use.

Staff recognize that the LTC also has a standing resolution (2019-031) regarding reconciliation with local First Nations, and it’s important to try and find a balance between referring everything to Snuneymuxw for review, and at the same time recognizing that they have limited capacities in time/resources for review as well, and therefore just referring those things we understand would be of high concern or interest to them. Staff’s discussion with the SIPA was that deciding not to refer this particular BL 310 to Snuneymuxw would still conform to the LTC’s standing resolution. Staff recommended that First Nations not be referred this Bylaw, and the LTC took staff’s recommendation.

Issues Relating To Resources and Enforcement

None.

Public Comments

None.

Staff Comments

Given that Bylaw No. 310 is not contrary to or at variance with the ITPS; that the Gabriola APC recommended approval of the Bylaw and that there were no comments received by the RDN; that the notification to waive the Public Hearing for the Bylaw has been publicly advertised; and that the LTC gave third reading to the Bylaw on October 21, 2021, staff are recommending, as per page 1 of this report, that the Island Trust Executive Committee approve Bylaw No. 310.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Gabriola Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 310, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2021" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Gabriola Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Teresa Mahikwa, MCIP, RPP Island Planner	October 21, 2021
Concurrence:	Robert Kojima, for David Marlor, MCIP, RPP Director, Local Planning Services	October 22, 2021

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 310



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gabriola Island Local Trust Committee

Bylaw No.: GB-310

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 21-Oct-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: GB-310

Trust Area: Gabriola Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: GB-310

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 29-Jul-2021

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web: 14-Sep-2021

Resolutions:

Resolution Waiving Public Hearing: Yes

Resolution Authorizing Public Hearing: No

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 05-Oct-2021

File complete and ready for Public review: Yes

Public Hearings:

Location: The Haven, Heron Room, 240 Davis Rd, Gabriola, BC

Proofread By: McErlean, Becky

Legal Paper: Gabriola Sounder

First Publish Date: 06-Oct-2021

Second Publish Date: 13-Oct-2021

Alternate Paper:

First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held:

Second Reading Date: 21-Oct-2021

Third Reading Date: 21-Oct-2021

Referrals: Bylaw GB-310

Agency	Sent	Received
Advisory Planning Commission Gabriola <i>Chair - APC: Chair Gabriola APC</i> <i>Comment: Minutes received at Oct 21, 2021 LTC Meeting</i>	04-Aug-2021	21-Oct-2021
Nanaimo Regional District <i>6300 Hammond Bay Road: Attention: Planning Referrals</i>	05-Aug-2021	



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

**File No.: 6500-20 LTC Work Program
Expanded Community Uses (IN1 zone)**

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
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
n/a	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 21-Oct-2021

Reading:

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 310

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2021”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999,” is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 29TH DAY OF JULY , 2021

PUBLIC HEARING WAIVED THIS 21ST DAY OF OCTOBER , 2021

READ A SECOND TIME THIS 21ST DAY OF OCTOBER , 2021

READ A THIRD TIME THIS 21ST DAY OF OCTOBER , 2021

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 310**

Schedule “1”

1. **Schedule “A”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:
 - 1.1 **Part D – ZONES, Section D.4 RECREATION AND INSTITUTIONAL ZONES, Subsection D.4.4 Institutional 1 (IN1), Article D.4.4.1 Permitted Uses, Clause D.4.4.1.a. Permitted Principal Uses, Item D.4.4.1.a.ix,** is amended by deleting the text in its entirety and replacing with:

“ix community resource centre”
 - 1.2 **Part D – ZONES, Section D.4 RECREATION AND INSTITUTIONAL ZONES, Subsection D.4.4 Institutional 1 (IN1), Article D.4.4.1 Permitted Uses, Clause D.4.4.1.b. Permitted Accessory Uses,** to add the following as item **D.4.4.1.b.ii:**

“ii repair and processing of used items into usable goods for sale associated with a recycling centre, on lands as shown on Schedule C, Map 7”

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 Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 31-Dec-2022	In Progress
2 Trust Council approved a comprehensive performance review of the Islands Trust's governance, management and operations.	Russ Hotsenpiller	Meeting: 03-Dec-2020 Target: 31-Mar-2022	In Progress
3 That Trust Council refer the matter of electronic meetings back to Executive Committee for further consideration including cost/benefits and all comments at Trust Council.	Russ Hotsenpiller	Meeting: 09-Jun-2021 Target: 22-Sep-2021	In Progress
4 That Trust Council prioritize public engagement tools and approaches as a priority topic for future learning opportunities.	Russ Hotsenpiller	Meeting: 21-Sep-2021 Target: 20-Sep-2022	In Progress

Director, Administrative Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Trust Council

Director, Administrative Services

Activity	Responsibility	Dates	Status
1 That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.	Carmen Thiel David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 30-Nov-2021	In Progress
2 That Trust Council approve the Islands 2050 Phase 3 Public Engagement Project Charter scenario 3 and approve a budget of an additional \$82,000, consisting of an additional transfer of \$62,000 from the general revenue surplus fund and the remainder to be funded by any reallocation of funds from the approved 2021/2022 budget to support implementation.	Clare Frater Julia Mobbs	Meeting: 22-Sep-2021 Target: 23-Mar-2022	In Progress
3 That Trust Council approve the 2020/21 Statement of Financial Information as presented. That Trust Council approve the June 30, 2021 Financial Report as presented.	Julia Mobbs	Meeting: 22-Sep-2021 Target: 17-Nov-2021	In Progress

Director, Local Planning Services

Activity	Responsibility	Dates	Status
1 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: 31-Dec-2021	In Progress

Follow Up Action Report

Trust Council

Director, Local Planning Services

Activity	Responsibility	Dates	Status
2 Staff to work with the Regional Planning Committee to review policies and fees related to the Agricultural Land Commission Exclusion Regulation which comes into effect October 1, 2020.	David Marlor	Meeting: 15-Sep-2020 Target: 31-Dec-2021	In Progress
3 That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.	Carmen Thiel David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 30-Nov-2021	In Progress
4 Trust Council asked staff to provide recommendations about how to broaden engagement and capacity building within local communities, particularly with respect to involving First Nations, in the work of the Islands Trust Area.	Clare Frater David Marlor	Meeting: 10-Mar-2021 Target: 31-Dec-2021	In Progress
5 That Trust Council repeal Policy 5.6.1 "Application Process Services", Policy 5.6.2 "Cost Recovery Agreements", and Policy 5.6.3 "Extraordinary Processing Services Guidelines" and replace them with Policy 5.6.1 "Application Processing Services".	David Marlor	Meeting: 09-Jun-2021 Target: 22-Sep-2021	In Progress
6 That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 "Application Processing Services".	David Marlor	Meeting: 09-Jun-2021 Target: 22-Sep-2021	In Progress

Follow Up Action Report

Trust Council

Director, Local Planning Services

Activity	Responsibility	Dates	Status
7 Trust Council refer the Residential Floor Area report back to the Regional Planning Committee and request that the report incorporate the work being done on North Pender and South Pender and to update the report to identify environmental benefits .	David Marlor	Meeting: 22-Sep-2021 Target: 23-Mar-2022	In Progress
8 That Trust Council forward the "Shoreline Protection Model Bylaw Report" dated March 2021 to local trust committees and Bowen Island Municipality for information.	David Marlor	Meeting: 22-Sep-2021 Target: 06-Oct-2021	In Progress
9 That Trust Council invite local trust committees and Bowen Island Municipality to advise the Regional Planning Committee if they intend to undertake policy or regulatory amendments based on the recommendations in the "Residential Floor Area Ratio Model Bylaw Report" or the "Shoreline Protection Model Bylaw Report."	David Marlor	Meeting: 22-Sep-2021 Target: 17-Nov-2021	In Progress

Director, Trust Area Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Trust Council

Director, Trust Area 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 Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 31-Dec-2022	In Progress
2 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: 31-Dec-2021	In Progress
3 That Trust Council request that the Executive Committee support Bowen Island Municipality in its efforts to oppose recreational use of motorized vehicles on Mount Gardner Crown land, subject to Bowen Island's Municipality First Nations consultation.	Clare Frater	Meeting: 17-Jun-2020 Target: 31-Dec-2021	In Progress
4 Cooperate and work with Dr. Tara Martin's delegation re data sharing of Coastal Douglas-fir.	Clare Frater	Meeting: 17-Jun-2020 Target: 31-Dec-2021	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
5 Chair to write to My Sea to Sky indicating commitment to participate as pilot communities for the Climate Action Report Card tool project being developed by My Sea to Sky Society and partners, subject to review of the project and endorsement by the Trust Programs Committee.	Clare Frater	Meeting: 16-Sep-2020 Target: 21-Sep-2021	In Progress
6 That Islands Trust request the Province enhance the Trust's jurisdiction over tree cutting bylaws to make its jurisdiction equal to that of municipalities under section 8 of the Community Charter.	Clare Frater	Meeting: 16-Sep-2020 Target: 21-Sep-2021	In Progress
7 THAT the Islands Trust Council suspended the Community Stewardship Awards Program and will revisit the decision at the end of 2021. Issue news release (DONE).	Clare Frater	Meeting: 16-Sep-2020 Target: 01-Dec-2021	In Progress
8 That Trust Council issue a NAPTEP certificate for the Moss Mountain property (Parcel Identifier 006-760-112) subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.	Clare Frater	Meeting: 03-Dec-2021 Target: 31-Dec-2021	In Progress
9 That Trust Council issue a NAPTEP certificate for the R. Leader property (Parcel Identifier 000-395-081) subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.	Clare Frater	Meeting: 03-Dec-2020 Target: 31-Dec-2021	In Progress



Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
10 Trust Council asked staff to provide recommendations about how to broaden engagement and capacity building within local communities, particularly with respect to involving First Nations, in the work of the Islands Trust Area.	Clare Frater David Marlor	Meeting: 10-Mar-2021 Target: 31-Dec-2021	In Progress
11 That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate (NAPTEP) for the covenanted portion of the property on North Pender Island described as "3209 Armadale Road, Parcel Identifier 029-414- 890, and 3210 Clam Bay Road, Parcel Identifier 000-543-527" subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.	Clare Frater	Meeting: 09-Jun-2021 Target: 31-Dec-2021	In Progress
12 That Trust Council approve the Islands 2050 Phase 3 Public Engagement Project Charter scenario 3 and approve a budget of an additional \$82,000, consisting of an additional transfer of \$62,000 from the general revenue surplus fund and the remainder to be funded by any reallocation of funds from the approved 2021/2022 budget to support implementation.	Clare Frater Julia Mobbs	Meeting: 22-Sep-2021 Target: 23-Mar-2022	In Progress
13 That Trust Council direct staff to develop policy guidance for sponsorship of Natural Area Protection Tax Exemption Program (NAPTEP) applications and return to Trust Council for further review and approval.	Clare Frater Kate Emmings	Meeting: 22-Sep-2021 Target: 23-Mar-2022	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
14 That Trust Council request staff to provide a report outlining potential options for how the Trust and local trust committees can engage and assist with the Coast Guard Oil Spill response planning process.	Clare Frater	Meeting: 22-Sep-2021 Target: 23-Mar-2022	In Progress
15 That Trust Council request staff to prepare correspondence for the Chair to the appropriate ministries affirming Trust Council support for the location of a dedicated Emergency Response Towing Vessel in Sidney, B.C.	Clare Frater	Meeting: 22-Sep-2021 Target: 17-Nov-2021	In Progress

Legislative Services Manager

Activity	Responsibility	Dates	Status
1 That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.	Carmen Thiel David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 30-Nov-2021	In Progress
2 That staff be directed to draft amendments to the Trust Council Meeting Procedures Bylaw 101 regarding electronic regular meetings once anticipated legislative changes are approved.	Carmen Thiel	Meeting: 09-Jun-2021 Target: 31-Dec-2021	In Progress
3 That Trust Council request trustees to provide to Executive Committee further or different amendments to Policy 2.1.2 prior to adoption and this matter be deferred until December Trust Council.	Carmen Thiel	Meeting: 21-Sep-2021 Target: 30-Nov-2021	In Progress



Follow Up Action Report

Trust Council

Legislative Services Manager

Activity	Responsibility	Dates	Status
4 That procedures for Trust Council Section 13 Resolutions without Meeting section 4.3.3.4 be deleted. That the matter of deleting section 3.1 offends the principle of an RWM, an is referred back to senior staff.	Carmen Thiel	Meeting: 22-Sep-2021 Target: 23-Mar-2022	In Progress
5 That Trust Council adopt amended Trust Council Policy 7.6.1 Freedom of Information and Protection of Privacy (attachment 1). That Trust Council adopt amended Trust Council Policy 7.6.2 Freedom of Information and Protection of Privacy Procedure (attachment 3).	Carmen Thiel	Meeting: 22-Sep-2021 Target: 17-Nov-2021	In Progress

Manager, Islands Trust Conservancy

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 Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 31-Dec-2022	In Progress
2 That Trust Council direct staff to develop policy guidance for sponsorship of Natural Area Protection Tax Exemption Program (NAPTEP) applications and return to Trust Council for further review and approval.	Clare Frater Kate Emmings	Meeting: 22-Sep-2021 Target: 23-Mar-2022	In Progress

Trust Council Quarterly Meeting Schedule
November 30 - December 2, 2021
in-person Victoria Coast Hotel

Tuesday, November 30		Wednesday, December 1		Thursday, December 2	
11:00	Executive Committee	9:00 Consent Agenda	Administrative Services Director's Report FPC Work Program	9:00	Closed Meeting
		Discussion * Decision	Budget Session	10:15	BREAK
		10:30	BREAK	10:30 10:35	Rise and Report New Business Items
12:00	LUNCH	10:45	Collaboration	Trustee/Summary Updates BC Ferries Advisory Committee Chairs First Nations GINPR Advisory Committee SSIWPA Howe Sound Community Forum Southern Gulf Island Community Forum Baynes Sound Forum Freighter Anchorages Roundtable Update Priorities Chart Proposed March 2022 TC Agenda Program Disposition of Delegations and Town Hall Requests Correspondence Strategic Plan Amendments Next Meeting To Be Determined	
1:00	Land Acknowledgement / Call to Order	12:00	LUNCH		
Consent Agenda	General Business Arising	1:00	Delegations/ Town Hall		
Discussion Decision	Trustee Roundtable	2:30	BREAK		
2:30	BREAK	2:45	Regional Planning Services		
2:45	Executive	Consent Agenda	Director's Report RPC Work Program Report	12:00	
		Discussion * Decision	pending		
		4:00	BREAK		
4:00	Select Committee Update	4:15	Trust Area Service	ADJOURNMENT (approximate)	
		Consent Agenda	Director's Report TAS Work Program		
		Discussion * Decision	pending		
5:00	RECESS FOR THE DAY	5:00	RECESS FOR THE DAY	 Islands Trust	



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** October 27, 2021

From: Executive Coordinator **Date Prepared:** October 19, 2021

SUBJECT: Proposed Executive Committee 2022 schedule and recommendations for Trust Council 2022 meeting dates

RECOMMENDATION:

1. That Executive Committee adopt Islands Trust Executive Committee 2022 Draft Meeting Schedule, Attachment 1, as its meeting dates for 2022.
 2. That Executive Committee recommends Trust Council adopt the following meeting dates for its 2022 schedule: March 8-10, June 21-23, September 20-22 and November 1-3.
-

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Certainty with regards to Trust Council meeting dates, times and format as well as Executive Committee scheduling will allow for more detailed and coordinated planning for 2022. Advice is appreciated from EC on whether to hold an additional Trust Council meeting in December 2022, to address the 2023 budget cycle, or in January 2023.

PURPOSE: To consider a 2022 business meeting schedule for Executive Committee adoption and make recommendations to Trust Council for its 2022 meeting schedule.

BACKGROUND:

I. Executive Committee 2022 Meeting Schedule

Executive Committee received a briefing and draft 2022 meeting schedule at its October 6th meeting. Feedback to the October 6th draft schedule requested that the mid-August meeting be removed or rescheduled to allow for summer vacation planning.

Attachment 1, a revised draft schedule, proposes 19 Executive Committee meetings.

Attachment 2 offers a “calendar view” of the proposed schedule.

II. Selection of Trust Council meeting dates, 2022

The Trust Council/Executive Committee 2022 schedule is built out from the election date October 15. [Meeting Procedures Bylaw No. 101; 2.1.](#), states that Council shall be held on the first Wednesday in November following a general local election which would be November 2, 2022.

September Trust Council meeting dates are determined by the Union of BC Municipalities Convention (UBCM). Recently, Trust Council has been held after UBCM has met.

The following Trust Council meeting dates are recommended for 2022: **March 8-10, June 21-23, September 20-22 and November 1-3.**

III. New Council Convenes

On November 2, the first Wednesday of November following the general election, newly elected council members will convene November 1-3 (a proposed three day schedule) where new council will take its oath, receive an orientation, elect its Executive Committee and appoint its Financial Planning, Regional Planning and Trust Programs committee members.

IV. Trust Council Meeting Locations

At its November 17th meeting, EC will review a request for decision for Trust Council to consider regarding electronic meeting options and options for in-person participation which is currently being addressed with amendments being brought to Trust Council Bylaw No. 101, as well as budgetary considerations.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Islands Trust meeting scheduling involves consideration of the schedules of 13 local trust committees, one island municipality, 5 or more council committees, the Conservancy Board as well as various outside entities.

FINANCIAL:

The draft 2022/23 budget for Trust Council meeting expenses considers 4 in-person quarterly meetings.

