



Executive Committee Agenda

Date: Wednesday, September 7, 2022
Time: 9:00 am
Location: Islands Trust - Victoria
200 - 1627 Fort Street, Victoria, BC

	Pages
1. CALL TO ORDER / LAND ACKNOWLEDGEMENT	
2. APPROVAL OF AGENDA	
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5.2. Local Trust Committee Chair Updates	
5.3. Islands Trust Conservancy Liaison Update	
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6.1. South Pender Island Local Trust Committee Bylaw No. 123 (OCP amendment) - RFD	21 - 42
THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 123, cited as "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021" in accordance with Section 27 of the <i>Islands Trust Act</i>.	
6.2. South Pender Island Local Trust Committee Bylaw No. 122 (LUB amendment) - RFD	43 - 77
THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 122, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021" in accordance with Section 27 of the <i>Islands Trust Act</i>.	
6.3. Lasqueti Island Local Trust Committee Bylaw No. 99 (fees) - RFD	78 - 89
THAT the Islands Trust Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 99, cited as the "Lasqueti Island Local Trust Committee Fees Bylaw, 2022", in accordance with Section 27 of the <i>Islands Trust Act</i>.	
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	pending late item	

8. EXECUTIVE COMMITTEE PROJECTS

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8.1.4.	Administrative Services	
8.1.4.1.	Forecasted Over Expenditure by General Ledger Budget Line - Briefing	372 - 373
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8.1.4.3.	Enhanced Benefit Plan Coverage in Trustee Benefits Package - RFD	376 - 378
	That Trust Council enroll the new term of Trustees in the in the Union of British Columbia Municipalities (UBCM) enhanced benefits plan with the Employee & Family Assistance Plan add-on.	

8.2. Executive Committee Initiated

8.2.1. Executive

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8.2.2.1.	Trust Programs Committee Follow-up Action List item Referred to Executive Committee - Briefing	379 - 379
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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.	E. OBrian-Hornsy re: Housing Considerations on Denman email dated July 7, 2022	381 - 382
10.2.	Premier response re: Council urges Federal & Provincial Gov to Support Global Initiative for a FFNP Treaty	383 - 384
	Response to <u>chair letter sent August 4, 2022.</u>	
10.3.	Minister Osborne response RE: Request for New Legislation to Protect and Restore Biological Diversity and Ecosystem Health	385 - 386
	Response to <u>chair letter sent July 15, 2022.</u> (Incorrectly cited as sent July 12, 2022).	
10.4.	H. Holm letter dated August 31, 2022 re: carrying capacity vs ecological balance	387 - 388
10.5.	F. Attorp email dated August 30 re: Salt Spring Bylaw 530 - law broken	389 - 392
10.6.	G. Elliott re: W̱SÁNEĆ Interests in Islands Trust Policy Statement letter dated May 30, 2022	393 - 395
10.7.	Trustee Wright re: considering carrying capacity letter dated August 31, 2022	396 - 398
10.8.	Trustee Fast re: Park proposal for Cape Roger Curtis - Bowen email dated August 10, 2022	399 - 400
11.	WORK PROGRAM	
11.1.	Review and amendment of current work program	
	As reviewed under item 7.1.4.	
12.	NEXT MEETING	
	The next Executive Committee meeting is scheduled to be held electronically, on September 20, 2022, starting at 10:00 a.m.	
13.	CLOSED MEETING	
	That the meeting be closed to the public subject to Sections 90(1)(c)(g) and (i) of the Community Charter in order to consider matters related to employee relations, litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.	

14. ADJOURNMENT

Agenda No.	From	Context Notes
3.	Coordinator	RISE AND REPORT DECISIONS FROM CLOSED MEETING Chair Luckham will rise and report that the June 8, 2022 in-camera minutes were adopted as presented during the closed meeting of August 3, 2022.



Executive Committee Minutes of Regular Meeting

Date: August 3, 2022
Location: Public Venue, Electronic Meeting
Islands Trust - Victoria
200 - 1627 Fort Street, Victoria, BC

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 (CAO)
David Marlbor, Director, Legislative Services (DLS)
Brad Smith, Island Planner
Warren Dingman, Manager, Bylaw Compliance and Enforcement
Lori Foster, Executive Coordinator/Recorder

Others Present: 2 members of the public attended electronically

The meeting was conducted electronically, live streamed and recorded.

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Chair Luckham called the meeting to order at 9:02 a.m. and humbly stated gratitude to live and work on Coast Salish First Nations traditional and treaty territory then introduced elected officials and staff.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

For consideration to add the following items:

- 9.5 UBCM/Islands Trust breakfast
- 9.6 Adding standing item Public Comment to Executive Committee agenda

2.2 Approval of Agenda

By general consent, the agenda was approved as amended.