POLICY:

[Bylaw 101 Meeting Procedures Bylaw](#)

[Executive Committee Elections](#)

IMPLEMENTATION/COMMUNICATIONS:

Trust Council will consider its meeting schedule for adoption at its Nov/Dec meeting.

FIRST NATIONS:

The certainty provided by an adopted Committee schedule for the Islands Trust will allow for ongoing discussions and meetings with First Nations governments.

ATTACHMENTMENTS

1. Executive Committee 2022 Draft Meeting Schedule
 2. 2022 EC-TC schedule – calendar view - DRAFT
-

RESPONSE OPTIONS

Executive Committee may amend the draft schedule as desired.

Prepared By: Executive Coordinator

Reviewed By/Date: CAO October 22, 2021



Islands Trust Executive Committee 2022 DRAFT Meeting Schedule

The public location for all meetings will be the Islands Trust Victoria office (#200, 1627 Fort Street) starting at 9:00 AM unless otherwise noted.

1. January 12
2. February 2
3. February 23
4. March 8 (pre Trust Council)
5. March 23
6. April 13
7. May 4
8. May 25
9. June 8
10. June 21 (pre Trust Council)
11. July 6
12. August 3
13. September 7
14. September 20 (per Trust Council)
15. October 5
16. October 19
17. November 1 (pre Trust Council)
18. November 23

TRUST COUNCIL MEETINGS

March 8-10

June 21-23

September 20-22

November 1-3* Victoria

December 6-8 (potential additional meeting)

*The November 1-4 Trust Council date is set by Policy and Bylaw 101 Meeting Procedures bylaw following a municipal election year.

Executive Committee and Trust Council Meeting Schedule 2021

SEPTEMBER 2021							OCTOBER 2021							NOVEMBER 2021							DECEMBER 2021						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
			1	2	3	4						1	2		1	2	3	4	5	6			1	2	3	4	
5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11
12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18
19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25
26	27	28	29	30			24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31	
							31																				

DRAFT 2022 Executive Committee / Trust Council Schedule

JANUARY 2022							FEBRUARY 2022							MARCH 2022							APRIL 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
						1			1	2	3	4	5			1	2	3	4	5					1	2	
2	3	4	5	6	7	8	6	7	8	9	10	11	12	6	7	8	9	10	11	12	3	4	5	6	7	8	9
9	10	11	12	13	14	15	13	14	15	16	17	18	19	13	14	15	16	17	18	19	10	11	12	13	14	15	16
16	17	18	19	20	21	22	20	21	22	23	24	25	26	20	21	22	23	24	25	26	17	18	19	20	21	22	23
23	24	25	26	27	28	29	27	28						27	28	29	30	31			24	25	26	27	28	29	30
30	31																										
MAY 2022							JUNE 2022							JULY 2022							AUGUST 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7				1	2	3	4						1	2		1	2	3	4	5	6
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30	28	29	30	31			
SEPTEMBER 2022							OCTOBER 2022							NOVEMBER 2022							DECEMBER 2022						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
				1	2	3							1			1	2	3	4	5					1	2	3
4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12	4	5	6*	7*	8*	9	10
11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30				25	26	27	28	29	30	31
							30	31																			

	Trust Council
	Executive Committee
	Statutory Holiday
	Election Day
	AVICC/UBCM
	Local Government Leadership Forum
	Salish Sea Conference

*For consideration to add additional Trust Council meeting



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** October 27, 2021
From: Carmen Thiel, Leg. Serv. Mgr. **Date Prepared:** October 21, 2021
SUBJECT: Proposed Amendments to Trust Council Procedure Bylaw No. 101

RECOMMENDATION: That Executive Committee consider the proposed amendments outlined in the report and reflected on the attached track-changes version of consolidated Bylaw No. 101; and

That staff be directed to draft an amendment bylaw which incorporates the agreed upon amendments, for review at the November 17, 2021 Executive Committee meeting, and consideration by Trust Council at its November 30 to December 2, 2022 meeting.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The primary purpose of this report is for Executive Committee to review the changes proposed in attachment 1 and approve them, if appropriate, for inclusion in an amendment bylaw.

1 PURPOSE: To seek approval of amendments to Trust Council Procedure Bylaw No. 101, related to electronic regular meetings, delegations and town hall, and other housekeeping items for inclusion in an amendment bylaw for Trust Council consideration.

2 BACKGROUND:

On Sept. 30, 2020, Executive Committee adopted the following motion:

“THAT Executive Committee direct that staff develop draft policy regarding the provision of electronic meetings for application by Trust Council and Committees for when the Provincial State of Emergency is concluded.” Provisions for electronic meetings are contained in Trust Council Procedure Bylaw 101.

On September 29, 2021 the *Islands Trust Electronic Meeting Regulation* was amended to allow Trust Council, Executive Committee, local trust committees and the Islands Trust Conservancy Board to conduct regular meetings electronically, in addition to special meetings which are already provided for. To implement the new authority for electronic regular meetings, Trust Council will need to make amendments to its procedure bylaw at the upcoming meeting in November/December, 2021.

Staff have proposed changes to the electronic meeting provisions in Bylaw 101 in sections 4.4 - 4.7 for Trust Council, and sections 11.11 - 11.14 for Council Committees, as well as other related sections, and the proposed amendments have been sent to legal counsel for review.

Other proposed amendments include:

- The addition of definitions for “Delegations” and “Town Hall”;
- A new requirement that delegations register by filling out a form (sample – Attachment 2) and submitting it with their presentation material three weeks in advance of a Trust Council meeting for inclusion in the agenda package;
- A new section on Town Hall (public participation) in order to differentiate between Delegations and Town Halls as the bylaw is silent on the latter even though it is a practice of Trust Council to provide a spot on its agendas for Town Hall.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

The proposed amendments regarding electronic regular meetings reflect requirements in the new Electronic Meeting Regulation. Some decisions will have to be made on whether to amend various restrictions to electronic meeting attendance in the current bylaw. A new section on Town Hall and a more detailed procedure for Delegations are proposed which are more in line with standard requirements in other local government procedure bylaws. Currently the bylaw is silent on the subject of Town Hall, although the topic is covered in TC Policy 2.2.2 Council Meeting Preparation (link below).

FINANCIAL:

Savings will be realized with an increase in electronic meeting attendance, as opposed to the costs incurred for in-person meetings.

POLICY:

The following is a summary of the proposed changes to Bylaw 101, which are shown as track changes in the attached draft for discussion:

- | | | |
|--------------------------|-------------------------------------|---|
| 1. Definitions | “resolution without meeting” | Add “Delegations” and “Town Hall”

Insert the correct section of the Islands Trust Act |
| 2. Section 2.4 | Postponement if no Quorum | Amend to include process where no quorum for electronic meetings |
| 3. Section 4.4(a) | Council Electronic Meetings | Amend to provide that <u>both</u> regular and special meetings may be held entirely by electronic means. Add sentence to clarify notice requirements for each type of electronic meeting. |
| 4. Sections 4.4 | “ “ “

(c) - (f) | Change the restrictions or remove them altogether i.e.: whether the Chair must be present at the physical location of a regular electronic meeting; numbers of members that may attend in-person meetings electronically; and numbers of in-person meetings that an individual trustee may attend electronically in a calendar year |

The removal of these restrictions are

		fairly significant and the implications of this action should be carefully considered before finalizing
5. Section 5.4(c)	Regular Meeting Agenda	Amend to be consistent with Trust Council meeting preparation policy and normal practice
6. Section 5.5	“ “ “	Clarify that “Trust Committee” means “Local Trust Committee”
7. Section 5.7	Addition of Agenda Items	Should unanimous approval be required to add late items to the agenda at the beginning of meetings? Or leave as is?
8. Section 5.8	Delegations	Amend to require delegations to fill out form to address Council, and to provide a full copy of presentation 3 weeks prior to meeting for inclusion in agenda if directed by EC. Sec. 5.8(b) allows a way for delegates to speak when written application/presentation has not been received 3 weeks in advance, but requires unanimous approval of Council.
9. Section 6.4 – 6.7	Town Hall	New proposed section to differentiate Between Delegations and Town Hall. Consider term used “Town Hall”? or “Public Participation? The concept of Town Hall at Trust Council meetings is covered in TC Policy 2.2.2 (link below)
10. Section 8.15(b)	RWMs	Housekeeping – cleans up error
11. Section 9.2(c)	Adoption of Bylaws	Remove dated wording
12. Section 11.5(b)	Notice of Com. Meeting	Update to reference correct section and wording added to reflect amended Electronic Meeting Regulation
Section 11.5(d)	“ “	Update - previous time frames reflected Canada Post mail delivery
13. Section 11.11	Com. Electronic Meetings	Numerous proposals to remove restrictions for EC electronic participation. <u>As with Sec. 4.4 above</u> the implications of this should be carefully considered
14. Section 11.12	Com. Electronic Meetings	Remove requirement to use landline - many people don’t have landlines

15. **Section 11.13**

“ “ “

15 minutes is the consistent time used throughout this bylaw for loss or dropped electronic connection

IMPLEMENTATION/COMMUNICATIONS:

Staff to prepare RFD and amendment bylaw for Trust Council consideration in Nov./Dec. 2021 meeting.

FIRST NATIONS:

N/A

OTHER:

4 RELEVANT POLICY(S):

- Amended *Islands Trust Electronic Meeting Regulation*
https://www.bclaws.gov.bc.ca/civix/document/id/complete/statreg/119_90
- Policy 2.2.2 Council Meeting Preparation
<https://islandstrust.bc.ca/document/policy-2-2-2-council-meeting-preparation/>

5 ATTACHMENT(S):

- Attachment 1: Track changes version of proposed amendments to Bylaw 101
Attachment 2: Sample form for Delegations to Submit to Appear before Trust Council/Committees
-

RESPONSE OPTIONS

Recommendation:

That Executive Committee consider the proposed amendments as outlined in the report and reflected on the attached track-changes version of consolidated Bylaw No. 101; and

That staff be directed to draft an amendment bylaw which incorporates the agreed upon amendments for review at the November 17, 2021 Executive Committee meeting.

Alternative:

That Executive Committee consider new or different proposed amendments to those outlined in the report and reflected on the attached track-changes version of consolidated Bylaw No. 101; and

That staff be directed to draft an amendment bylaw which incorporates the agreed upon amendments for review at the November 17, 2021 Executive Committee meeting.

Prepared By: Carmen Thiel, Leg. Serv. Mgr.

Reviewed By/Date: Russ Hotsenpiller, CAO / October 21, 2021

2.2.4. Bylaw

MEETING PROCEDURES BYLAW NO. 101

Trust Council: March 11, 2004

A: ATTACHMENTS:

1. Attachment 1.: BYLAW 101: MEETING PROCEDURES

THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY AND IS
NOT TO BE CONSTRUED AS A LEGAL DOCUMENT

This copy is consolidated for convenience only and is amended by the
following:

Bylaw No.	Amendment No.	Adoption Date
Bylaw No. 132	Amendment No. 1/09	October 12, 2009
Bylaw No. 133	Amendment No. 2/09	December 21, 2009
Bylaw No. 166	Amendment No. 3/16	October 21, 2016
Bylaw No. 171	Amendment No. 4/17	January 17, 2018
Bylaw No. 180	Amendment No. 5/20	June 17, 2020

ISLANDS TRUST POLICY MANUAL

Z:\10 Leg & Reg\3900 Bylaws\06 TC - Proposed (P)\Procedure Bylaw Amendment\TC_2021-11-30_BYL101-TC-meetingproceduresbylaw-
consolidated_TrackChanges_BYL_Draft102.docG:\EXEC\Council\BYLAWS\2004\Bylaw 101\TC-meeting-procedures-bylaw-consolidated.doc

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ISLANDS TRUST COUNCIL

BYLAW NO. 101

**A Bylaw to Regulate the Meetings of the Islands Trust Council, Committees of
 Council and the Islands Trust Executive Committee**

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

PART 1 - INTERPRETATION**Definitions**

1.1 In this bylaw

"Act" means the *Islands Trust Act*;

"Chair" means the Chair of the Islands Trust Council;

"Committee" means the Executive Committee, or a standing committee, select committee, or other committee of Council and includes sub-committees;

"Committee Chair" means the Chair of a Committee;

"Council" means the governing and executive body of the Islands Trust constituted as the Islands Trust Council as provided in Section 5 of the Act;

"Delegation" means an individual or group which appears before Trust Council or a Council Committee to make a presentation, submit a petition or request for action, or bring Council or a Committee up-to-date on a project, idea, or concept on a topic specified on a "Registration Form for Delegations to Address Islands Trust Council or a Council Committee" and which falls within the jurisdiction of Trust Council or one of its Committees.

"Executive Committee" means the Islands Trust Executive Committee as provided in Section 20 of the Act;

"improper conduct" includes conduct which obstructs the deliberations of the Council, or statements considered by the Chair or person presiding as defamatory or profane;

"meeting" means the assembly of trustees as duly constituted under Parts 2 and 3 and called to order by the Chair in accordance with Part 6;

Commented [CT1]: EC Should the definition also stipulate that the presentation **must be on the subject of an agenda item?**

The definition is based on a definition in the City of White Rock procedure bylaw.

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"resolution without meeting" means a Council resolution passed under Section ~~11-13~~ (2) to (45) inclusive of the Act;

"point of order" means an interruption of the debate or proceedings, during a meeting of Council, with an inquiry whether something being said or done is in or out of order according to a statute, this bylaw or rules referred to in this bylaw;

"point of privilege" means an interruption of the debate or proceedings, during a meeting of Council, with an inquiry respecting privilege under Section 7.5 of this bylaw or under the rules of order referred to in Section 7.6 of this bylaw;

"quorum" means at least one half of the number of Trustees provided for by the Act;

"Secretary" means the Islands Trust employee appointed and acting as Secretary to the Council or committee and includes, for the purposes of the provisions of this bylaw dealing with minutes, an employee designated by the Secretary for that purpose; and

"Town Hall" means a public participation period where a member of the public may address Trust Council or a Council Committee on a topic under the jurisdiction of the applicable trust body.

"trustee's address" means the address given to the Secretary by each trustee.

Incorporation of Act's Definitions

- 1.2 Any term defined in the Act and used in this bylaw has the meaning given to it in the Act as of the date of adoption of this bylaw.

Interpretation of Bylaw

- 1.3 Nothing in this bylaw, and no failure to comply with this bylaw, affects the validity of an act of Council.

Application of Rules of Procedure

- 1.4 The provisions of this bylaw govern the proceedings of Council and of all committees, as applicable.

Severability

- 1.5 If any section or lesser portion of this bylaw is held invalid by a Court of competent jurisdiction, the invalid portion shall be severed from the bylaw without affecting the validity of the remainder.

Citing this Bylaw

Commented [CT2]: EC: Is it preferred to use the term "Town Hall" or "Public Participation Period"?

This wording is based on Salt Spring LTC Procedure Bylaw

Commented [CT3]: EC: as part of the legal review, staff have asked whether this definition should specifically include the term "email" since that is the primary method of communication with trustees now.

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- 1.6 This bylaw is to be cited as “Islands Trust Council Meeting Procedures Bylaw, 2004”.

PART 2 - REGULAR MEETINGS

Schedule and Notice of Regular Meetings

- 2.1 The first regular meeting of the Council shall be held on the first Wednesday of November following a general local election. At the first regular meeting, the Council shall establish the schedule of the date, time and place of regular Council meetings for the following calendar year, one of which shall be in each of the months of March, June, September and December.
- 2.2 Thereafter, at the meeting in **December** of each of the subsequent three years, the Council shall establish the schedule of the date, time and place of regular Council meetings for the following calendar year, one of which shall be in each of the months of March, June, September and December, with the exception of the year of a general local election when the last meeting of the year will be held in November. The meeting schedule and any revision to the schedule shall be posted at the places specified in Part 10 of this bylaw.

Quorum

- 2.3 Once the meeting is called to order, the Chair is responsible to ensure a quorum is maintained for the purposes of conducting the meeting.

Postponement if no Quorum

- 2.4 If there is no quorum of trustees at an in-person meeting within three hours of the time set for the beginning of the meeting, or at an electronic meeting within 15 minutes of the time set ~~the meeting within three hours of the time set~~ for the beginning of the meeting:
- (a) the regular meeting is cancelled;
 - (b) all business on the agenda for that regular meeting is cancelled; and
 - (c) all business on the agenda for that regular meeting must be dealt with at the next regular meeting or a special meeting.

Commented [CT4]: EC: As part of the legal review, a question has been posed about whether the bylaw should refer to “in-person” meetings when referring to a meeting at a physical place? Or not?

PART 3 - SPECIAL MEETINGS

Calling a Special Meeting

- 3.1 (a) _____ The Chair or Executive Committee, or three trustees, may direct the Secretary to conduct a vote by resolution without meeting for the purposes of Trust Council calling a special meeting. Within seven (7)

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days, the Secretary shall conduct a vote on whether Council should hold a special meeting for a specified purpose at a specified time and place.

- (b) In the event the resolution without meeting referred to in Section 3.1(a) or (c) is passed by a majority of trustees, the Secretary shall give notice of the special meeting to every trustee in writing at the place to which the trustee has directed that notices be sent, and to the public by posting a copy of the notice at places specified in Section 10, at least 48 hours before the time of the meeting. The notice will indicate the day, hour, place and purpose of the special meeting.
- (c) In the event that three trustees have directed the Secretary to conduct a vote by resolution without meeting to call a special meeting the Secretary shall notify the Executive Committee within 48 hours of receipt of this request. As per Section 3.1 (b), the Secretary will give notice of the special meeting with Executive Committee recommendations if available.

Postponement if no Quorum

- 3.2 Section 2.4 applies to special meetings.

PART 4 - OTHER MATTERS REGARDING MEETINGS

Recessing and Reconvening a Meeting

- 4.1 Council may by resolution adjourn any special or regular meeting for purposes of reconvening on a date and at a time and location specified in the resolution.

Cancellation of Regular Meetings

- 4.2 Council may by resolution at a regular or special meeting or by resolution without meeting cancel any regular meeting by causing the Secretary to provide:
- (a) written notice to trustees confirming cancellation of the meeting 48 hours before the scheduled start of the meeting, using procedures stated in Section 3.1 (b) and (c); and
 - (b) public notice of the cancellation of the regular meeting by posting notice of the cancellation at the regular meeting location and the places specified in Part 10 of this bylaw.

Cancellation of Special Meetings

- 4.3 The Chair, and/or the Executive Committee, and/or any three Trustees may request a cancellation of a special meeting of Council following the procedures outlined in Section 4.2.

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Electronic Meetings

- 4.4 (a) A regular meeting of Council ~~or~~ a special meeting of Council 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 Council have agreed by resolution that the meeting may be conducted in this way and provided the Secretary has received sufficient notice and can make the necessary arrangements. The notice of regular meeting must be given in accordance with Part 10 of this bylaw and the notice of special meeting must be given in accordance with Section 3.1(b).
- (b) An individual Council member who is not at the physical location of a special Council meeting or a regular Council meeting may choose to participate by means of audio or audio and visual electronic communication facilities, provided the Secretary has received sufficient notice and can make the necessary arrangements.
- (c) At a regular in-person Council meeting, no more than ~~four~~ ten Council members may participate by means of electronic communication facilities and in the event that more than ~~four~~ ten members wish to do so, the first ~~fourteen~~ members to notify the Secretary will be those eligible to participate through electronic communication facilities.
- (d) The person presiding at a regular Council meeting must be present at the physical location of the Council meeting.
- (e) An individual member of Council may not participate by means of electronic communication facilities in more than ~~one~~ two regular in-person meetings of the Council in any one calendar year.
- (f) The Council may waive the restrictions in section 4.4(c) and (e) by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.
- (g) Council members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
- (h) A member of the Council may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
- (i) Where a member of the Council 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.

Commented [CT5]: EC: Should the bylaw contain a clause stating how many regular Trust Council meetings may be conducted in a calendar year? Or leave it up to Trust Council to decide on an annual basis?

Commented [CT6]: EC: As part of legal review, staff have asked: Does this wording satisfy the requirements of Section 2(b)(ii) of the Electronic Meeting Regulation which says the trust body procedure bylaw must establish the procedures for giving notice of regular electronic meetings and any notice requirements which apply to electronic special meetings under section 3 of the regulation.?"

Commented [CT7]: EC: As part of legal review, staff have asked that since the Electronic Meetings Regulations now allows trust bodies to have REGULAR meetings electronically, is it recommended to remove the restrictions in (c), (d), (e) and (f) related to in-person meetings; **or** leave them in depending on the direction of Trust Council. Alternatively, they could be left in, but the restrictions could be loosened as shown in track changes.

As well advice is being sought on whether the term "in-person" should be used in the bylaw to differentiate between "in-person meetings in a physical space" vs. "electronic meeting".

Commented [CT8]: EC: Per the question posed in the comment box above

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- (j) Where a member of the Council is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
- (k) For the duration of a ~~special or regular~~ 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.

4.5 Cell phone or satellite connections may be used for open Council meetings.

4.6 If communication is lost to one or more electronic participants during a meeting:

- (a) 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.
- (b) If there is not a quorum, the Council Chair or person presiding will call a recess until the link is reestablished.
- (c) If, after 15 minutes, a link cannot be reestablished and there is not a quorum of Council 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.

4.7 The costs of electronic participation in a Council meeting will be borne by the Council if the Council member is participating from a location within Canada or has received the approval of the majority of Council members.

PART 5 - PROCEDURE FOR COUNCIL MEETINGS

Chair to Open Meetings

5.1 If there is a quorum of Council, the Chair must call the meeting to order. If there is a quorum of Council but the Chair is not present within 15 minutes of the scheduled meeting starting, a Vice Chair must take the chair and call the meeting to order.

Appointment of Acting Chair

5.2 If there is a quorum of Council but neither the Chair nor a Vice Chair is present within 15 minutes of the scheduled meeting starting time, the Secretary must call the meeting to order and by resolution the Council must appoint a trustee to act as Chair for that meeting until the Chair or a Vice Chair arrives. The Acting Chair

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of a meeting has the powers and duties of the Chair in respect of that meeting until the Chair or a Vice Chair arrives.

Regular Meeting Agenda

- 5.3. (a) The Council may by resolution adopt a standard agenda format which may include Consent Agenda portions;
- (b) The Consent Agenda portions of the agenda shall consist of staff or committee report items that contain clear 'take action, give approval, or receive for information' recommendations;
- (c) Trustees may vote on and adopt in one motion all recommendations appearing on the Consent Agenda portions of a regular meeting agenda;
- (d) At approval of the Consent Agenda, a Trustee may for the purpose of:
- (i) debate or discussion,
 - (ii) voting in opposition to a recommendation on the Consent Agenda portion or to propose an amendment to the motion; or
 - (iii) declaring a conflict of interest with respect to an item on the Consent Agenda portion,

request that an item be removed from the Consent Agenda portion, without debate or vote of the members. The item will then be considered under the Discussion/Decision Items in the applicable agenda section heading.

- 5.4 The Secretary must prepare an agenda for each regular meeting, which must:
- (a) be consistent with any standard agenda format as determined in Section 5.3;
 - (b) state the general nature of each business item to be dealt with at the regular meeting; and
 - (c) be sent to each trustee's address at least ~~seven~~ten (~~7~~10) days before the scheduled meeting date.

- 5.5 Any trustee, Local Trust Committee ~~Council~~ Committee or the Chief Administrative Officer may propose an item of business for the agenda of a regular meeting by giving written notice of the item, in reasonable detail, to the Secretary three (3) weeks prior to the meeting, for agenda consideration by the Executive Committee.

Commented [CT9]: It is assumed this refers to a "Local Trust Committee" so added "Local"

Special Meeting Agenda

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- 5.6 The Chair, Executive Committee or both shall provide the trustees with an agenda stating the specific items of business to be considered at a special meeting.

Addition of Agenda Items

- 5.7 Council may by resolution place urgent items on the agenda at the beginning of the meeting during agenda adoption by unanimous consent.

Notice to Secretary of Petitions and Delegations

- ~~5.8~~ 5.8 (a) A person who wishes to present a petition to, or a delegation who wants to appear before Council at a regular meeting of Council shall, at least three (3) weeks prior to the meeting, deliver the request in writing to the Secretary on the prescribed form. The request must include. The request shall include the name of each petitioner or delegate with ~~his or her~~ their residential address, ~~and~~ the subject of the petition or delegation and a complete copy of the presentation material for the record.

(b) Where written application has not been received as prescribed in section 5.8 (a), a petitioner or delegation may address the meeting if approved by a unanimous vote of the ~~Members~~ present, in accordance with Section 5.10.

(c) The subject of the petition or delegation must be related to a matter that is within the jurisdiction of the Islands Trust Council.

- 5.9 At the discretion of the Executive Committee, the petitioner or delegation may be given a space on the agenda.

- 5.10 No petition may be presented to, nor delegation appear before Trust Council unless Section 5.8 and 5.9 has been complied with unless otherwise agreed to by resolution of the Executive Committee before the meeting or of Trust Council at the meeting.

Correspondence

- 5.11 Anyone who wishes correspondence to be considered at a meeting of Council shall, at least three (3) weeks prior to the meeting, deliver the correspondence to the Secretary. At the discretion of the Executive Committee, the correspondence shall be attached to the agenda or where it deems it appropriate, the correspondence shall be identified on the agenda and copies made available to Trustees who request it at the meeting.

Time Allowed for Petitions and Delegations

- 5.12 The maximum time for presentation of a petition or appearance of a delegation before Council is ten (10) minutes unless otherwise approved by resolution of the

Commented [CT10]: EC: As part of legal review, staff have asked whether this requirement is common/appropriate? This refers to "late items" for which members have not had any time to prepare or give any thought. There have been several meetings where significant items/ resolutions have been added to a meeting agenda on the day of the meeting.

Commented [CT11]: New wording here and in (b) and (c) below to formalize the requirements for appearing as a delegation.

Commented [CT12]: This would allow a late request to be considered where the 3 week deadline has not been met, but unanimous approval would be

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Executive Committee before the meeting or by resolution of Trust Council at the meeting.

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Confidential Resolutions Without Meeting

- 5.13 The Chair or the Executive Committee may direct the Secretary to conduct a resolution without meeting in a confidential manner where the matter to be considered comes within the scope of s.90 of the *Community Charter*, and to record the resolution without meeting in a minute book to which the public may not have access.

Minutes

- 5.14 The Secretary shall keep legible minutes of every regular and special meeting of the Council and shall record any declarations made in relation to a conflict of interest and any resolutions closing a meeting to the public.
- 5.15 The minutes of every meeting must be adopted by resolution of Council. If each trustee has received a copy of the minutes of a meeting, those minutes may be adopted by resolution of Council. Any changes to the minutes as stipulated by Council resolution must first be made by the Secretary before adoption. All approved Council minutes shall be distributed to all Trustees.

Inspection and Copying of Council Approved Minutes

- 5.16 The minutes for every Council meeting are open for inspection by any person. Any person may make copies of minutes at reasonable times. This Section does not apply to a meeting from which the public has been excluded or a resolution without meeting that has been recorded in the manner specified in Section 5.12.

PART 6 - RULES OF CONDUCT**Recognition of Speakers**

- 6.1 A trustee may speak in a meeting after the trustee has raised his or her hand and the Chair has recognized the trustee. If two or more trustees wish to speak, the Chair may designate the order in which each is to speak. If the Chair wishes to speak in a meeting, the Chair need only address the meeting.

Rules Regarding Trustees When Speaking

- 6.2 Except as otherwise resolved by Council, a trustee may:
- (a) speak only to a matter being debated by Council;
 - (b) speak only to a motion that has been moved and seconded;
 - (c) not speak to a matter already resolved by Council and;

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- (d) not speak when called to order by the Chair.

Enquiries by Guests of Council and Members of the Public Attending the Meeting

- 6.3 At the discretion of the Chair, or by resolution of Trust Council, any person attending a meeting may address the Council to enquire about any item of business on the agenda in the manner set out in Section 6.2.

Town Hall

- 6.4 A town hall, or public participation period, may be scheduled for each regular meeting of Trust Council.
- 6.5 A member of the public may have three (3) minutes to address Trust Council during the public participation period, unless extended by unanimous vote of the Trust Council members present.
- 6.6 Persons wishing to address Trust Council will be asked to state their name, address and topic involved.
- 6.7 Subjects must relate to matters within the jurisdiction of Trust Council, unless Council waives this requirement by majority consent.

Commented [CT13]: EC: Does this term work, or should we refer to "public participation" and drop the term "town hall"? This section has been added to differentiate Town Hall from Delegations. Wording based on that in the SSLTC procedure bylaw.

PART 7 - POINTS OF ORDER AND PRIVILEGE

No Interruption of Speaker or Meetings

- 7.1 No trustee may interrupt another trustee who is speaking except to raise a point of order.

Chair to Keep Order

- 7.2 The Chair is to preserve order at every meeting of Council and has the power to make such rulings as are necessary to do so, including the power to rule on all points of order and expel a trustee for improper conduct.

Chair to Give Basis for Rulings

- 7.3 At the time any ruling is made by the Chair on a point of order, the Chair must inform the Council of the ground upon which the ruling is made.

Appeal to Council on Point of Order

- 7.4 A trustee may appeal any ruling of the Chair on a point of order to Council. The Chair must put to Council the question "Should the ruling of the Chair be sustained?". The question must be put to the meeting at once by the Chair and

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the question must be immediately voted upon by Council without debate. If the votes for and against the question are equal, ~~the chair is sustained~~. The Chair is governed by the vote of the trustees on the question.

Commented [CT14]: EC: As part of legal review, the questions has been posed about whether the bylaw should clarify whether the Chair votes in this instance? In Roberts Rules the Chair DOES vote.

Points of Privilege

7.5 A trustee may:

- (a) require that a motion being debated be read for the trustee's information, but may not interrupt another trustee who is speaking unless that other trustee consents;
- (b) require the Chair to state the reasons for the Chair's ruling on a point of order, which the Chair must do at once without debate; and
- (c) put a question to the Chair regarding any matter connected to the affairs of Council, which the Chair may require be put in writing.

Robert's Rules of Order Apply

7.6 All matters of order or privilege not provided for in this bylaw are governed by the rules in the current edition of *Robert's Rules of Order*.

PART 8 - RESOLUTIONS

Resolutions and Bylaws

- 8.1 (a) Resolutions, a reading of a Council bylaw and adoption of a bylaw may be passed on a motion moved by a trustee and seconded by another trustee.
- (b) Resolutions for consideration at a Trust Council meeting must be received in writing by the Secretary for consideration by Council.

Effect of Question Under Consideration

- 8.2 When a question is under consideration, no motion may be made except a motion to:
 - (a) call the question;
 - (b) postpone the question indefinitely;
 - (c) table or postpone the question for a specified time;
 - (d) amend the question;
 - (e) refer the question to a committee;

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- (f) limit or extend debate on the question; or
- (g) put a previous question to the vote.

Motion to Table

- 8.3 A trustee may make a motion to table a matter at any time unless a motion to adjourn has already been made. Council may debate the motion to table, but may not debate the matter which is the subject of the motion to table.

Motion to Adjourn

- 8.4 A trustee may make a motion to adjourn a meeting at any time. The motion must be put to a vote at once without debate. If a motion to adjourn is defeated, no further motion to adjourn may be made unless some business or another matter intervenes between the defeat of the first motion to adjourn and the further motion.

Motion to Postpone a Question

- 8.5 A trustee may make a motion to postpone consideration of a question until later in the same meeting, to another meeting, or indefinitely. A motion to postpone until later in the same meeting must be put to a vote without debate. A motion to postpone until another meeting or indefinitely may be debated and, if that motion is passed, the question which is postponed may not be considered again during that meeting.

Inadmissible Motion

- 8.6 If the Chair or a Trustee considers that a motion is contrary to a bylaw or the Act, the Chair must inform Council at once and may refuse to put the question to a vote. The Chair must give reasons for any such refusal at once.

Recording and Reading of Motions

- 8.7 The Secretary must record in the minutes the text of every motion. After a motion has been recorded and seconded by another trustee, the Secretary, if requested by a trustee, must read the motion aloud to the meeting before the motion is debated or put to the vote by the Chair. A motion may not be withdrawn after it has been voted on by Council at that meeting.

Amendment of Motions

- 8.8 (a) A trustee may move to amend a motion being considered by Council, but the amendment must be seconded before further consideration. That trustee may not move any further amendments to that motion. A trustee

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may move to amend an amendment already moved, but only one motion to amend an amendment may be made.

- (b) No motion to amend a motion may be made if the amendment negates the motion which would be amended. If any trustee asserts that a proposed amendment to a motion would negate that motion, the Chair must at once rule whether that would be the case. That ruling may be appealed to Council as a ruling on a point of order.

Effect of Motion to Amend

8.9 If a motion to amend a motion is:

- (a) carried, the motion is to be voted on as amended; or
- (b) defeated, the motion is to be voted on unamended.

8.10 A motion to amend must either be withdrawn, with the permission of the seconder, or voted on before the motion which would be amended may be voted on.

Question to be Put After Debate

8.11 The Chair must put every question to a vote immediately after debate on that question is closed. Where the votes of the trustees, including the vote of the chair or other person presiding, are equal for and against a question, the motion shall fail, and it shall be the duty of the Chair or other presiding person to so declare.

Voting by Show of Hands

8.12 Each trustee voting on a question must do so by raising his or her hand.

Recording of Votes

8.13 A trustee may require his or her vote on any question to be recorded by the Secretary. The Secretary in such case must record in the meeting minutes the name of the trustee and which way the trustee voted.

Recording Abstentions

8.14 When a member abstains from voting on any question, he or she shall be regarded as having voted in the affirmative and at the request of the member abstaining, or the Chair, the abstention must be recorded in the minutes of the meeting. When a member leaves the meeting temporarily after declaring a conflict of interest, the member shall not be regarded as having abstained.

Resolutions Without Meeting

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- 8.15 (a) Trustees moving or seconding a motion to be considered as a resolution without meeting shall inform the Chair, or in the absence of the Chair, a Vice Chair, in writing or by telephone.
- (b) The Chair shall direct the Secretary to conduct the vote, which the Secretary or his/her delegate may then conduct in writing or by telephone by providing trustees with a copy of the resolution. ~~in accordance with Section 3.1 (d).~~
- (c) The Secretary or his/her delegate shall record the results of the resolution without meeting vote.

Commented [CT15]: EC: Propose taking this out. There is no Section 3.1.(d) and the current Section 3 doesn't seem applicable.

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PART 9 - ADOPTION OF BYLAWS

Proposing Bylaws

- 9.1 Unless Council otherwise resolves, Council may not consider a proposed bylaw unless:
- (a) the Secretary has given a copy of it to each trustee; and
 - (b) it is on the agenda for the meeting.