2.2.1 Agenda Context Notes

Attached as indicated for items 6.1 and 8.2.2.1.

3. RISE AND REPORT DECISIONS FROM CLOSED MEETING – None

4. ADOPTION OF MINUTES

4.1 July 7, 2022 Executive Committee draft minutes

By general consent, the minutes were adopted as presented.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates

Chief Administrative Officer (CAO) Hotsenpiller and directors reviewed their FUAL list items, spoke to emerging issues, recently attended meetings, and gave staffing updates noting summer vacation schedules.

Items discussed included:

- Governance Committee inaugural meeting held July 29th business items, included trustee orientation, policy and terms of reference,
- Notifying Financial Planning Committee about possible budget amendments,
- Elections process and advertising updates,
- New Director of Planning Services starts August 15th.

5.2 Local Trust Committee Chair Updates

Local Trust Committee Chairs also noted:

- Agricultural Land Commission changes; the Denman Farm Plan,
- Superb staff work regarding North Pender public hearing and information meetings,
- Priority items from the Governance Committee – EC elections, strategic planning, discussion at Trust Council, trustee orientation,
- Press coverage regarding speculation tax,
- BC Ferries and Snuneymuxw First Nation formal agreement regarding Gabriola application,
- Short term vacation rental news release and Channel Ridge antenna updates.

5.3 Islands Trust Conservancy Liaison Update

Conservancy Vice-Chair Fast noted a Conservancy workshop is being planned.

6. BYLAWS FOR APPROVAL CONSIDERATION

6.1 Galiano LTC Bylaws No. 276 (OCP), No. 277 (LUB), and No. 274 (housing agreement) – RFD

Executive Committee received for information, associated correspondence items 10.2 to 10.5.

Vice-Chair Rogers acknowledged the work of Island Planner Smith regarding the bylaws as presented; in general, to rezone a portion of heritage forest for a multi-use housing project. One of the two local trustees was recused from this application.

Planner Smith was available to answer questions, there were none forthcoming.

EC-2022-099

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 274, cited as “Galiano Island Housing Agreement Bylaw 274, 2019” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

EC-2022-100

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 276, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2020” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

EC-2022-101

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 277, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2020” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.2 Mayne Island LTC Bylaws No. 189 (OCP) and No. 184 (LUB) – RFD

Vice-Chair Rogers introduced the local trust committee (LTC) request for decision (RFD) which, in general, addresses affordable housing with ecological consideration by limiting square footage, requiring permeability, and consideration of groundwater recharge.

EC-2022-102

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Mayne Island Local Trust Committee Bylaw No. 184, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 2, 2021” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

EC-2022-103

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Mayne Island Local Trust Committee Bylaw No. 189, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 1, 2022” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

Vice Chair Rogers noted the LTC has taken on a project called the Housing Options project which will go into next term.

6.3 Mayne Island LTC Bylaws No.186 (OCP) and No. 187 (LUB) – RFD

Vice-Chair Rogers introduced the request for decision, which proposes minor technical bylaw amendments as explained in the staff report.

EC-2022-104

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Mayne Island Local Trust Committee Bylaw No. 186, cited as “Mayne Island Official Community Plan Bylaw No. 144, 2007, Amendment No. 2, 2021” in accordance with Section 27 of the *Islands Trust Act*.

Discussion on the parks masterplan being removed from the official community plan, a parks commission request, because it had been updated a number of times ensued.

CARRIED

EC-2022-105

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Mayne Island Local Trust Committee Bylaw No. 187, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 3, 2021” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.4 Saturna Island LTC Bylaws No. 133 (OCP) and No. 134 (LUB) – RFD

Vice-Chair Patrick introduced the bylaws which address some inconsistencies with respect to zoning and land use designations.

EC-2022-106

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Saturna Island Local Trust Committee Bylaw No. 133, cited as “Saturna Island Official Community Plan Bylaw No. 70, 2000, Amendment No. 1, 2021” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

EC-2022-107

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Saturna Island Local Trust Committee Bylaw No. 134, cited as “Saturna Island Land Use Bylaw No. 119, 2018, Amendment No. 1, 2021” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.5 Bowen Island Municipality Bylaw No. 580 (LUB) – RFD

Vice-Chair Fast spoke to the request for decision which would rezone a parcel to facilitate a boundary adjustment and obtain dedication for a multi-user path, as presented in the report.

EC-2022-108

It was Moved and Seconded,

THAT the Executive Committee advise Bowen Island Municipality that Bylaw No. 580 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 580, 2022” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

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

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1 Trust Council Orientation Overview – Briefing

CAO Hotsenpiller spoke to the briefing.