Adoption of Bylaws

- 9.2 A bylaw has been enacted by Council once:
- (a) all approvals, procedures and other requirements imposed by statute have been fulfilled;
 - (b) Council has given first, second and third readings to the bylaw by title only; and
 - (c) Council has ~~reconsidered and finally~~ adopted the bylaw.

Commented [CT16]: EC: Section 135 of the Community Charter no longer uses the words “reconsidered and finally adopted”, so propose taking out “reconsidered and finally”. Have posed this as part of legal review.

PART 10 - PUBLIC ACCESS

Open to the Public

- 10.1 Regular and special meetings of Council will be open to the public, and no person may be excluded except when the Council resolves to exclude members of the public in accordance with Section 90 of the *Community Charter*.

Public Notice

- 10.2 Notices of the meetings of the Council and of other Council business shall be posted at the principal office of the Islands Trust in Victoria and on the Islands Trust website.
- 10.3 The Secretary shall provide public notice, through media releases, of the time, location and agenda highlights of a regular meeting of the Council at least two weeks before the meeting. Agendas will be made readily available upon request.
- 10.4 Public notice of the availability of the meeting schedule at the places specified in Section 10.2 shall be given at least once a year by publication in a newspaper or newspapers circulating in the trust area.

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PART 11 - COMMITTEE MEETINGS

Duties of the Executive Committee

- 11.1 The Executive Committee must carry out the responsibilities assigned to it in Part 3 of the Act, carry out any duties delegated to it by Trust Council and follow the terms of reference established for it by Trust Council.

Duties of Standing Committees

- 11.2 Standing committees of Council must follow the terms of reference established for them by Council in terms of membership and responsibilities.

Duties of Select Committees

- 11.3 Select committees must consider, inquire into, report and make recommendations to Council about the matters referred to them by Council within the period specified by Council.

Schedule of Committee Meetings

- 11.4 (a) At its first meeting after its establishment, and at least annually after that, a committee must establish a regular schedule of meetings, consistent with the terms of reference established by Council.
- (b) The Committee Chair may cancel a meeting, or may call a special meeting of the committee in addition to the scheduled regular meetings, subject to approved budgets for meeting costs and staff resources.

Notice of Committee Meetings

- 11.5 (a) Subject to subsection (c), after a committee has established the regular schedule of committee meetings, including the times, dates and places of committee meetings, notice of the schedule must be given by:
- (i) posting a copy of the schedule at the principal office of the Islands Trust in Victoria and on the Islands Trust website; and
 - (ii) providing a copy of the schedule to each member of the committee.
- (b) Where either a regular or special committee meeting is conducted entirely through electronic communication facilities under section 11.1¹⁹ (a), the meeting notice must include notice of the way the meeting is to be conducted and the place(s) where the public may attend to hear, or watch and hear, the part of the proceedings that is open to the public. The regular meeting notice must be given in accordance with Section 11.5(a)(i) and (ii) and the special meeting notice must be given in accordance with Section 11.5(d).

Commented [CT17]: Added because this is a requirement of the new Electronic Meeting Regulation

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- (c) Where revisions are necessary to the annual schedule of committee meetings, the Secretary must, as soon as possible, post a notice at the principal office of the Islands Trust in Victoria and on the Islands Trust website.
- (d) The Committee Chair must cause a notice of the day, time and place of a special meeting called under section 11.4(b) to be posted at the principal office of the Islands Trust in Victoria and on the Islands Trust website and to be given to all members of the committee ~~at least 10 days before the scheduled start of a Council Committee meeting and at least 5 days before the scheduled start of an Executive Committee meeting, at least 48 hours before the scheduled start of the meeting.~~
- (e) The Committee Chair must cause a notice of the day, time and place of a meeting cancelled under section 11.4(b) to be posted at the principal office of the Islands Trust in Victoria and on the Islands Trust website and to be given to all members of the committee at least 48 hours before the scheduled start of the meeting.

Commented [CT18]: EC: The original wording is restrictive and seems to obstruct the point of a special meeting where flexibility is required. The changes proposed to the notice requirement are in keeping with Section 3.1.(b) of this bylaw – as it applies to Trust Council.

Attendance at Committee Meetings

- 11.6 Council members who are not members of a committee may attend open meetings of a committee, but may only attend closed meetings if permitted by resolution of the committee.

Minutes of Committee Meetings

- 11.7 The Secretary shall keep legible minutes of every regular and special meeting of a committee.
- 11.8 The Committee Chair or member presiding at the meeting must sign committee minutes.

Quorum

- 11.9 The quorum of a Council committee is a majority of all of its members and the quorum of the Executive Committee is three (3).

Conduct and Debate

- 11.10 (a) The rules of Council procedure must be observed during committee meetings, so far as is possible and unless otherwise provided in this bylaw.
- (b) If Council members attend a meeting of a committee of which they are not a member, they may participate in the discussion only with the permission

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of the majority of the committee members present and must not vote on a question.

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Electronic Meetings

- 11.11(a) A regular or special meeting ~~of a of a~~ Council committee or ~~the Executive Committee a special meeting of the Executive Committee~~ may be conducted entirely by means of audio or audio and visual electronic communication facilities if a majority of the members of the committee have agreed by resolution that the meeting may be conducted in this way and provided the Secretary has received sufficient notice and can make the necessary arrangements.
- (b) An individual committee member who is not at the physical location of a ~~regular or special~~ Council committee meeting or ~~of a regular~~ Executive Committee meeting, may choose to participate by means of audio or audio and visual electronic communication facilities, provided the Secretary has received sufficient notice and can make the necessary arrangements.
- (c) At a regular Executive Committee meeting, no more than two members, excluding the person presiding, may participate by means of electronic communication facilities and in the event that more than two members wish to do so, the first two members to notify the Secretary will be those eligible to participate through electronic communication facilities.
- (d) An individual member of the Executive Committee may not participate by means of electronic communication facilities in:
~~i. two consecutive regular meetings of the Executive Committee, or~~
~~ii. more than half the regular meetings of the Executive Committee in any one calendar year.~~
- (e) ~~The Executive Committee may waive the restrictions in 11.11 (c) and (d) by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.~~
- (f) ~~Council Committee Committee and Executive Committee~~ members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
- (g) ~~Council Committee and Executive Committee members~~ ~~A member of a committee~~ may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
- (h) Where any meeting participant 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.

Commented [CT19]: EC: Does this need to be changed?

Commented [CT20]: EC: For legal review - same questions as in Section 4.4(c) through (f) – is it recommended that we keep these restrictions, amend them, or delete them entirely – depending on will of Trust Council? Suggest removing (d)(i) as it has become problematic to follow.

Also, same question, - should we specify “in-person” meetings to make this completely clear in (c) and (d)

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- (i) Where any meeting participant is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
- (j) 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.

11.12 Cell phone or satellite connections may be used for open committee meetings. ~~A land line connection must be used for closed committee meetings.~~

Commented [CT21]: Propose removing this requirement as it is too cumbersome.

11.13 If communication is lost to one or more electronic participants during a meeting:

- (a) the participant affected will attempt to reestablish the link and in the interim, will be deemed to have left the meeting and the Secretary will record this in the minutes.
- (b) if there is not a quorum, the Committee Chair or person presiding will call a recess until the link is reestablished.
- (c) if after 159 minutes, a link cannot be reestablished and there is not a quorum of 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.

11.14 The costs of electronic participation in a committee meeting will be borne by the Islands Trust Council, if the committee member is participating from a location within Canada or has received the approval of the majority of committee members.

PART 12 - REPEAL

12.1 Bylaw No. 21, being "Islands Trust Council Meeting Procedures Bylaw No. 21, 1994 is repealed in its entirety.

READ A FIRST TIME THIS	11 TH	DAY OF	MARCH	, 2004
READ A SECOND TIME THIS	11 TH	DAY OF	MARCH	, 2004
READ A THIRD TIME THIS	11 TH	DAY OF	MARCH	, 2004
ADOPTED THIS	27 TH	DAY OF	APRIL	, 2004

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SECRETARY

CHAIR

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REGISTRATION FORM FOR DELEGATIONS TO ADDRESS ISLANDS TRUST COUNCIL OR A COUNCIL COMMITTEE

Overview

You may address Council formally by: (a) presenting a petition or making a presentation as a delegation; or informally, by participating in (c) town hall sessions or (d) by correspondence. All correspondence, formal delegation presentations and petitions are treated as a public record.

Submissions

- Each delegation is required to complete this form and submit it to Islands Trust, along with any PowerPoint or video presentation that accompanies a delegation's presentation by 4:30 pm at least 3 weeks prior to the meeting.
- If you miss this deadline, you may still submit this form; however, such requests will require unanimous approval by Executive Committee before the meeting or, of Trust Council at the meeting.
- Each address shall be limited to 10 minutes unless a longer period is agreed to by unanimous approval by Executive Committee before the meeting or, of Trust Council at the meeting.
- Rules governing delegations are outlined in the Islands [Trust Council Meeting Procedures Bylaw 101](#).

All meetings are open to the public, are live streamed and recorded. Physical locations of the meeting are posted on the Islands Trust website.

Submit this form to ExecAdmin@islandstrust.bc.ca or mail to Islands Trust #200 – 1627 Fort St. Victoria B.C. V8R 1H8

I wish to address Islands Trust Council at the meeting of Click or tap to enter a date.

NAME

ADDRESS

I REPRESENT

(Name of Organization if applicable)

AS

(Capacity/Office)

TELEPHONE E-MAIL

My reason(s) for appearing is (are) and the substance of my presentation is as follows:

(If more space is required, please attach an additional page to this form.)

- ☐ I will have a PowerPoint or video presentation and will submit it at least three weeks in advance of the meeting.
- ☐ I am aware that the meeting and my presentation will be live streamed via the Islands Trust website and recorded.

*Please note personal information contained on this form is collected under the authority of the *Local Government Act* and is subject to the *Freedom of Information and Protection of Privacy Act*. The personal information will be used for contact purposes only. Enquiries about the use of information in this form can be directed to the Legislative Services Manager at information@islandstrust.bc.ca

Date: Click or tap to enter a date.

Signed:

BRIEFING

To:	Executive Committee	For the Meeting of:	October 27, 2021
From:	Executive Coordinator	Date Prepared:	October 21, 2021
SUBJECT:	Trustee Feedback to Standards of Conduct Policy 2.1.2		

PURPOSE: To provide to Executive Committee with amendments received from trustees to Policy 2.1.2 Standards of Conduct.

BACKGROUND: At its September Trust Council quarterly meeting, after consideration of [agenda item 4.2.3](#) (page 47) “Amendments to Trust Council Policy 2.1.2 Standards of Conduct” Trust Council requested, by resolution, that trustees provide to Executive Committee further or different amendments to Policy 2.1.2 prior to adoption and this matter be deferred until December Trust Council.

Trustees were emailed, as a reminder, to submit further or different amendments to the policy. Four (4) submissions were received and are offered as attachments to this briefing.

HOW TO REVIEW TRUSTEE FEEDBACK RECEIVED IN THIS BRIEFING:

Attachment 1. (Draft Policy) contains hyperlinks to trustee feedback received. Click on the hyperlinks within the policy which will take the reader to the associated feedback.

Tip: To navigate back to last place visited in the document, click ALT + left arrow on your keyboard.

Note that Trustee Middleton’s feedback, Attachment 1.d., is submitted as comment on the process of reviewing the policy and is not hyperlinked in Attachment 1.

For information, the current [Standards of Conduct Policy 2.1.2](#)

ATTACHMENT(S):

Attachment 1. Draft Policy 2.1.2 as presented to Trust Council

- **1.a. Trustee Langereis feedback**
- **1.b. Trustee Johnston feedback**
- **1.c. Trustee Critchley feedback**
- **1.d. Trustee Middleton feedback**

FOLLOW-UP:

As directed by Executive Committee.

Prepared By: Executive Coordinator

Reviewed By/Date: CAO, October 22, 2021



Policy:	2.1.2
Approved By:	Trust Council
Approval Date:	September 12, 1992
Amendment Date(s):	December 6, 1997; June 17, 2000; December 5, 2003; December 8, 2010; December 6, 2017
Policy Holder:	Chief Administrative Officer

STANDARDS OF CONDUCT

DRAFT

Purpose

A trustee elect, by their declaration is obliged to execute the duties of their office. The purpose of this policy is to present standards of conduct to guide elected officials in carrying out their duties to ensure: impartial and equal service to all, faithful discharge of their duties without fear or favour, and democratic processes which are duly responsible to the public and which foster public confidence in the Islands Trust's integrity. These standards are in addition to those established in provincial law.

A. Definitions

Member(s) means local trustees and municipal trustees who comprise Trust Council, the Executive Committee and a local trust committee.

Trustee means a local trustee or a municipal trustee as defined in the *Islands Trust Act*.

B. **Policy**

Certain ethical principles shall govern the conduct of any elected official of the Islands Trust organization, who shall:

1. **Performance of Duties**

- 1.1 Recognize that the chief functions of a Trustee are to serve the public, advocate the Trust mandate, and adhere to the Trust Policy.
- 1.2 Avoid situations that could impair their judgement in the performance of their duties, or give that impression to others.
- 1.3 Conduct them self in a manner that does not detract from the image, integrity or responsibilities of the Islands Trust.
- 1.4 Carry out their duties with impartiality and equality of service to all.
- 1.5 Discharge their duties without fear or favour.
- 1.6 Be truthful, honest and open in all dealings with members, staff and the public.

2. Organizational Responsibility

- 2.1 Respect the opinions of other organizational members, encourage others to utilize their individual strengths in a cooperative fashion, and make informed and responsible decisions.
- 2.2 Be committed to strive for excellence and quality service in implementing Islands Trust policies and directions.
- 2.3 Refrain from deliberately undermining Trust officials or staff.
- 2.4 As an elected official, respect management's authority to direct staff.
- [2.5](#) Direct requests for action by staff to either the Chief Administrative Officer (CAO) or Manager involved and/or to staff by way of an appropriate resolution.
- [2.6](#) As an elected official, respect local autonomy and refrain from becoming publicly involved in the local politics or controversial issues that are local in nature in an area outside a local trust area or island municipality that they represent unless the local political issue could affect other Local Trust Areas or the Trust as a whole.
- 2.7 Clearly communicate Trust Council's consensus on decisions when and as differentiated from individual member opinions.
- [2.8](#) When they becomes aware of reasonable grounds to believe that transgression of the Standards of Conduct is taking place on the part of any other member, report the transgression to the Standards of Conduct Review Panel in accordance with Section 6 of this policy.

4. [Personal Interests](#)

- 4.1 Maintain the highest ideals of honour and integrity in the discharge of their duties.
- [4.2](#) Avoid lobbying activities toward any Trust body on behalf of another [leaving office](#) for personal interests or profit and/or for any other person.
- 4.3 Declare to the relevant Chair and/or CAO their direct or indirect interest or the known interests of any close relatives in any enterprise that proposes to transact business with the Islands Trust.
- 4.4 Declare their interest, direct or indirect, or the known interests of any close relatives in any property that is subject to an application to the Islands Trust, to the Executive Committee.
- 4.5 Avoid situations, related to their duties, which could result in securing special privileges, favours or exemptions for themselves, or any other person.

- 4.6 Not commit organizational resources of any kind for activities that are not directly related to the official business of the Islands Trust.
- [4.7](#) Not undertake election campaign related activities on Islands Trust property during regular working hours unless specifically organized by the Islands Trust (i.e. candidate procedures, all candidate orientation, etc.).
- 4.8 Not request or use any Islands Trust resources or property for election campaign work including staff time, equipment such as photocopiers and computers, supplies, facilities or email lists, etc.

5. Meetings

- [5.1](#) Members must [adequately](#) prepare for and regularly attend meetings of trust bodies to which they have been elected or appointed. Elected officials have an obligation to attend meetings and the expectation is that trustees will attend meetings for the duration of the meeting, unless they notify Trust Council that they are ill or have compelling reasons which prevent them from attending.
- 5.2 Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.
- 5.3 During meetings, members shall listen courteously and attentively to all discussions before the body, and focus on the issues and facts.
- 5.4 The diverse perspectives of each member, as they reflect the interest of their own communities, will be respected.
- 5.5 When making decisions, members must consider all relevant facts, opinions, debate and analyses of which they should be reasonably aware.
- [5.6](#) Disagreements and conflicts will be seen as a natural part of Council and committee work. Such disagreements will not be taken personally, nor made personal.
- 5.7 Members can expect courteous behaviour from each other. Trustees shall not interrupt other speakers, make personal comments or comments not germane to the business of the body, or otherwise disturb a meeting. Meetings shall provide an environment for transparent and healthy debate on matters requiring deliberation by the trust body.
- 5.8 When speaking publicly and at trust body meetings, members will avoid inflammatory language. They are expected to speak in an objective manner.
- 5.9 No member shall disclose or release to any member of the public, confidential information acquired by virtue of their office, in either oral or written form except when required by law or authorized by the trust body to do so.

- 5.10 No member shall disclose the substance of deliberations of an in-camera meeting until the trust body discusses the information at a meeting that is open to the public or releases the information to the public.
- 5.11 Confidential information includes discussion regarding the property, personnel or legal affairs of the Islands Trust and information provided by a third party on a confidential basis. Confidential information also includes, but is not limited to information:
- 5.11.1 disclosed or discussed at an in-camera meeting of the trust body;
- [5.11.2](#) that is circulated to members and marked “confidential”; or
- 5.11.3 that is given verbally in confidence in preparation for or following an in-camera meeting.
- [5.12](#) Cell phones should be turned off during meetings. However if an urgent matter necessitates that a trustee take a call or respond to an email during the meeting, the cell phone shall be kept on silent or vibrate and the trustee shall leave the meeting to respond to the call or email.

6. Review Process

- [6.1](#) The Standards of Conduct Review Panel dealing with matters related to trustees shall be comprised of the Executive Committee, with the CAO and/or legal counsel acting in an advisory capacity.
- [6.2](#) Members are expected to adhere to and follow these Standards of Conduct. Should a member or staff become aware of a [potential](#) breach of the defined Standards of Conduct the following process will be used. The purpose of this section is to resolve disputes or breaches in good faith, recognizing that rancour does not facilitate good governance.
- [6.2.1](#) [An alleged breach](#) of these Standards of Conduct may be submitted by a member or staff. [Complaints shall be submitted](#) simultaneously in writing to the Executive Committee and the CAO within three (3) months of the [last alleged breach](#). The Executive Committee and the CAO are authorized to extend this deadline if circumstances warrant an extension.
- 6.2.2 In the event that any member of the Executive Committee is the subject of, or is implicated in the complaint, the complaint shall be addressed to the remaining Executive Committee members and the CAO unless any of these individuals are the subject of, or implicated in the complaint.
- [6.2.3](#) Upon receipt of a complaint under section 6.2.1, the Executive Committee and the CAO shall, if they are not able to resolve the matter informally,

within thirty (30) days appoint legal counsel, acting in an advisory capacity, or another independent third party identified and agreed between the [Complainant\(s\) and the Respondent\(s\)](#) who has the necessary professional skills, knowledge and experience to investigate the complaint (the “Third Party Investigator”).

[6.2.4](#) If the parties cannot agree on the choice of investigator, a single nominee of the [Complainant\(s\) and the Respondent\(s\)](#) shall jointly select a suitable Third Party Investigator. If this nominee cannot select the Third Party Investigator, the Islands Trust legal counsel will select this person.

[6.2.5](#) Legal Counsel/The Third Party Investigator must conduct a preliminary assessment of the complaint, at the conclusion of which legal counsel/the investigator may determine whether to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond the jurisdiction of the Standards of Conduct policy or unlikely to succeed.

6.2.6 If legal counsel/The Third Party Investigator determines to continue the investigation, they shall:

6.2.6.1 Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice;

6.2.6.2 Provide an investigation update within sixty (60) days of their appointment to the Executive Committee and to the Complainant and the Respondent;

[6.2.6.3](#) Provide a written, confidential report (the “Report”) of the findings of the investigation, including findings as to whether there has been a breach of these Standards of Conduct, to the Executive Committee, and to the Complainant and the Respondent; and,

[6.2.6.4](#) Provide recommendations in the Report as to the appropriate resolution of the complaint. Recommendations may include:

[6.2.6.4.1](#) dismissal of the complaint;

6.2.6.4.2 censure;

[6.2.6.4.3](#) removal from Trust Council [standing](#) or select committee membership;

6.2.6.4.4 a recommendation that an apology be given;

6.2.6.4.5 counselling and/or coaching; or,

6.2.6.4.6 such other recommendations as are deemed appropriate in the judgment of legal counsel/the Third Party Investigator.

6.2.7 The Executive Committee shall provide the [Report](#) or a summary of the Report to Trust Council.

[6.2.8](#) [If](#) a Report or a summary of a [Report](#) is presented to Trust Council, Trust Council will decide whether the recommendations in the Report, [whether](#) in whole or part, will be imposed.

6.2.9 The Director of Administrative Services, as head of the Human Resources Unit, will receive and retain all Reports.

[6.2.10](#) Where a member [alleges](#) a breach of these Standards of Conduct by another member, all members of the trust body shall refrain from commenting on such allegations at open meetings of the trust body, pending the conclusion of the Report and any decision of Trust Council on the Report.

[6.2.11](#) The Standards of Conduct policy will be reviewed in detail at orientation sessions for new/returning trustees following each election or by-election. Persons elected will be requested to sign a statement affirming they have read and understand the Code.

C. Legislated References

Policy and Procedures Manual:

Statutory Rules of Conduct (2.1.1)

Governance Principles (2.1.3)

Local Trust Committee Procedural Bylaw

Trust Council Procedural Bylaw

D. Links to Supporting Forms, Documents, Websites, Related Policies and Procedures

UBCM/LGMA Model Code of Conduct:

<https://www.lgma.ca/responsible-conduct-of-local-government-elect>

From: Kees Langereis <klangereis@islandstrust.bc.ca>

Sent: Wednesday, September 29, 2021 10:57 PM

To: Carmen Thiel <cthiel@islandstrust.bc.ca>

Subject: Code of Conduct policy

Hi Carmen. The attached word document has my comments/suggestions on the draft revised Code of Conduct policy.

Thanks,

Kees

Kees Langereis, Trustee
Gabriola Island Local Trust Committee

Tel: 250-247-8281

Personal website: <https://keeslangereis.ca>

"You are welcome to experience the beauty and sacredness of my beloved land. All I ask is that you leave it intact, as you found it" - Wa'xaid Cecil Paul from Stories from the Magic Canoe of Wa'xaid

REVISED CODE OF CONDUCT

A. Definitions

Member(s) means local trustees and municipal trustees who comprise Trust Council, the Executive Committee and a local trust committee.

Trustee means a local trustee or a municipal trustee as defined in the *Islands Trust Act*.

Comment/suggestion/question:

Does the Code also apply to the Standing Committees? By citing Trust Council, Executive Committee and local trust committee, there may be an implication the Code only applies to a member's behaviour on the listed trust bodies and by extension not on Standing Committees or Select Committees.

Suggest having just one definition such as: "Member means a local trustee or a municipal trustee, as defined in the Islands Trust Act".

2. Organizational Responsibility

2.8 When they becomes aware of reasonable grounds to believe that transgression of the Standards of Conduct is taking place on the part of any other member, report the transgression to the Standards of Conduct Review Panel in accordance with Section 6 of this policy.

Comment/suggestion/question:

need to delete the "s" at the end of "becomes" to match the pronoun or replace "When they become" with "When a staff or member becomes".

Also, the phrase “on the part of **any other** member” implies it can only be a trustee who can report a transgression. Suggest replacing the phrase with “on the part of a member”.

Lastly, the existing (and continued) wording “When they become aware of reasonable grounds to believe that transgression of the Standards of Conduct is taking place...” seems awkward wording. Would it not be simpler to just say “When someone has reasonable grounds to believe...”? Having a belief of something is dependent on awareness.

4. Personal Interests

Comment/suggestion/question:

This Part should be renumbered “3” and subsequent parts and any cross references renumbered accordingly.

4.7 Not undertake election campaign related activities on Islands Trust property during regular working hours unless specifically organized by the Islands Trust (i.e., candidate procedures, all candidate orientation, etc.).

Comment/suggestion/question:

4.7 is limited to “regular working hours”. This would seem to indicate the policy does not apply to hours outside regular working hours. Do you need to reference “regular working hours”?

5. Meetings

5.1 Members must adequately prepare for and regularly attend meetings of trust bodies to which they have been elected or appointed. Elected officials have an obligation to attend meetings and the expectation is that trustees will attend meetings for the duration of the meeting, unless they notify Trust Council that they are ill or have compelling reasons which prevent them from attending.

Comment/suggestion/question:

Re: regular attendance”: Is there any legislative rule on how many meetings can be missed before any sanction is possible? If so, including a reference to that here would highlight that requirement.

Does notifying “Trust Council” of an absence mean notifying all trustees? Or should it be to the Chair of the meeting, whether it is an LTC, EC, TC or other committee meeting?

Who determines whether it is a “compelling reason”? Is it sufficient for the trustee to determine it is compelling?

5.6 Disagreements and conflicts will be seen as a natural part of Council and committee work. Such disagreements will not be taken personally, nor made personal.

Comment/suggestion/question:

Given both disagreements and conflicts are seen as a natural part of committee work, conflicts should also be referenced in the second sentence.

5.12 Cell phones should be turned off during meetings. However, if an urgent matter necessitates that a trustee take a call or respond to an email during the meeting, the cell phone shall be kept on silent or vibrate and the trustee shall leave the meeting to respond to the call or email.

Comment/suggestion/question:

If the intent is to avoid a cell phone ringing during a meeting, asking that cell phones be kept silent or on vibration is all that is needed. There may be an urgent matter possible, but it may also arise unexpectedly and if the phone is "off", the call missed.

Or is the phone kept off to preclude text messaging during a meeting?

There is also the possibility of a land line phone ringing in a zoom meeting or when attending electronically.

Zoom meeting: does leaving the meeting to respond to a phone call or email mean require the trustee to "leave the meeting" and sign in again after the call/email is responded to? Just a point of clarification as this is a possible sanctionable activity.

6. Review Process

6.1 The Standards of Conduct Review Panel dealing with matters related to trustees shall be comprised of the Executive Committee, with the CAO and/or legal counsel acting in an advisory capacity.

Comment/suggestion/question:

In section 6.1, as it is in the current policy, the CAO and legal counsel have an advisory role to EC.

However:

in section 6.2.1 the CAO appears to have authority to also decide on a decision to extend the deadline. In section 6.2.3 the CAO also appears to be a party to the informal process and the decision to appoint legal counsel/independent third party.

If, pursuant to section 6.1, the CAO is limited to providing advice to the Standards of Conduct Review Panel (ie EC), I don't see the need to cite the CAO in subsequent sections. Doing so seems to indicate a more active role in decision making. Perhaps more an optics issue.

Section 6.1 indicates legal counsel (which I presume means IT legal counsel) is also an advisor to the Review Panel, much like the CAO. However, subsequent sections indicate "legal counsel" can investigate the

complaint. Not sure that someone in an advisory capacity should then fall into role of decision maker. Or does “legal counsel” in subsequent sections refer only to outside legal counsel?

6.2 Members are expected to adhere to and follow these Standards of Conduct. Should a member or staff become aware of a potential breach of the defined Standards of Conduct the following process will be used. The purpose of this section is to resolve disputes or breaches in good faith, recognizing that rancour does not facilitate good governance.

Comment/suggestion/question:

reference is to staff and trustees. I assume “staff” includes “appointed officials”?

6.2.1 An alleged breach of these Standards of Conduct may be submitted by a member or staff. Complaints shall be submitted simultaneously in writing to the Executive Committee and the CAO within three (3) months of the last alleged breach. The Executive Committee and the CAO are authorized to extend this deadline if circumstances warrant an extension.

Comment/suggestion/question:

See above regarding CAO as advisor or decision maker in extending the deadline.

6.2.3 Upon receipt of a complaint under section 6.2.1, the Executive Committee and the CAO shall, if they are not able to resolve the matter informally, within thirty (30) days appoint legal counsel, acting in an advisory capacity, or another independent third party identified and agreed between the Complainant(s) and the Respondent(s) who has the necessary professional skills, knowledge and experience to investigate the complaint (the “Third Party Investigator”).

Comment/suggestion/question:

What would the informal process be? Who determines the process? Is it by agreement of the parties involved?

Is the following what is intended:

If no informal resolution is reached within 30 days, EC (and the CAO?) would decide whether to appoint (1) legal counsel (IT legal counsel or outside legal counsel?) or (2) another third party agreed to by the Complainant and Respondent. Is the selection of option 1 based on a failure to achieve option 2? The question arises because of the term “or”.

The added qualifications for the third party imply EC and the CAO would determine whether the third party has the qualifications. Or must both EC and the complainant and respondent agree the test is met? Do all the Parties have to agree to the selection of legal counsel?

6.2.4 If the parties cannot agree on the choice of investigator, a single nominee of the Complainant(s) and the Respondent(s) shall jointly select a suitable Third-Party Investigator. If this nominee cannot select the Third-Party Investigator, the Islands Trust legal counsel will select this person.

Comment/suggestion/question:

Suggest rewording to (if I got the intent correctly):

"If the parties cannot agree on the choice of an investigator, the complainant and respondent will each nominate one person and these two nominees will jointly select a suitable Third-Party Investigator. If the nominees cannot agree on a suitable investigator, the Islands Trust legal counsel will select the Investigator".

Questions that arise: Does EC weigh in on the determination of "suitability" of the Investigator?

Does the term "parties" in this section include EC?

6.2.5 Legal Counsel/The Third-Party Investigator must conduct a preliminary assessment of the complaint, at the conclusion of which legal counsel/the investigator may determine whether to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond the jurisdiction of the Standards of Conduct policy or unlikely to succeed.

Comment/suggestion/question

I assume the written report of the preliminary assessment is submitted to EC.

Does this also apply if the Investigator determines the investigation is to proceed? Or is written report only required if the preliminary assessment is to not proceed any further?

Does the Investigator hold sole discretion to decide on continuing the investigation? In other words, if the Investigator determines further investigation is required, no report will be forthcoming within the 30-day time limit.

Suggest possible rewording if a report is required irrespective of the preliminary assessment's conclusion:

"Legal Counsel/The Third-Party Investigator must conduct a preliminary assessment of the complaint, at the conclusion of which legal counsel/the investigator must submit a written report to Executive Committee which will either indicate an investigation is to proceed or a recommendation the complaint should be dismissed as unfounded, beyond the jurisdiction of the Standards of Conduct policy or unlikely to succeed."

Is the preliminary assessment final if the investigator determines no further action required for any of the cited reasons?

6.2.6.3 Provide a written, confidential report (the "Report") of the findings of the investigation, including findings as to whether there has been a breach of these Standards of Conduct, to the Executive Committee, and to the Complainant and the Respondent; and,

Comment/suggestion/question

There is a 60-day time limit for the interim report, but none for the final report.

6.2.6.4 Provide recommendations in the Report as to the appropriate resolution of the complaint. Recommendations may include:

6.2.6.4.1 dismissal of the complaint;

Comment/suggestion/question:

Section 6.2.6.4.1 to dismiss the compliant is listed as one of several options. But dismissal is an alternative to the other options to sanction. Suggest adding "or" at the end of this section.

Or is the intent to cover multiple aspects of a complaint some of which may be dismissed and some incurring a sanction?

6.2.6.4.3 removal from Trust Council standing or select committee membership;

Comment/suggestion/question

Replace "Trust Council" with "Trust Council's".

6.2.8 If a Report or a summary of a Report is presented to Trust Council, Trust Council will decide whether the recommendations in the Report, whether in whole or part, will be imposed.

Comment/suggestion/question:

Trust Council can agree or not with some or all of the recommendations. Can TC replace a recommended sanction with another possible sanction? Section 6.2.8 appears to limit TC to a "yea" or "nay" to whatever is recommended.

6.2.10 Where a member alleges a breach of these Standards of Conduct by another member, all members of the trust body shall refrain from commenting on such allegations at open meetings of the trust body, pending the conclusion of the Report and any decision of Trust Council on the Report.

Comment/suggestion/question:

The section is limited to members who file a complaint on "another member".

Suggest the introductory "Where a member" be replaced with "Where a member or staff".

Also, suggest the phrase “another member” be deleted and replaced with “member” to avoid limiting the section to just complaints from members.

The phrase “all members of the trust body” limits the prohibition to members of a specific trust body. Do you need to cite “of the trust body”?

Pending the conclusion, no comments are permitted in an open meeting. Does this apply when outside an open meeting?

From: Peter Johnston <pjohnston@islandstrust.bc.ca>
Sent: Friday, October 8, 2021 9:39 AM
To: Lori Foster <lfoster@islandstrust.bc.ca>
Cc: Carmen Thiel <cthiel@islandstrust.bc.ca>
Subject: RE: Amendments Requested - Standards of Conduct Policy 2.1.2

Hello Lori and Carmen,

My comments on the draft Standards of Conduct Policy. If I knew they would be so many and detailed, I'd have used the Word document. Sorry. Hope it's useful. Peter

1.2 "fetter" might be included, in addition to "impair", or on its own. There is an obligation to keep an open mind, not just to attend meetings sober enough to function.

4.2 I'm not sure what this means. Why specify "another leaving office"?

5.1 I'd remove the word "adequately"

6.2 Is it useful to include the first sentence, which is the point of the entire policy? I would also replace the word "potential" with "possible" or "apparent" or even "suspected". Is not the point of this section that the member or staff (person?) should report the possible breach to the CAO and/or the Executive Committee, and then the following process will be used? Is it not possible that someone, not a member or a staff person, might report a possible breach?

6.2.1 I'd change "an alleged breach" to "an allegation of breach of these standards ..." I don't understand why it specifies 3 months and then lets the EC & CAO extend it. Why not request that an alleged breach of the standards of conduct be reported as soon as possible?

6.2.3 & 6.2.4 I don't understand why the Complainant(s) and the Respondent(s) are both included. I don't see that the member or staff person who reports a possible breach should be included as a party to the process of determination if an actual breach occurred, or what to do about it. This seems to me to be a situation that the organization needs to deal with, not necessarily involving the person who reported it, beyond getting details and clarification from them. The complainant continues to be mentioned and involved in later clauses.

6.2.6.4.3 Punctuate or re-write to make it clear that removal can be from Trust Council, and/or standing and/or select committees. I assume that removal from Local Trust Committee is not possible or advisable – that they cannot be removed from their elected position.

6.2.8 Remove “If ...” because 6.2.7 says EC shall provide a report, so TC will decide what will be imposed. Remove the second “whether”, as it’s not needed.