Executive Committee discussed the following items with regards to trustee orientation:

- The Governance Committee wants to review new trustee orientation,
- Acronyms and “lingo” update,
- What’s a project and what’s a priority,
- Trustee attendance at the Local Government Leadership Academy in February,
- How other municipalities and regional districts do strategic planning, budgeting and continuance of business,
- Budget preparation has begun; advancement of LTC projects from one term to the next,
- The dual nature of the role of trustee,
- Training on how to draft a motion,
- Review and consideration of the Code of Conduct,
- Application processing and Declaration on the Rights of Indigenous Peoples Act (DRIPA) responsibilities,
- Rookie trustees, orientation at the council level and the local trust committee level,
- Bringing together strategic plan and corporate plan elements.

7.2 Local Planning Services - None

7.3 Administrative Services - None

7.4 Trust Area Services – None

8. EXECUTIVE COMMITTEE PROJECTS - None

8.1 Trust Council Initiated - None

8.1.1 Executive - None

8.1.2 Trust Area Services - None

8.1.3 Local Planning Services - None

8.1.4 Administrative Services – None

8.2 Executive Committee Initiated

8.2.1 Executive – None

8.2.2 Trust Area Services

8.2.2.1 History Heritage Grants-in-aid Policy 2.1.14 amendments – RFD

Executive Committee discussed amending the policy as follows:

- Specific funding amount cited,
- Definition around organization/business/land owning corporations etc,
- Intake and reconsideration periods,
- Funds be spent by the end of fiscal.

EC-2022-109

It was Moved and Seconded,

That Executive Committee request staff to consider amendments to draft Policy 2.1.14, as discussed.

CARRIED

8.2.2.2 Advocacy Summary (2018-2022 term) – Briefing

Executive Committee discussed the briefing as presented with a cover memo that:

- Acknowledges social media, and the secretariat functions as advocacy,
- Doesn't just include government,
- Advocacy as necessary and effective.

EC-2022-110

It was Moved and Seconded

That Executive Committee refer the report "Advocacy Summary (2018-2022 term) – Briefing", with a cover memo, for inclusion in the September Trust Council agenda.

CARRIED

8.2.3 Local Planning Services

8.2.3.1 Amendments to Trust Council Policies 6.2.1 and 6.7.1 – Briefing

CAO Hotsenpiller spoke to the briefing as presented.

Discussion followed on:

- Clarifying the “one project per local trust committee” concept,
- Official community and strategic planning,
- Redirecting to Regional Planning Committee,
- Check for typographical errors.

EC-2022-111

It was Moved and Seconded,

That Executive Committee request staff to prepare this item 8.2.3.1 to advance as a request for decision to the upcoming Trust Council meeting.

DEFEATED

EC-2022-112

It was Moved and Seconded,

That Executive Committee refer the staff briefing regarding Policies 6.2.1 and 6.7.1. to the Regional Planning Committee for consideration.

CARRIED

8.2.4 Administrative Services – None

9. **NEW BUSINESS**

9.1 **Executive/Trust Council** – None

9.2 **Trust Area Services**

9.2.1 LTC Chairs Report on Local Advocacy Topics

Local trust committee chairs noted:

- Trustee Critchley was appointed to the Department of Fisheries and Ocean shellfish advisory committee,
- Bowen Island Municipality recognized, by resolution, the human right to a healthy clean environment,
- Responses to the Trust Council advocacy letter on fallow deer,
- Media coverage on the Our Shared Water presentation, which received Policy 2.1.14 funding on Galiano.

9.3 **Local Planning Services** - None

9.4 **Administrative Services** – None

9.5 UBCM/Islands Trust Breakfast

Islands Trust will host its traditional Union of BC Municipalities breakfast at the September convention.

9.6 Adding Public Comment as a Standing Agenda Item

Executive Committee (EC) discussed, with no direction, to add Public Comment as a standing agenda item noting that anyone wishing to address EC is accommodated.

10. CORRESPONDENCE

All correspondence items were received for information.

- 10.1 RPM Kojima response dated July 27, 2022 to J. Margison**
- 10.2 J. Margison et al letter with attachments dated July 28, 2022 re: GL LTC Bylaws No. 276 and 277.**
- 10.3 C. Menyhart letter dated June 27 [sic] sent July 27 via email re: GL LTC Bylaws No. 274, 276 and 277**
- 10.4 D. Holmes letter with attachments dated July 25, 2022 re: GL LTC Bylaws No. 276 and 277**
- 10.5 G. Dusting letter dated July 28, 2022 re: GL LTC Bylaws No. 276 and 277**
- 10.6 Oceans Protection Plan (OPP) newsletter (Special edition - July 20th)**

11. WORK PROGRAM

11.1 Review and amendment of current work program

Received for information.