6.2.10 If a staff person alleges ... is it okay for members to comment at open meetings?

6.2.11 Is this necessary? Can it not be noted or recorded that detailed review was done at orientation, and that each trustee and member has been included? Is this not covered by the oath that (as I recall) each trustee and member has to swear to and sign about?

From: David Critchley <dcritchley@islandstrust.bc.ca>

Sent: Thursday, October 14, 2021 6:32 PM

To: Lori Foster <lfoster@islandstrust.bc.ca>

Subject: Amendments Requested - Standards of Conduct Policy 2.1.2

My suggested changes:

1) clause 1.3 delete "image" . What does this intend? If it is not understood how can it be complied with?

2) clause 2.5 are all requests to be made by resolution or just those to "staff"? Are not the CAO and Manager(s) also "staff"? Needs better wording.

3) clause 2.6 should be deleted entirely. This is an illegal infringement of the rights of all trustees to have full political expression as Canadian citizens under the Charter of Rights and Freedoms as well as the common law.

4) clause 4.2 needs work. Not sure if this is supposed to be after leaving office? What is intended?

5) clause 5.11.2 needs modifying to specify who has the power to deem something "confidential" and thus restrict it's discussion and circulation as well as a mechanism for a trust body to vote to over-ride such designation.

6) clause 6.2.1 should require complaints to be made promptly and in any event not later than three months after the alleged breach. I am not sure of the intent of including the word "last" to modify alleged breach. It seems to me it should be deleted or it could put the accused in the position of having to defend allegations from far in the past.

7) clauses 6.2.7 and 6.2.8 should there be reference to the various reports being confidential and in camera until Trust Council determines otherwise?

Best regards,

David

-----Original Message-----

From: Lee Middleton <lmiddleton@islandstrust.bc.ca>

Sent: Thursday, October 7, 2021 12:14 PM

To: Lori Foster <lfoster@islandstrust.bc.ca>

Cc: Carmen Thiel <cthiel@islandstrust.bc.ca>; Russ Hotsenpiller <rhotsenpiller@islandstrust.bc.ca>

Subject: Re: Amendments Requested - Standards of Conduct Policy 2.1.2

Hi Lori and Carmen:

Appreciate the opportunity to comment on this code. I have no problem with specific wording, rather I take opportunity to comment on two general issues, and propose a remedy for these.

The model code presented by the UBCM states that any body to be governed by a code of conduct must be fully involved in the creation and administration of that code. To this end I see the Standard of Conduct Review Panel (hereafter the Review Panel) as a separate creature from Executive. I believe this panel should be appointed by Council at the start of its term and that the Chair and one Vice Chair be reserved a space on a 7 member panel that will function as described in the proposed draft policy. In this way the body to be governed by the code is therefore in charge of the administration of the code. Executive is already very busy with their current slate of responsibilities and are elected by Council on basis of a different set of administrative competences than those competences required to impartially administer a Standards review on their peers - I do agree that EC is capable of impartially administering the The Review panel duties - its just that their peers selected EC members on other competences for governing the organization - the administration of which absorbs their full attention.

The Review panel would function as currently outlined in the draft policy. However one further suggestion I have in order to make sure the policy is truly a creature of Council and yet still reflective of best practice is that we get an independent and impartial set of eyes on the policy - I recommend we submit the policy to the Governance and Structure branch of the Ministry of Municipal Affairs for third party review and comment.

Thanks for the opportunity to deliver feedback.

Regards,

Lee

From: Deb Morrison <2debmorrison@gmail.com>
Sent: Friday, October 8, 2021 2:21:42 PM
To: Hotsenpiller, Russ <rhotsenpiller@islandstrust.bc.ca>; Peter Luckham <pluckham@islandstrust.bc.ca>; Dan Rogers <drogers@islandstrust.bc.ca>; Laura Patrick <lpatrik@islandstrust.bc.ca>; sfast@islandstrust.bc.ca <sfast@islandstrust.bc.ca>
Cc: Deb Morrison <dmorrison@islandstrust.bc.ca>; Jane Wolverton <jwolverton@islandstrust.bc.ca>
Subject: Re: Sustained Learning

Dear Trust Leadership,

In reflecting on the Trust Council and our ongoing needs as Trustees, and as communities, to learn and grow with respect to issues of reconciliation and climate change we would like to propose a standing set of informal afternoon learning sessions. It is important that while learning, Trustees have lots of opportunities to interact with experts in a particular topic. It is also important that while learning Trustees are not also engaged in the “business” work of the Trust so that they can be most open to new thinking without anticipating issues of decision making that may imminently arise.

To this end, we thought such sessions could be designed to:

- Fit into the after work, before dinner window when folks are most likely to have some free head space but not too tired.
- Be open to the public to listen and learn along with us
- Involve experts across a range of positions in our communities eg. First Nations, researchers, business leaders, other government leaders or experts
- Allow for short presentations or shares on a predefined topical area (10-30 min max) with larger question and answer sessions (30-50 minutes)
- Not be recorded to ensure that folks come together in person and engage in being present in the work
- Be scheduled as a standing session each month so that all can arrange schedules around these events.
- Require no pre-reading but potentially offer follow up learning resources.
- Be held virtually only to ensure broad reach and participation opportunities.

We would like to enquire how this could be accomplished and what current policies might prohibit this that would need to be adjusted.

Deb and Jane



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** October 27, 2021
From: Trust Area Services **Date Prepared:** October 21, 2021
SUBJECT: Executive Committee FY2022/23 Business Cases

RECOMMENDATION:

1. That Executive Committee recommend to the Financial Planning Committee, for inclusion in the Fiscal Year 2022/23 Budget:
 - \$17,000 for Reconciliation Action Plan
 - \$5,000 for History and Heritage Grants in Aid
 - \$15,000 for Application Sponsorship
 - \$50,000 for Communications
 - \$5,000 for NAPTEP Regulation Exemption reduction tax shift analysis
 - \$15,000 for Website design or functionality changes
 - \$5,000 for Policy Statement Amendment Project
 - \$1,000 for NAPTEP application sponsorship

CAO COMMENTS: The recommended items support the 2018-2022 Islands Trust Strategic Plan, the Reconciliation Action Plan, and implementation of policy (and, in the case of the NAPTEP application sponsorship item, anticipated policy). In addition, the recommendation responds to an increasing demand for communications and sponsorship of community-benefit land use applications. It also responds to upcoming Census results by providing funding to develop infographics and update island profiles.

1 PURPOSE:

The purpose of this Request for Decision is for Executive Committee to recommend budget allocations for Fiscal Year 2022/23 to further the implementation of the Trust Council 2018-2022 Strategic Plan and to support routine operations.

2 BACKGROUND:

In order to support the work anticipated in the next fiscal year, the following budgets are recommended:

Strategic Plan item #	Potential funding request	2022/23 Amount proposed	2021/22 funding	Notes

4.6	Reconciliation Action Plan implementation	\$17,000	\$17,000	To support ongoing implementation of the Reconciliation Action Plan .
	History and Heritage Grants in Aid	\$5,000	\$5,000	Staff recommend keeping the amount the same.
	Application Sponsorship	\$15,000	\$5,000	Executive Committee has discussed the need to increase this budget and that the model fees bylaw may result in increased application fees.
N/A	Communications	\$50,000*	\$23,000	Staff recommend increasing the budget to respond to an increasing demand for communications about Islands Trust and its projects. In addition, new Census results will be available in 2022/23 which provides an opportunity to creating infographics and update the Island Profiles linked through each local trust area/Bowen Island landing pages on the website (sample) Also, it is anticipated that a number of publications will be designed in 2021/22 that could be printed. This increase will also provide additional opportunity to contract communications support as needed as issues arise.
1.3	NAPTEP Regulation Exemption reduction tax shift analysis	\$5,000	N/A	To accomplish the tax shift analysis required for a business case to the Province of BC regarding Trust Council's desire that legislation be amended to increase the NAPTEP exemption. To date, staff have not engaged in this work due to other priorities.
4.2	Website –design or functionality changes	\$15,000	\$7,000	The funding would support any changes to the new website requested by the newly-elected Trust Council or the public. Staff have received requests for changes that are outside the scope of the website renewal project (e.g. changes to the approved design/functionality). Staff have overspent the existing website budget in 2021/22 due to a need to engage contract support for content updates/feedback management due to lack of administrative staff availability due to zoom meeting administration, and a number of post-launch change requests.
3.1, 4.4, 5.6	Policy Statement Amendment Project	\$5,000	\$29,400	The funding would support any additional legal review of the draft Policy Statement and graphic design of the final document.
N/A	NAPTEP application sponsorship	\$1,000	N/A	In September, Trust Council asked staff to prepare a draft policy regarding sponsorship of NAPTE applications. This budget would support implementation of that potential future policy.

TOTAL		\$105,000*	\$86,400	
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*This includes funding for communications contractors.

The amounts above were included in the draft budget presented to Financial Planning Committee on October 19, 2021.

Staff have also developed a business case for a full-time engagement planner (\$101,310 annually) for consideration (attached). The new position could support the development and implementation of engagement frameworks and systems, and improve community engagement and participation in Islands Trust work, and strengthen relations with First Nations. This position was not included in the draft budget presented to Financial Planning Committee on October 19, 2021.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Work would be undertaken by staff assigned to the Executive Committee and consultants as required.

FINANCIAL: The FY2022/23 budget would need to include the required funds to support the projects.

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS: The Executive Committee decision will be forwarded to the Financial Planning Committee.

FIRST NATIONS: All initiatives noted above could require an element of First Nations engagement and engagement with Indigenous people/community living within the Islands Trust Area. This includes ensuring processes are culturally sensitive and safe for Indigenous inclusion, are reflective of reconciliation principles adopted by Islands Trust Council, and are communicated to First Nation governments within the Islands Trust Area who have treaty and territorial areas to ensure equitable participation and notification. Budgets should allow for First Nations honorariums for participation, acknowledgements, and welcomes, if required.

OTHER: N/A

4 RELEVANT POLICY(S): [Policy 6.3.1 Budget Process Policy](#)

5 ATTACHMENT(S):

1. Business Case –Engagement Planner

RESPONSE OPTIONS

Recommendation:

That Executive Committee recommend to the Financial Planning Committee, for inclusion in the Fiscal Year 2022/23 Budget:

- \$17,000 for Reconciliation Action Plan
- \$5,000 for History and Heritage Grants in Aid
- \$15,000 for Application Sponsorship
- \$50,000 for Communications
- \$5,000 for NAPTEP Regulation Exemption reduction tax shift analysis

- \$15,000 for Website design or functionality changes
- \$5,000 for Policy Statement Amendment Project
- \$1,000 for NAPTEP application sponsorship

Alternatives:

1. Pass the recommendation above as amended.
2. Request that staff develop a business case for reconciliation action plan funding
3. Request that staff develop a business case for communication funding that exceeds the \$23,000 in base funding in the 2021/22 budget.
4. Forward to the Financial Planning Committee, for inclusion in the Fiscal Year 2022/23 Budget, the business case for a full-time permanent engagement planner position.
 - a. \$101,310 annually
5. Request staff to develop a business case for the Financial Planning Committee, for inclusion in the Fiscal Year 2022/23 Budget, for a part-time (50%) permanent engagement planner position
 - a. \$52,529 annually
6. Request staff to develop a business case the Financial Planning Committee, for inclusion in the Fiscal Year 2022/23 Budget, for a full-time temporary engagement planner position for seven months
 - a. \$59,306 one-time cost
7. Request staff to develop a business case for a contract engagement planning support
8. Propose different resolutions.

Prepared By: Clare Frater, Director, Trust Area Services/October 21, 2021

Reviewed By/Date: Russ Hotsenpiller, CAO/October 21, 2021



Budget Funding Request Short-Form Business Case

Completion of this form initiates a request to the management team for allocation of budget funds. The form is to be completed and submitted at the start of the decision making process. The business case forms part of the Annual Budget Process (refer to Islands Trust Council Budget Process Policy 6.3.i).

TO BE COMPLETED BY INITIATOR

Initiated by: Clare Frater/David Marlor	Budget Source (select all that apply): ☐ Specific Project Funding ☐ Third Party Contractors ☐ Staff Travel Expense ☐ Staff Overtime Expense ☐ New Staff Member ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software ☒ New Staff Resources (see Staff Costing Tool) ☒ Permanent ☐ Temporary Temp Duration: _____ ☐ Other – please describe: _____
Business Area: Local Planning Services (80%)/Trust Area Services (20%)	
Name of Request: Engagement Planner \$101,310 Permanent, full-time	
Date initiated: October 1, 2021	Date required: April 1, 2021

BACKGROUND:

Through discussions about the Policy Statement staff have heard resoundingly from Trust Area communities and First Nations that there is a strong desire for increased engagement on projects and initiatives throughout the project development cycle. Currently, the Islands Trust does not have a centralized approach to engagement, does not coordinate the difference planned and on-going engagements and lacks the strategy, systems, templates and staff coordination that would support a planned, coordinated, organized, and efficient approach to engagement on projects. This issue has been raised by trustees for a number of years but has been mentioned increasingly often over the last year.

Local Planning Services has undertaken a change to its staffing model. The Regional Planning Team (RPT), currently made of up three Island Planners, was formed on November 1, 2020. The team is currently working

on a mix of minor, major and regional projects, all of which will require engagement with the public and First Nations.

In 2021, staff created a temporary Planner 2 role for Trust Area Services which began in late September 2021 and will end on March 31, 2022. This position will be assisting with the Policy Statement Amendment Phase 3 engagement, organization of a youth/elder/trustee water retreat co/organized with Naut'sa mawt Tribal Council, budget consultation survey and webinar, and will assist the Regional Planning Team with developing a menu of engagement options for local trust committees. In addition, as time permits, the position will begin development of an Islands Trust engagement strategy.

PROBLEM STATEMENT/OBJECTIVES:

Currently, engagement is planned and implemented independently by Trust Area Services and Local Planning Services staff working on projects. There is no overall coordination of engagement resulting in a lack of efficiency and consistency. Each time a local trust committee undertakes an engagement process they often start from scratch and develop their own methods and materials with little reference to past initiatives and little coordination with other departments in terms of timing of other events/surveys. The Trust does not collect information in a standardized way that would support analysis of engagement processes or public satisfaction. Also, the Trust has been challenged to reach hard-to-reach audiences. We have heard from some trustees a need to better explain relationship between different projects, such as how the Policy Statement Amendment Project and other concurrent projects can co-exist. We have also heard a need to be more robust in the planning stages of all projects, to consider engagement in the larger context of what else is happening in the Trust Area, and setup the engagement for all projects to be successful.

The Communications Specialist role is at capacity with little time to support engagement processes and coordination processes.

In a typical year, engagement projects can include the following:

Trust Area Services

- Budget consultation (survey and webinar) (1 per year)
- Stewardship education webinars or in-person workshop series (anticipated 3-4 per year)
- Conservancy nature reserve surveys and open houses (4-5 per year)
- Engagements with First Nations and Indigenous Peoples (difficult to predict)
- Trust-wide forums (past topics have included tourism, housing, freshwater, etc.).(often 1 per term)

Local Planning Services

Local Planning Services normally has 30-40 active projects for 13 local trust committees; these are divided into two main areas:

- Official Community Plan and land use bylaw amendments and updates
- Local trust committee projects targeting a specific planning issue or geographic location

In addition the Regional Planning Committee also undertakes projects, but due to nature of Strategic Plan related projects, generally has not needed to seek public engagement. Moving forward, the intent is to make the Regional Planning Committee more relevant and a resource to assist with planning initiatives common to more than one local trust area/island municipality. In this case, engagement would likely occur with coordination with the relevant local trust committees/Bowen Island Municipality.

PROJECTED RESULTS/DELIVERABLES:

Creating a new engagement planner role would support the development and implementation of engagement frameworks and systems. While not a specific strategic plan item, this position would improve community engagement and participation in Islands Trust work, and strengthen relations with First Nations.

A new engagement planner would enhance the efficiency of planners on the Regional Planning Team, the Conservancy property management specialist and the communications specialist allowing them to focus on content while the engagement planner advises on engagement methods and systems and assists with delivery of engagement. It would provide the Trust with the opportunity to introduce and sustain a coordinated and strategic approach to engagement organization-wide.

The position will coordinate and support staff working on projects by taking on the engagement planning work and freeing them up work on the content and substance of the projects. Specifically, implementation of this role would promote:

- Development/finalization and implementation of an Islands Trust engagement strategy
- Development of an engagement toolkit with checklists and templates to ensure the application of guiding principles, a consistent engagement planning process, and metrics for engagement success
- Islands Trust bodies consistently provided with a corporate framework with different engagement level options as the standard approach to defining the level of engagement for projects
- Regular and consistent coordination with the communication specialists to ensure the coordination and integration of communications to support engagement strategies, plans and activities.
- All project engagement would begin with an engagement plan, and each engagement plan will address First Nations engagement
- All project engagement would include evaluation
- Regularly and consistent reporting to Trust bodies, Bowen Island Municipality and the public about engagement
- Consistent collection of standard demographic information to understand who we engage
- Consistent “closing the loop” in all stages of the engagement continuum so that participants understand the outcome or stage of process and how their input was considered
- Consistent evaluation of engagement efforts

ALTERNATIVES CONSIDERED:

- **Status Quo:** Limited support for engagement processes from Program Coordinator without compromising execution of the duties. The Program Coordinator position (Grid 15) has responsibility for coordination of Trust Area Services engagement processes in addition to a myriad of other responsibilities including:
 1. secretariat services coordination,
 2. stewardship award program coordination,
 3. Trust Program Committee stewardship education program administration (including planned bi-monthly mailing to new purchasers in the Trust Area),
 4. housing agreement administration,
 5. website posting and training of new staff,
 6. social media posting,
 7. image management,
 8. correspondence assistance, and

9. project management for Trust Area Services programs.