12. NEXT MEETING

The next Executive Committee meeting is scheduled to be held in-person beginning at 9:00 a.m., September 7, 2022, at the Victoria office #200 - 1627 Fort Street, Victoria BC.

13. CLOSED MEETING

At 12:31 p.m. the meeting was closed to the public.

EC-2022-113

It was Moved and Seconded,

That the meeting be closed to the public subject to Sections 90(1) (g) and (i) of the Community Charter in order to consider matters related to litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.

CARRIED

At 1:28 p.m. the meeting was reopened to the public.

14. ADJOURNMENT

By general consent, the meeting was adjourned at 1:28 p.m.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator

DRAFT

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 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: 07-Sep-2022	In Progress
2 Bring a briefing to September Trust Council regarding 2022-2026 new term Trust Orientation that covers the Continuous Learning Plan.	Russ Hotsenpiller	Meeting: 08-Jun-2022 Target: 20-Sep-2022	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.	Julia Mobbs	Meeting: 21-Oct-2020 Target: 07-Sep-2022	In Progress
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 Wanda Boden	Meeting: 26-May-2021 Target: 07-Sep-2022	Completed
3 Staff to provide budgetary financial options to achieve an increase in History, Heritage and Grants-in-aid funding by 5,000 and to increase the allocation for computers for trustees to 20,000.	Wanda Boden	Meeting: 07-Jul-2022 Target: 07-Sep-2022	Completed

Follow Up Action Report

Executive Committee

Director, Legislative Services

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. As of March 2022, amendments to 11 out of 17 policies deemed out of date have been adopted.	David Marlor	Meeting: 03-Feb-2021 Target: 23-Sep-2022	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: 07-Sep-2022	In Progress
3 Advise Denman LTC of Executive Committee approval re: Bylaws No. 241, 242, 243, and 245.	David Marlor	Meeting: 07-Jul-2022 Target: 03-Aug-2022	Completed
4 Inform Galiano LTC re: Bylaws 276, 277 and 274 were approved by Executive Committee. Inform Mayne LTC re; Bylaws 189, 184 and 187 were approved by Executive Committee. Inform Saturna LTC re; Bylaws 133 and 134 were approved by Executive Committee. Inform Bowen Island Municipality re Bylaw 580 was approved by Executive Committee.	David Marlor	Meeting: 03-Aug-2022 Target: 07-Sep-2022	Completed

Follow Up Action Report

Executive Committee

Director, Legislative Services

Activity	Responsibility	Dates	Status
5 Refer the staff briefing regarding Policies 6.2.1 and 6.7.1. to the Regional Planning Committee for consideration	David Marlor	Meeting: 03-Aug-2022 Target: 07-Sep-2022	Completed

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: 07-Sep-2022	In Progress
2 Legislative Monitoring Chart (bi-annually to Trust Council) Staff to produce the Legislative Monitoring briefing every 6 months with the next one being September 2022.	Clare Frater	Meeting: 23-Feb-2022 Target: 20-Sep-2022	Completed
3 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 (COMPLETE) and Gabriola Islands, subject to support of local trustees and affected local trust committees.	Clare Frater	Meeting: 26-Feb-2020 Target: 07-Sep-2022	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
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.	Clare Frater	Meeting: 10-Mar-2020 Target: 07-Sep-2022	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: 07-Sep-2022	In Progress
6 Ask staff to investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.	Clare Frater	Meeting: 27-Oct-2021 Target: 07-Sep-2022	In Progress
7 Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act.	Clare Frater	Meeting: 13-Apr-2022 Target: 07-Sep-2022	In Progress
8 Continue to work with K'ómoks First Nation and Gabriola Historical Society in terms of its funding request and Executive Committee consider ways to allocate funds for such requests.	Clare Frater	Meeting: 04-May-2022 Target: 07-Sep-2022	In Progress
9 Staff to provide advice to the Executive Committee in time for the September Trust Council on alternatives to increase the History Heritage Grants-in-aid funding for the current fiscal year.	Clare Frater	Meeting: 25-May-2022 Target: 07-Sep-2022	Completed

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
10 Staff to prepare a letter from the Chair to the Ministry of Forests, Land, Natural Resource Operations advocating for the proper disposal of replaced docks.	Clare Frater	Meeting: 25-May-2022 Target: 03-Aug-2022	Completed
11 Authorize a grant to the Water We Call Home Group in the amount of \$2,000 subject to the support of local trustees.	Clare Frater	Meeting: 07-Jul-2022 Target: 03-Aug-2022	Completed
12 Refer the report "Advocacy Summary (2018-2022 term) - Briefing", with a cover memo, for inclusion in the September Trust Council agenda.	Clare Frater	Meeting: 03-Aug-2022 Target: 07-Sep-2022	Completed



REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 3900-04-11
6500-20 (2021 OCP
Amendments)

DATE OF MEETING: September 7, 2022
TO: Islands Trust Executive Committee
FROM: Kim Stockdill, Island Planner
SUBJECT: South Pender Island Local Trust Committee – Bylaw No. 123

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 123, cited as “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

South Pender Island Local Trust Committee has referred Bylaw No. 123 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to **South Pender Island Local Trust Committee** regarding the Executive Committee decision by **September 7, 2022**.

Other

None.

PURPOSE

South Pender Island Local Trust Committee Bylaw No. 123, cited as “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021” (Attachment 6) if adopted, will amend the South Pender Official Community Plan (OCP) to include a First Nation introductory/acknowledgement statement and building design and siting guidelines. The building design and siting guidelines are intended to be used, where feasible, when the South Pender Island Local Trust Committee considers Development Variance Permit applications to vary the maximum floor area of residential buildings.

BACKGROUND

South Pender Island Local Trust Committee Bylaw No. 123

The Land Use Bylaw Amendment Project was initiated in May 2021. The Senior Intergovernmental Policy Advisor provided draft wording for the First Nations Acknowledgement Statement and early engagement referral letter was sent to the WSANEC Leadership Council for comment (no comment in response was received). The building design and siting guidelines were drafted by Trustee Thorn and Trustee Wright, and reviewed and edited by staff.

Due to a large turn-out for the initially scheduled Public Hearing in May 2022, the LTC decided to reschedule the Public Hearing to another date with a large venue. The LTC also gave direction to staff to hold additional Community Information Meetings (one in-person and one online) prior to the Public Hearing. At the Community Information Meetings and Public Hearing the community expressed a mix of support and also opposition to the proposed bylaw.

First Reading: November 6, 2021

Second Reading: August 12, 2022

Third Reading: August 12, 2022

Public Hearing: July 23, 2022

The LTC considered and determined that the bylaw is not contrary to or at variance with the Islands Trust Policy Statement (Attachment 4).

Detailed background to the project, including staff reports is available on the Islands Trust website:

<https://islandstrust.bc.ca/island-planning/south-pender/projects/>

Issues Relating To Provincial Interest

The Proposed Bylaw was referred to Ministry of Municipal Affairs and Housing, BC Assessment Authority, Capital Regional District – Building Inspection, North Pender and Saturna Island Local Trust Committees for comment.

Issues Relating To First Nation Interest

Proposed Bylaw No. 123 was also referred to Cowichan Tribes, Halalt First Nation, Lake Cowichan First Nation, Lyackson First Nation, Malahat First Nation, Pauquachin First Nation, Penelakut Tribe, Semiahmoo First Nation, Snuneymuxw First Nation, Stz’uminus First Nation, Tsartlip First Nation, Tsawout First Nation, Tsawwassen First Nation, Tseycum First Nation and WSANEC Leadership Council for comment.

Issues Relating To Resources and Enforcement

None.

Public Comments

There have been no public comments made directly to the Executive Committee on the potential approval of Bylaw No. 122.

Staff Comments

Rationale for Recommendation:

- The proposed bylaw have been determined to be consistent with the ITPS by the LTC.
- First Nations and agency referrals were completed and no concerns were raised;
- Statutory processes have been completed including the statutory notification and holding of a public hearing prior to third reading of the bylaw.

The Executive Committee is being asked to approve this bylaw. Following Executive Committee approval, Bylaw No. 123 will be sent to the Minister for approval and then returned to the South Pender LTC for final approval.

KEY ISSUES/CONCEPTS

- Inclusion of a First Nation introductory/acknowledgement statement to the South Pender Official Community Plan.
- Inclusion of building design and siting guidelines as a reference document to the South Pender Official Community Plan.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise South Pender Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 123, cited as "South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the South Pender Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Kim Stockdill, Island Planner	August 25, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	August 25, 2022
Concurrence:	Stefan Cermak, Director, Planning Services	August 30, 2022

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. 123
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: South Pender Island Local Trust Committee

Bylaw No.: SP-123

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 12-Aug-2022

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: SP-123

Trust Area: South Pender Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: SP-123
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: No

Technical Staff: No

First Reading Date: 05-Nov-2021

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 14-Dec-2021

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: Chonk, Jas

Date: 07-Jul-2022

File complete and ready for Public review: Yes

Public Hearings:

Location: St. Peter's Anglican Church Hall
Proofread By: Chonk, Jas

Legal Paper: Gulf Island Driftwood
First Publish Date: 06-Jul-2022

Second Publish Date: 13-Jul-2022

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:
Second Reading Date: 12-Aug-2022

Delivery Notices:
Date Public Hearing Held: 23-Jul-2022
Third Reading Date: 12-Aug-2022

Referrals: Bylaw SP-123

Agency	Sent	Received
BC Assessment Authority <i>Policy, Audit and Legal Services: Cathie McIntyre</i>	14-Dec-2021	
Capital Regional District - All Referrals Aggie Chan and Jessica Arnet <i>625 Fisgard Street: Referrals Coordinator</i>	14-Dec-2021	
Cowichan Tribes <i>5760 Allenby Rd: Tracey Flemming</i> <i>Comment: Nation has asked for extension to respond by beginning of February 2022</i>	14-Dec-2021	
Halalt First Nation <i>7973 Chemainus Rd: Raven August</i> <i>Comment: No Comment Received</i>	14-Dec-2021	
Lake Cowichan First Nation <i>313B Deer Road: Carole Livingstone</i> <i>Comment: No Comment Received</i>	14-Dec-2021	
Lyackson First Nation <i>8017 Chemainus Road: Linda Aidnell</i> <i>Comment: No Comment Received</i>	14-Dec-2021	
Malahat First Nation <i>110 Thunder Road, RR4: Heather Adams</i> <i>Comment: Thank you for your consultation request for South Pender Island Local Trust Committee Proposed Bylaw No. 123 Referral dated December 14th 2021 on Pender Island, located in Malahat Nation's traditional territory. Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding this bylaw.</i>	14-Dec-2021	12-Jan-2022
Ministry of Municipal Affairs and Housing <i>Planning and Land Use Management: Kris Nichols</i>	14-Dec-2021	
North Pender Island Local Trust Committee <i>Islands Trust: Laura Patrick</i> <i>Comment: Interests unaffected by bylaw.</i>	14-Dec-2021	27-Jan-2022
Pauquachin First Nation <i>9010 West Saanich Road: Darlene Henry</i> <i>Comment: No Comment Received</i>	14-Dec-2021	
Penelakut Tribe	14-Dec-2021	

Referrals: Bylaw SP-123

Agency	Sent	Received
Box 360: Denise James <i>Comment: No Comment Received</i>		
Saturna Island Local Trust Committee 200 - 1627 Fort Street: Laura Patrick	14-Dec-2021	
Semiahmoo First Nation 16049 Beach Rd: Chief & Council <i>Comment: No Comment Received</i>	14-Dec-2021	
Snuneymuxw First Nation 668 Centre Street: Desiree Thomas	31-Jan-2022	
Stz'uminus First Nation 12611A Trans Canada Hwy: Chenoa Akey	14-Dec-2021	
Tsartlip First Nation PO Box 70: Karen Harry <i>Comment: No Comment Received</i>	14-Dec-2021	
Tsawout First Nation Box 121: Cathy Webster <i>Comment: No Comment Received</i>	14-Dec-2021	
Tsawwassen First Nation 1926 Tsawwassen Drive: Victoria Williams <i>Comment: No Comment Received</i>	14-Dec-2021	
Tseycum First Nation 1210 Totem Lane: Chief Tanya Jimmy <i>Comment: No Comment Received</i>	14-Dec-2021	
WSANEC WSANEC Leadership Council Society: Justin Fritz	14-Dec-2021	

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 Minor OCP Amendments Project
File Name: SP LTC Bylaw No. 123

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
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
✓	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
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
✓	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<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: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 12-Aug-2022

Reading:

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 123

A BYLAW TO AMEND SOUTH PENDER ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 107, 2011

The South Pender Island Local Trust Committee enacts in open meeting assembled as follows:

1. CITATION

This Bylaw may be cited for all purposes as “South Pender Island Official Community Plan Bylaw No. 107, 2011, Amendment No. 1, 2021”.

2. SCHEDULES

South Pender Island Official Community Plan No. 107, 2011 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS	5 TH	DAY OF	NOVEMBER	2021.
PUBLIC HEARING HELD THIS	23 RD	DAY OF	JULY	2022.
READ A SECOND TIME THIS	12 TH	DAY OF	AUGUST	2022.
READ A THIRD TIME THIS	12 TH	DAY OF	AUGUST	2022.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20__
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS AND HOUSING THIS	_____	DAY OF	_____	20__
ADOPTED THIS	_____	DAY OF	_____	20__

CHAIR

SECRETARY

**SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 123**

SCHEDULE 1

The South Pender Island Official Community Plan Bylaw No. 107, 2011, is amended as follows:

1. By adding the following new Subsection under Section '1.2 Introduction' and renumbering the Subsections accordingly:

"1.2.1 Acknowledgement and Reconciliation of First Nations Place, Context and Inherent Rights

S,DÁYES – wind drying

Central Coast Salish Peoples have occupied and utilized the lands and waters of S,DÁYES, the place now known as South Pender Island, since time immemorial. The SENĆOŦEN and Hul'qumínum speaking people include the WJOŁŁP (Tsartlip), BOŖEĆEN (Pauquachin), SŖÁUTW (Tsawout), WSIŖEM (Tseycum) and MÁLEXEL (Malahat) Nations; and the SEMYOME, Tsawwassen, Penelakut, Lyackson, Halalt, Stz'uminus, and Lake Cowichan Nations.

The WŚÁNEĆ Peoples (meaning The Emerging Peoples) speak a language called SENĆOŦEN, and have a rich and vibrant economic, social, cultural, and spiritual life that is connected to these lands and waters. The lands and waters of the WŚÁNEĆ Peoples is enriched with history, place names, village sites, cultural locations and ancestral resting places, and sacred sites that need to be honoured and respected. The history of the Central Coast Salish Peoples is sustained and continues in the language, oral history, place names, village sites, cultural and sacred sites, and landscapes that encompass this place they call home, it was never extinguished and continues in the treaty, and territorial lands and waters they caretake for future generations.

South Pender Island is also the location of the SŖÁUTW (Tsawout) First Nation and WSIŖEM (Tseycum) First Nation reserve #7. South Pender Island is a place with many village sites and places names including: QENENIW (meaning watching the slack tide); SMONEĆ (meaning pitch for fire-starting); SŖTIS (meaning candle neck duck); YEUWE (meaning fortune teller from oral history stories); and ŖELISEN – (meaning lost middle). The preservation and protection of village sites, cultural heritage sites, archaeological sites and objects, and ancestral resting places requires sensitivity and respect and is an important part of reconciliation. Cultivation areas both on land and in marine areas include camas meadows, reef-netting locations and clam gardens, and hunting and harvest areas for Indigenous food resources, inherent rights, and medicine.

The South Pender Island Local Trust Committee is committed to reconciliation and the acknowledgement of Indigenous place and history. The South Pender Island Local Trust Committee seeks to build relationships and to collaborate with First Nations and the Indigenous community to protect cultural places, preserve and increase access to culturally

significant species and food sources, and celebrate the culture, history, language, and art of First Nations within the area.

As part of the South Pender Island Local Trust Committee (LTC) commitment to support the goals of reconciliation the South Pender LTC recognizes the importance of preserving and protecting the following culturally significant plants and food/medicines for First Nations and Indigenous communities:

- SPÁÁNW (camas) and any areas of SPÁÁNW meadows or cultivation areas;
- KÁŦEŁĆ (ocean spray) a hardwood for making tools from arrows and harpoon shafts, to salmon skewers and needles;
- ELILE,İŁĆ (salmonberry) and DEKĖNİŁĆ (thimbleberry) plants their shoots and berries and cultivation areas;
- ŁEKES (Porphyra) edible seaweeds and the conservation of shoreline and upland areas that preserve ŁEKES habitat;
- Á,ĆEX (crab) a traditional food;
- SQŁÁ,İ, (littleneck clam), S,OXE, (butter) SWÁÁM (horse clam), STELO,EM, (cockles), ŁÁU,ĶEM, (bay mussel) and İEXİEX (pacific oyster) and the areas in which they are harvested; including conservation to reduce pollutants that lead to the closer and degradation of these species;
- XPÁ, (western red cedar) for house posts and planks, totem poles, dugout canoes, mats, baskets, clothing, and cordage, and the preservation of this species for future generation;
- ŦŦÁ,ELĆ (broad-leaf maple) for paddles and spindle whorls;
- JSÁ,İŁĆ (Douglas-fir), SKĖMÍ,EKS (grand fir), and KEKEYİŁĆ (arbutus) and the conservation of these species for future generations.

The South Pender LTC will undertake actions within its regulatory bylaws and advocacy work in collaboration with the local community to welcome and meaningfully include local First Nations and Indigenous community to the islands and waters of the area to:

- identifying sites of First Nations significance and ensure their protection;
- celebrate and look for opportunities to incorporate First Nation languages on public signage;
- advocate for the renaming places of significance;
- prioritize local Indigenous public art;
- respect and honour First Nations village sites and ancestral resting places;
- preserve traditional harvesting, fishing, and medicine gathering locations including fish trap areas, sacred places, traditional trails, canoe runs, and bathing sites, and allow for ceremonial use of those locations;
- advocate with community to create opportunities to learn, understand, and honour First Nations culture, history, and values;

- seek to engage meaningfully with local First Nations before developing park areas, public spaces, beach accesses, trails, and educational materials;
- consider changes to land use, building height and density to reduce impacts in areas defined as culturally sensitive and/or significant due to cultural heritage sites, or cultural food sources.”