- **Part-time (50%) engagement planner position:** This option would cost less but recruitment for part-time roles of this nature can be challenging and there is sufficient work to fill a full-time role.

Summary		
Salary + Benefits	\$ 50,655	<i>Ongoing fiscal year cost</i>
Overtime	\$ 874	<i>Ongoing fiscal year cost</i>
Travel	\$ 1,000	<i>Ongoing fiscal year cost</i>
Cell Phone	\$ 0	
Computer - Laptop	\$ 0	
Computer - Desktop	\$ 0	<i>Can use existing equipment</i>
Training	\$ 250	<i>Ongoing fiscal year cost</i>
TOTAL ANNUAL COST OF POSITION	\$ 52,529	

Total one-time expenses	\$ 52,529
Total yearly expenses	\$ 52,529

- **Full-time temporary engagement planner position for 7 months:** This option would allow for a staff person to set up initial systems and templates for projects prior to the swearing in of new trustees in November 2022 but would not create ongoing increased staff capacity for engagement.

Summary		
Salary + Benefits	\$ 56,620	
Overtime	\$ 1,019	
Travel	\$ 1,167	<i>Ongoing fiscal year cost</i>
Cell Phone	\$ 0	
Computer - Laptop	\$ 0	
Computer - Desktop	\$ 0	<i>Can use existing equipment</i>
Training	\$ 500	<i>Ongoing fiscal year cost (may decrease over time)</i>
TOTAL COST OF TEMP POSITION	\$ 59,306	

Total one-time expenses	\$ 59,306
Total yearly expenses	\$ 59,306

- **Contract support:** A contractor could be hired to develop a strategy, templates and systems but this option would likely cost more than a seven-month staff position and would not offer the same benefits as could be offered by an in-house staff person who work alongside planning, Trust Area Services and Conservancy staff to develop and refine processes that are implementable, compatible with existing processes, and sustainable over time. A request for information or request for proposals would be needed to establish firm cost estimates. As a rough guide an engagement planning consultant may be about \$150/hour, working out to approximately \$137,000 for six months full-time with staff resources needed to manage the contract. With contractors there is more flexibility to scope the work to the available budget, and some efficiencies relating to reduced administrative and staff meeting time.

CRITICAL SUCCESS FACTORS (List):

- Timely development of job description and timely and suitable job classifications;
- Timely hiring process. Staff would recruit a qualified staff person trained in engagement best practice with the public and Indigenous communities, and an understanding of land use planning principles and processes in a local government context”.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

- Orientation/training for staff and trustees on integrating with this position.
- Communication for trustees and local trust committees about the position’s activities

BENEFIT/COST ANALYSIS SUMMARY:

Quantitative Analysis: Total cost of the additional staff position is expected to be \$101,310 annually.

A centralised, knowledgeable support for engagement planning and delivery would enhance the efficiency of planners, Trust Area Services staff and the Conservancy property management specialist, allowing them to focus on strategic issues and content, rather than engagement.

Summary

Salary + Benefits	\$	97,063	Ongoing fiscal year cost
Overtime	\$	1,747	Ongoing fiscal year cost
Travel	\$	2,000	Ongoing fiscal year cost
Cell Phone	\$	0	
Computer - Laptop	\$	0	
Computer - Desktop	\$	0	Can use existing equipment
Training	\$	500	Ongoing fiscal year cost)
TOTAL ANNUAL COST OF POSITION	\$	101,310	
Total one-time expenses	\$	0	
Total yearly expenses	\$	101,310	

Qualitative Analysis:

- Improved co-ordination and consistency in engagement efforts
- Improved coordinated timing for Trust engagement efforts
 - Increased connection with community organizations and groups
 - More informed decisions
 - Improved satisfaction for members of the public involved in engagements
 - Increased public trust in Islands Trust

The position will be costed 20% to Trust Area Services and 80% to Local Planning Services.

RECOMMENDED DECISION:

Approve the creation of a new full-time Engagement Planner position for 2022/23.

PURCHASING PROCEDURE:

N/A. Staff will run a competitive process for the position.

Clare Frater, Director, Trust Area Services
David Marlor, Director, Local Planning Services

Initiator:

October 4, 2021

Date

Russ Hotsenpiller, CAO
Director/CAO

Date

From: Laura Patrick <lpatrick@islandstrust.bc.ca>
Sent: Saturday, October 16, 2021 4:02 PM
To: Dan Rogers <drogers@islandstrust.bc.ca>; EC <ec@islandstrust.bc.ca>
Subject: RE: For next EC Agenda - IAP2 level for OCP and other bylaw reviews

Thanks Dan for adding this timely item to the agenda. Please see a link to a useful tool kit – see the resources as well for numerous useful links.

<https://www.sfu.ca/content/dam/sfu/dialogue/ImagesAndFiles/SharedLearningPage/Toolkits/PDFs/Public%20Engagement%20Toolkit%20-%20English.pdf>

From: Dan Rogers
Sent: Saturday, October 16, 2021 11:47 AM
To: EC
Subject: For next EC Agenda - IAP2 level for OCP and other bylaw reviews

Could we please add this item to the Agenda for the next EC Agenda.

Some context:

During the last Gambier LTC meeting on Thursday we were approving an amended Project Charter for the OCP/LUB review process that is a project of the LTC. In the staff report the following was set out.

Level of Public Consultation

In the May 27, 2021 staff report, staff recommended that the public participation level for this project should be

“involve” on the International Association for Public Participation (IAP2) spectrum (Attachment 3).

Staff would like

to clarify that the highest level of public participation on the spectrum that can reasonably be achieved is “consult:”

Public Participation Goal: “to obtain public feedback on analysis, alternatives and/or decision.”

Promise to the Public: “We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision

As noted, the first staff reports had indicated an “involve” level of IAP2. This caught the attention of all the Trustees. I assumed it was a budget issue but it turned out in discussion that this statement had been made because the view had been expressed by the Director that an “involve” level of IAP2 would or could lead to the fettering of the discretion of the LTC in making decisions of this type. The discussion became whether this was going to be a general policy about projects that involved decision making on land use issues (ie bylaw reviews) and the LTC passed a motion to have the EC explore this issue further. (I don’t have the exact wording of the motion but it was a referral to explore and confirm or explain or words to effect) this issue.

I know we all have copies of IAP2 but given the discussions we have had at TC in relation to the TPS and considerations of public engagement it is my view this is a discussion that we should have at EC. I am hoping that the Director could provide some reporting etc on this issue.

Thank you very much.

Dan

Daniel J Rogers
Islands Trust Vice-Chair and Gambier Area Trustee
604-220-1500

[Preserving and Protecting Over 450 Islands and the Surrounding Waters in the Salish Sea](#)

I am humbly thankful that I live and work in the territory of the BOKEĆEN, Cowichan, Halalt, Homalco, K'ómok, Klahoose, Lake Cowichan, Lekwungen, Lyackson, MÁLEXEL, Penelakut, Qualicum, Scia'new, selilwitulh, SEMYOME, Shíshálh, Snaw-naw-as, Snuneymuxw, Sḵwxwú7mesh, SṪÁUTW, Stz'uminus, SXIMELEŁ, T'Sou-ke, Tla'amin, Tsawwassen, We Wai Kai, Wei Wai Kum, WJOŁŁP, WSIKEM, and x̣məθḳəỵəm.

Transcribed the resolution from the recording:

At its October 14th Gambier Island LTC regular meeting the following resolution passed:

That the Gambier Island Local Trust Committee request the Executive Committee to explore and clarify the level of IAP2 spectrum of engagement that is recommended for local trust committees on bylaw amendments.



267764

October 13, 2021

VIA EMAIL: pluckham@islandstrust.bc.ca

Peter Luckman, Chair
Islands Trust

Re: Modernizing Forest Policy – Fall Local Government Engagement Session Invitation

Dear Chair Luckman and Board:

On June 1, 2021, the Honourable Katrine Conroy, Minister of Forests, Lands, Natural Resource Operations and Rural Development sent a letter to local government leaders introducing government's intentions for [Modernizing Forest Policy in British Columbia \('Intentions Paper'\)](#). These 20 policy intentions were developed based on extensive consultation and engagement on forest policy and program changes over the last few years, including changes to forest management as part of the *Forest and Range Practices Act* Improvement Initiative, Interior Forest Sector Renewal, Coast Forest Sector Revitalization, and the Old Growth Strategic Review.

Designing and implementing policy change is anticipated over the next few years. To facilitate this change, the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (the 'Ministry') is seeking your insight and input on policy change.

The Ministry, in partnership with UBCM, is hosting several regionally focused, virtual engagement sessions in November. We are pleased to invite you to either of two sessions that have been developed for the West Coast Region. The session dates and links to register are below (please register in advance of the session).

1. Wednesday, November 3rd from 2:00-4:00pm (Link to Register –

[Redacted link]

2. Friday, November 5th from 9:00-11:00am (Link to Register –

[Redacted link]

These sessions have been designed for mayors and councillors, regional district chairs, electoral area directors, and senior level local government staff. We welcome you to forward this invitation to elected officials and senior staff within your government who you think would like to attend.

These fall engagement sessions are part two of three phases of engagement planned for Modernizing Forest Policy (see Figure 1 below). The topics of focus in our November session will be:

1. Minimizing slash burning
2. Re-integrating prescribed and cultural fire into land management
3. Harmonizing area-based tenure pricing
4. Strengthening compliance and enforcement (in forestry)

5. Revising BC Timber Sales' 3-sale maximum policy, and
6. Creating a fibre access program for value-added wood manufacturers

You will receive a package covering each of the topics in more detail by October 20th. These materials build on what your governments, through the mayors and regional district chairs, should have received July 7, 2021, which informed late July 2021 virtual engagement sessions.

We understand that the summer was a difficult time for many to engage. For quick reference, we've posted a slide deck on our Summer topics [here](#), and a recap of Summer engagement will be a component of our November sessions.

If these date/time options don't work for you and you would like to attend a different regional session, or if you have any questions or concerns, please contact our team via forest.policy@gov.bc.ca.

Sincerely,



Mike Pedersen
Executive Director

Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Mike.Pedersen@gov.bc.ca

Figure 1: Modernizing Forest Policy Engagement Timing

Engagement Timeline and Topics			
Spring / Summer June to August 2021		Fall Sept to Dec 2021	Winter Jan to March 2022
Policy Intentions*	• Create future tenure opportunities (IP1) • Provide clarity on compensation (IP2) • Create flexibility when forest licenses need to be reduced (IP3) • Revise tenure disposition considerations (IP4) • Enhance revenue oversight for log export (IP5) • Continue to improve the Forest and Range Practices Act (FRPA) (IP8) • Advance apportionment (IP10) • Improve accountability in tenure management (IP12) • Increase discretion in authorizing activities (IP13) • Support silviculture management and innovation investments (IP14) • Modernize tenure replaceability conditions (IP15) • Initiate a higher value product and innovation sector-ministry working group (IP16a)	• Evolve BC Timber Sales (BCTS) policy for max sales restrictions (IP6) • Re-integrate prescribes and cultural fire into forest management (IP9) • Initiate process to minimize slash burning (IP16b) • Develop a timber sales program focused on value added manufacturers (IP16c) • Revise area-based tenure-specific pricing policy (IP18) • Strengthen compliance and enforcement (IP19)	• Review the cut control process (IP11) • Improve accountability in tenure management (IP12) • Promote the use of wood and mass timber (IP17)

*Numbering is as per the Modernizing Forest Policy Intentions Paper

From: AVICC <avicc@ubcm.ca>

Sent: Tuesday, October 19, 2021 12:40 PM

To: avicc@ubcm.ca

Subject: AVICC 1st Call for 2022 Resolutions and Nominations for AVICC Executive

Please forward to elected officials, the CAO and Corporate Officer.

The AVICC Executive is putting out a first call for resolutions to be considered at the 2022 convention. The convention is being planned as an in-person event to be held April 1-3 in Victoria at the Conference Centre. AVICC member local governments may now submit board or council endorsed resolutions following the requirements outlined in the attached call for resolutions.

The deadline for resolutions is Noon on Friday, January 28th. Please follow the guidelines to ensure resolutions are submitted that provide AVICC and UBCM with clear policy direction for advocacy. Sending in resolutions well ahead of the deadline is strongly encouraged to allow time to review submissions with the sponsoring local government.

The second document attached has information on nominating members to serve on the 2022/2023 AVICC Executive Committee. The deadline to receive nominations is also Noon on Friday, January 28th.

There will be a second email sent out with information on submitting suggestions for workshops and speakers at the convention. That email will also have information on how to book hotel rooms in Victoria for the convention.

AVICC will continue to monitor Public Health Office guidelines, and will keep members informed if there are any changes required to our plans for holding our convention in-person in Victoria next year.

We look forward to being able to meet in-person in Victoria.



2022 AGM & CONVENTION

RESOLUTIONS NOTICE REQUEST FOR SUBMISSIONS

The AVICC Executive is calling for resolutions to be considered at the 2022 AGM and Convention that, subject to public health order restrictions, will be held at the Victoria Conference Centre as an in-person event from April 1-3, 2022.

Members are now asked to submit resolutions for consideration at the 2022 Convention. The requirements for the resolutions are outlined below and in the following pages.

DEADLINE FOR RESOLUTIONS

AVICC must receive all resolutions by: **noon, Friday, January 28, 2022**

IMPORTANT SUBMISSION REQUIREMENTS

To submit a resolution to the AVICC for consideration please send:

1. One copy as a **word document** by email to avicc@ubcm.ca by the deadline; AND
2. One copy of the resolution by regular mail that may be received after the deadline to:
AVICC, 525 Government Street, Victoria, BC V8V 0A8

AVICC's goal is to have resolutions that can be clearly understood, and that have specific actions. If a resolution is endorsed, it's "therefore clause" will form the basis for advocacy work with other levels of government and agencies. Detailed guidelines for preparing a resolution are on the next pages, but the basic requirements are:

- Resolutions are only accepted from AVICC member local governments, and must have been endorsed by the board or council.
- Members are responsible for submitting accurate resolutions. AVICC recommends that local government staff assist in drafting the resolutions, check the accuracy of legislative references, and be able to answer questions from AVICC & UBCM about each resolution. Please contact AVICC & UBCM for assistance in drafting the resolution.
- Each resolution **must include a separate backgrounder** that is a maximum of 3 pages and specific to a **single** resolution. Do not submit backgrounders for multiple resolutions. The backgrounder may include links to other information sources and reports.
- Sponsors should be prepared to speak to their resolutions.
- Resolutions must be relevant to other local governments within AVICC rather than specific to a single member government.
- The resolution must have at least one "whereas" clause and should not contain more than two "whereas" clauses. Each whereas clause must only have **one sentence**.

LATE AND OFF THE FLOOR RESOLUTIONS

- a. A resolution submitted after the regular deadline is treated as a "Late Resolution". Late Resolutions need to be received by AVICC by noon on **Wednesday, March 30th**.
- b. Late resolutions are not included in the resolutions package sent out to members before the Convention. They are included in the Report on Late Resolutions that is distributed on-site.
- c. The Resolutions Committee only recommends late resolutions for debate if the topic was not known prior to the regular deadline date or if it is emergency in nature. Late resolutions require a special motion at the convention to admit for debate.
- d. Late resolutions are considered after all resolutions printed in the Resolutions Book have been debated. The time is set out in the program, and is normally on Sunday morning.
- e. Off the Floor resolutions must be submitted in writing to the Chair of the Resolutions Session, and copies must be made available to all delegates no later than Sunday morning.

UBCM RESOLUTION PROCEDURES

UBCM urges members to submit resolutions to Area Associations for consideration. Resolutions endorsed at Area Association annual meetings are submitted automatically to UBCM for consideration and do not need to be re-submitted to UBCM by the sponsor.

UBCM and its member local governments have observed that submitting resolutions first to Area Associations results in better quality resolutions overall. If absolutely necessary, however, local governments may submit council or board endorsed resolutions directly to UBCM by June 30. Should this be necessary, detailed instructions are available on the UBCM website.

UBCM RESOLUTIONS PROCESS

1. Members submit resolutions to their Area Association for debate.
2. The Area Association submits resolutions endorsed at its Convention to UBCM.
3. The UBCM Resolutions Committee reviews the resolutions for submission to its Convention.
4. Resolutions endorsed at the UBCM Convention are submitted to the appropriate level of government for response.
5. UBCM will forward the response to the resolution sponsor for review.

UBCM RESOLUTIONS GUIDELINES

The Construction of a Resolution:

All resolutions contain a preamble – the *whereas* clause(s) – and an enactment clause. The preamble describes ***the issue*** and the enactment clause outlines ***the action being*** requested of AVICC and/or UBCM. A resolution should answer the following three questions:

- a) **What is the problem?**
- b) **What is causing the problem?**
- c) **What is the best way to solve the problem?**

Preamble:

The preamble begins with "WHEREAS", and is a concise paragraph about the nature of the problem or the reason for the request. It answers questions (a) and (b) above, stating the problem and its cause, and should explain, clearly and briefly, the reasons for the resolution.

The preamble should contain no more than two "WHEREAS" clauses. Supporting background documents can describe the problem more fully if necessary. Do not add extra clauses.

Only one sentence per WHEREAS clause.

Enactment Clause:

The enactment clause begins with the phrase "Therefore be it resolved", and is a concise sentence that answers question (c) above, suggesting the best way to solve the problem. **The enactment should propose a specific action by AVICC and/or UBCM.**

Keep the enactment clause as short as possible, and clearly describe the action being requested. The wording should leave no doubt about the proposed action.

HOW TO DRAFT A RESOLUTION

1. Address one specific subject in the text of the resolution.

Since your community seeks to influence attitudes and inspire action, limit the scope of a resolution to one specific subject or issue. Delegates will not support a resolution if it is unclear or too complex for them to understand quickly. If there are multiple topics in a resolution, the resolution may be sent back to the sponsor to rework and resubmit, and may end up as a Late Resolution not admitted for debate.

2. For resolutions to be debated at UBCM, focus on issues that are province-wide.

The issue identified in the resolution should be relevant to other local governments across BC. This will support productive debate and assist UBCM to represent your concern effectively to the provincial or federal government on behalf of all BC municipalities and regional districts. Regionally specific resolutions may be referred back to the AVICC, and may not be entered for debate during the UBCM Convention.

3. Use simple, action-oriented language and avoid ambiguous terms.

Explain the background briefly and state the desired action clearly. Delegates can then debate the resolution without having to try to interpret complicated text or vague concepts.

4. Check legislative references for accuracy.

Research the legislation on the subject so the resolution is accurate. Where necessary, identify:

- the correct jurisdictional responsibility (responsible ministry or department, and whether provincial or federal government); and
- the correct legislation, including the title of the act or regulation.

5. Provide factual background information.

Even a carefully written resolution may not be able to convey the full scope of the problem or the action being requested. Provide factual background information to ensure that the resolution is understood fully so that members understand what they are debating and UBCM can advocate effectively with other levels of government and agencies.

Each resolution **must include a separate backgrounder** that is a maximum of 3 pages and specific to a single resolution. Do not submit backgrounders that relate to multiple resolutions. The backgrounder may include links to other information sources and reports.

The backgrounder should outline what led to the presentation and adoption of the resolution by the local government, and can link to the report presented to the council or board along with the resolution. Resolutions submitted without background information **will not be considered** until the sponsor has provided adequate background information. This could result in the resolution being returned and having to be resubmitted as a late resolution.

6. Construct a brief, descriptive title.

A title identifies the intent of the resolution and helps eliminate the possibility of misinterpretation. It is usually drawn from the "enactment clause" of the resolution. For ease of printing in the Annual Report and Resolutions Book and for clarity, a title should be no more than three or four words.

TEMPLATE FOR A RESOLUTION

Whereas << *this is the area to include an issue statement that outlines the nature of the problem or the reason for the request* >> ;

And whereas << *if more information is useful to answer the questions - what is the problem? what is causing the problem?>> :*

Therefore be it resolved that AVICC & UBCM << *specify here the action(s) that AVICC & UBCM are being asked to take on, and what government agency the associations should be contacting to solve the problem identified in the whereas clauses* >>.

If absolutely necessary, there can be a second enactment clause (the “therefore” clause that specifies the action requested) with the following format:

And be it further resolved that << *specify any additional actions needed to address the problem identified in the whereas clauses* >>.



2022 AGM & CONVENTION

CALL FOR NOMINATIONS FOR AVICC EXECUTIVE

AVICC members elect directors to the Executive Committee at the AGM. The Executive Committee ensures that the policies set by the general membership are carried forward, and provides direction for the Association between annual meetings. This circular is notice of the AVICC Executive Committee positions open for nomination, and the procedures for nomination.

1. POSITIONS OPEN TO NOMINATIONS

The following positions are open for nomination:

- President
- First Vice-President
- Second Vice-President
- Director at Large (3 positions)
- Electoral Area Representative

2. NOMINATION PROCESS AND QUALIFICATIONS FOR OFFICE

Candidates must be an elected official of an AVICC local government member and must be nominated by two elected officials of an AVICC local government member. Background information on the key responsibilities and commitments of an AVICC Executive member is provided following the nomination form. The Chair of the 2022 Nominating Committee is Past President Carl Jensen.

3. NEXT STEPS

The Nominating Committee will review the credentials of each candidate for eligibility. A Report on Nominations including a photo and biography will be prepared under the direction of the Nominating Committee, and distributed prior to the Convention.

**To be included in the Report on Nominations,
Nominations Must Be Received by noon, Friday, January 28, 2022**

4. AT CONVENTION

Candidates may also be nominated at the Convention from the floor. Candidates and their two nominators must be elected officials of an AVICC local government member.

5. FURTHER INFORMATION

All enquiries should be directed to:

Past President Carl Jensen, Chair, 2022 Nominating Committee
c/o AVICC
525 Government Street
Victoria, BC V8V 0A8
Phone: (250) 356-5122
email: avicc@ubcm.ca



BACKGROUND INFORMATION FOR CANDIDATES TO THE AVICC EXECUTIVE

1. RESPONSIBILITY OF AVICC EXECUTIVE

Under the AVICC Bylaws:

"The Executive shall manage or supervise the management of the Society"

See <http://avicc.ca/about-the-avicc/constitution-bylaws/> for a complete copy of the AVICC Constitution and Bylaws.

2. AVICC EXECUTIVE STRUCTURE

- President
- First Vice-President
- Second Vice-President
- Director at Large (three positions)
- Electoral Area Representative
- Past President

COMMITTEES

The President may appoint Executive members to AVICC committees and to external committees and working groups as required. The Nominating Committee is a standing committee and is comprised of the Past President and the Executive Director. All members of the Executive serve on the Resolutions Committee.

CONTRACTED EMPLOYEE

The Association contracts with UBCM for the provision of key services that support the Association. A staff person based in Victoria's Local Government House provides the key functions. The President is responsible for overseeing the regular activities of the Association and for providing direction to staff.

3. EXECUTIVE MEETINGS

The full Executive normally meets in person five times a year, following this pattern:

- During the last day of the annual Convention (less than 15 minutes)
- Mid June
- End of October
- Mid January
- Thursday before the Annual Convention

Executive meetings (other than those held in conjunction with the Convention) are generally held on a Friday or Saturday from 10:00 am to 3:00 pm and are typically held in Nanaimo. Online meetings usually occur 2-3 times per year on an as needed basis (60-90 minutes).

Travel expenses and a per diem are provided for Executive Meetings. For the meeting held on the Thursday before the Convention, reimbursement is only for the added expenses that would not normally be incurred for attending the annual Convention. AVICC does not provide Executive members with complimentary registration for the AGM and Convention.

NOMINATIONS FOR THE 2022-23 AVICC EXECUTIVE

We are qualified under the AVICC Constitution to nominate¹ a candidate and we nominate:

Candidate Name: _____

Local Government Position (Mayor/Councillor/Director): _____

Local Government Represented: _____

AVICC Executive Office Nominated For: _____

MEMBERS NOMINATING THE CANDIDATE:

Printed Name: _____ Printed Name: _____

Position: _____ Position: _____

Muni/RD: _____ Muni/RD: _____

Signature: _____ Signature: _____

CONSENT FORM

I consent to this nomination and attest that I am qualified to be a candidate for the office I have been nominated for pursuant to the AVICC Bylaws and Constitution². I also agree to provide the following information to avicc@ubcm.ca by **noon, Friday, January 28, 2022**.

- Photo in digital format
- Biographical information of approximately 300 words that may be edited by AVICC

Printed Name: _____

Current Position: _____

Muni/RD: _____

Signature: _____

Date: _____

¹ Nominations require two elected officials of local governments that are members of the Association.

² All nominees must be an elected official of an AVICC local government member. Nominees for the position of Electoral Area Representative must be an Electoral Area Director.

**Return To: Past President Carl Jensen, Chair, Nominating Committee,
c/o AVICC, 525 Government Street, Victoria, BC V8V 0A8
or scan and email to avicc@ubcm.ca**

From: Salish Sea Ecosystem Conference <ssec@wwwu.edu>

Sent: Wednesday, October 20, 2021 11:09 AM

To: Clare Frater <cfrater@islandstrust.bc.ca>

Subject: Call for Submissions Deadline Extended - 2022 Salish Sea Ecosystem Conference



**2022
Salish Sea
Ecosystem
Conference**

Salish Sea Ecosystem Conference Virtual Gathering April 26-28, 2022

Honoring our Ancestors: Visions for Future Generations and the Salish Sea

Call for Submissions Extended to November 1

Call for Submissions - Deadline Extended to 5 p.m. PT November 1, 2021 *(Originally October 22)*

The Conference Program Committee invites submissions of presentation abstracts for consideration to the 2022 Virtual Salish Sea Ecosystem Conference that will further the goal of the conference.

New for 2022, we are issuing only one call for all poster, traditional, and panel submissions. In the past, there was a two-part process: first for sessions (themes/tracks), then for individual presentations.

The Program Committee will organize accepted submissions into a schedule organized by selected themes. Notification of acceptance will be issued by mid-December.

Please click the buttons below to read the complete Call for Submissions and to submit through the Submission Portal. Once logged in to the portal, you will be able to draft, edit and review before submitting.

[Read Call for Submissions](#)

[Open Submission Portal](#)

- To learn more about SSEC, please visit www.salishseaconference.com
- For questions regarding the conference, please contact ssec@wwu.edu
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Sent by ssec@wwu.edu

From: Frants Attorp [REDACTED]
Sent: Sunday, October 10, 2021 7:38 AM
To: information <information@islandstrust.bc.ca>; Executive Admin <execadmin@islandstrust.bc.ca>
Cc: Russ Hotsenpiller <rhotsenpiller@islandstrust.bc.ca>; David Marlor <dmarlor@islandstrust.bc.ca>; Stefan Cermak <scermak@islandstrust.bc.ca>; Jason Youmans <jyoumans@islandstrust.bc.ca>; SSIInfo <ssiinfo@islandstrust.bc.ca>
Subject: Official complaint re conduct of SSI LTC in its handling of Vortex septic variance application

To: Islands Trust Executive Committee
October 10, 2021

I would like to make an official complaint with regard to the conduct of the Salt Spring Island Local Trust Committee in its handling of the 2019 Vortex application for a septic variance. Specifically, I would like the Executive Committee to consider how the LTC:

1. Failed to respect Salt Spring Island's OCP, particularly the requirement to exercise the precautionary principle. and to "not support any development that could have a net negative impact on the marine environment of the Fulford Creek estuary, tidal flows, visual sightlines, or the inner basin adjacent to the ferry terminal".
2. Failed to properly consider the recommendations and advice of Islands Trust staff, particularly the Trust's Senior Freshwater Specialist who said a hydrological study was "required" along with a more detailed biology study.
3. Failed to examine the application in an objective manner, for example, by not requesting more information about the hydrology of the site, the quality of the effluent that will be flowing into the groundwater, the creek(s) and the harbour, and the effect of that effluent on the marine environment; by not questioning the applicant's explanation about protection from future flooding; by declaring strong community support for the project based on a handful of letters; and, generally, by accepting everything the applicant said at face value without proper scrutiny.
4. Failed to treat the application in a manner that lent credibility to the Islands Trust's declaration of a Climate Emergency and to its First Nations Reconciliation Declaration.
5. Failed to adhere to the Islands Trust Standards of Conduct, for example, by showing disrespect for the island's bylaws and the opinions and hard work of Trust staff; by seemingly giving a technical report a pass based on personal familiarity with a private consultant; and by expressing support for a major new destination resort based, at least partly, on feelings of nostalgia for a much smaller facility that no longer exists.
6. Failed, generally, to properly consider the impacts of the proposed project on fish-bearing streams and the overall health of the marine environment.
7. Failed, generally, to put environmental protection first as per the Islands Trust mandate, and to give adequate consideration to other possible solutions, such as downzoning the property on environmental grounds, locating the septic to higher ground, negotiating a smaller project,

transferring densities, or simply requesting a hydrology study that, by itself, may have precluded the construction of any large onsite septic system on the property.

In support of this complaint, I am attaching transcript excerpts, with my comments, from the LTC meeting of December 17, 2019, which I sent to the Governance Review consultant.

I trust that Trustees Peter Luckham and Laura Patrick will recuse themselves from consideration of this complaint as they are two of the three trustees who are at the centre of the complaint.

Regards,

Frants Attorp

[REDACTED]

Salt Spring Island, BC

From: Ryder Bergerud <[REDACTED]>
Sent: Tuesday, October 5, 2021 9:31 AM
To: Islands2050 <Islands2050@islandstrust.bc.ca>
Subject: Fwd: Vortex letter

Dear Trust Council,

Fulford does not "need" the Vortex. We have our own huge community hall, which includes a kitchen, and is a fantastic space for community events. Down the road we have Drummond park, which is well-loved, includes a playground and covered outdoor seating. Let me emphasize: these are spaces that **actually** belong to the community. Want to sit down for a coffee with a friend? Head over to Rock Salt in Fulford Village.

A timeless advertising trick is to make you feel like what you have is inadequate, so that you buy the shiny new thing. And so Merchant House Capital belittles the community spaces we already have, and tells us they can sell us "the heart of the south end".

Merchant House Capital (MHC) is big business, with target deal sizes of \$5-\$50 million, and you can bet it'll use some of that money to amplify its voice to push for that 20% gross IRR return it promised its investors. Like when in a December 2019 meeting with the Islands Trust, MHC brought along its lawyer who casually threatened legal action against the Trust. Unfortunately, all these tactics have been effective. In the recording, you can hear the local trustees seem insecure about raising obstacles to the developer, and dismiss staff concerns about this resort's septic being situated by an estuary with a "potentially tidal-dominated groundwater table".

What shocked me even more was Trustee Laura Patrick's remarks with regard to flooding from sea-level rise:

"The flood issue, there's nothing we can do (...) how we are going to deal with development in low-lying areas, that's our future issue".

Sounds like the sort of wishful thinking you'd hear from a Miami condo developer, not a Salt Spring Island Trustee. I've really had it with people kicking this problem down the road, making the challenge of climate change mitigation and adaptation worse and worse for my generation.

Sincerely,

Ryder Bergerud
[REDACTED]



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. (Strategic Plan 5.1)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 26-Oct-2016

2. *Update Islands Trust Policy Statement*

With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Policy Statement including a First Nations and public engagement process. Project charter approved February 26, 2020. (Strategic Plan 3.1, 4.4 , 5.6, 5.7)

Responsible

Clare Frater

Dates

Target: 15-Sep-2022

3. *Climate Change Emergency*

Matters pertaining to Islands Trust declaring a climate change emergency. (Strategic Plan 3.1)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 05-Jun-2019

4. *Business Response to COVID-19*

Draft and implement safety plan, consider public messaging as needed.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 15-Apr-2020

Top Priorities Report

Executive Committee

5. *First Nations Reconciliation*

Implementation of the Reconciliation Action Plan. (Strategic Plan Items 4.5 & 4.6)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 02-Sep-2020

5. *Preserve and protect marine ecosystems*

Continue advocacy re: Freighter Anchorages, Trust Council added freighter anchorages to the list of Executive Committee list of top priorities. (Strat Plan Item 2.1)

Responsible

Clare Frater

Dates

Rec'd: 11-Mar-2021

**Projects Report****Executive Committee****1. *Development of an Islands Trust Communications Strategy*****Responsible****Date Received**

Including development of a new website. (Strategic Plan Item 4.2)

Clare Frater

30-Aug-2017

2. *Marine Advocacy***Responsible****Date Received**

Associated with i.) impact of commercial activities on Southern Resident Killer Whales SRKW (Strat Plan Item 2.1), ii.) oil spills and iii.) anchorages.

Clare Frater

02-Sep-2020

3. *Broadcast Public Meetings***Responsible****Date Received**

Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council. (Strategic Plan Item 4.1)

Clare Frater

02-Sep-2020

Julia Mobbs

Russ Hotsenpiller

4. *Improve Communications about the Islands Trust***Responsible****Date Received**

Related to Strategic Plan Items 4.1 & 4.2

Clare Frater

30-Aug-2017

5. *NAPTEP regulation changes to increase the percentage of tax exemption***Responsible****Date Received**

Strategic Plan Item 1.3

Clare Frater

02-Sep-2020

Kate Emmings



Projects Report

Executive Committee

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

Responsible

Date Received

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

16-Aug-2017

7. *Strengthen relations with First Nations*

Responsible

Date Received

MMIWG Calls for Justice Resolutions (Strategic Plan Item 4.6)

21-Oct-2020

1. All staff required to take training related to cultural safety in keeping with the Missing and Murdered Indigenous Women and Girls Calls for Justice.

2. That staff plan education on the Missing and Murdered Indigenous Women and Girls Calls for Justice for trustees and senior staff.

4. Staff to include information about the Missing and Murdered Indigenous Women and Girls Calls for Justice and cultural safety in staff and trustee orientation materials.

5. Draft amendments to the Communications Policy and the Advocacy Policy to address the Missing and Murdered Indigenous Women and Girls Calls for Justice.

8. *Strengthen relations with First Nations*

Responsible

Date Received

Develop a policy regarding referral responses where there is a known archeological site. (Strategic Plan Item 4.7)

26-May-2021

Projects Report

Executive Committee

9. <i>Governance</i>	Responsible	Date Received
Related to Section 5 of the Strategic Plan The possibility of utilizing Section 8(2)(e) of the Islands Trust Act. Responsibilities of trust council: 8(2)For the purpose of carrying out the object of the trust, the trust council may (e) make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies for the preservation and protection of the trust area and its unique amenities and environment -		21-Jul-2021