2. By adding the following new clause to Article 3.1.2(a) (Land Use):

“v) If the Local Trust Committee considers Development Variance Permit applications to vary the maximum floor area of residential dwellings, ‘Appendix 10.1 South Pender Island Local Trust Committee Building Design and Siting Guidelines’ should be incorporated into the building proposal where feasible.”

3. By adding the following new part after ‘Part 9 – Administration’:

“PART 10 – APPENDICES

10.1 South Pender Island Local Trust Committee Building Design and Siting Guidelines

Vision Statement:

The South Pender Island Local Trust Committee Building Design & Siting Guidelines are intended to support the South Pender Island Official Community Plan and in particular, the following two Official Community Plan policies:

2.2.1 To maintain the island’s rural character so community members and visitors may continue to enjoy a sense of tranquility, privacy, freedom from disturbance, and relative self-sufficiency within a visually attractive environment.

2.2.4 To ensure land use, development, and associated servicing are compatible with the rural island character and that their growth is gradual and sustainable.

The guidelines draw upon objective criteria and a variety of approaches for creating thoughtfully designed, energy efficient dwellings and accessory buildings and structures which also relate to, and are in harmony with, the natural surroundings. The guidelines are intended to promote an appreciation of South Pender Island’s history, create an understanding of the rural character, and reinforce the regional identity. The guidelines are presented to encourage imaginative, site specific designs while achieving the guideline’s objectives for design, siting and size.

Purpose: The guidelines encourage the design and siting of buildings and structures on a property by considering the topography of the land, its ecology, and the natural and rural character of South Pender Island.

Objectives:

- To site buildings and structures on a property that will integrate with the landscape, through the use of a diversity of architectural styles and the use of exterior colours which compliment the natural character of the island;

- To encourage the use of energy saving technologies to reduce greenhouse gases;
- To encourage the consideration and respect of neighbouring properties when siting and designing a building or structure; and,
- To encourage designs of buildings and structures that maintain compatibility with the character of the neighbourhood and community, and to decrease the visual prominence of a building or structure.

Guideline 1 - Principles of Design

A design should consider every aspect of a building and its setting to achieve an outcome that responds to the needs of the individual while integrating into the landscape. Designs should also take into account future maintenance and repair requirements. Historically, most homes were simple, modest, and owners had the knowledge and ability to maintain and repair their homes.

- Consider designs in a restrained, proportionate, manner such that each building remains subordinate to the natural and rural character.
- Consider a diversity of styles. Avoid a repetition of a single style within a neighbourhood and choose designs that contribute to the overall character of the community.
- Complex designs or complicated construction methods and materials may difficult to source.
- Be consistent within an individual building. Avoid a variety of design features or those that are nonfunctional, or ostentatious.
- Consider age-friendly design principles to create easy access or reduce mobility issues.

Guideline 2 - Define the Objectives

Consider reducing the floor area of the building or structure while still achieving the desired form and function.

Guideline 3 - Selecting a Building Site

Selecting an appropriate building site can influence how successful a dwelling can blend into its natural surroundings. Siting of buildings and structures should be addressed at the pre-design stage and should utilize the natural topography while minimizing disturbance to the ecology and the visual impact in order to blend in with the nature environment. Consider local knowledge when siting dwelling units and take into account the particular micro-climate influences in your specific area, such as potable water sources, soil conditions, wind and rain direction, summer heat, early frosts, and drainage routes. Well selected building sites can offer shelter from the elements, privacy and take advantage of solar applications. Consideration should be given to the prominence of the building or structure and how it impacts views from adjacent properties and other view corridors.

Guideline 4 - Produce a Design Concept and Site Plan

- Prepare a visual design concept plan, building and elevation plans, and site plan that will achieve the objectives of these guidelines. A site contour map may also be beneficial.

Guideline 5 - Site Preparation

- Clear the land only where necessary while maintaining as much contiguous forest cover as possible. Prior to removing trees, consider shade requirements, wind direction, wildlife habitat, water retention and drainage. In addition, road access, services, drainage and sewage disposal should be considered along with location of buildings and structure which will result in a well-integrated site plan. Excessive excavation and its mitigation can be expensive, unnecessary, and damaging to the natural landscape.

Guideline 6 - Landscaping

- The character of the rural garden can be defined as something which requires minimal intervention to the existing landscape and native plants. Select plants that are deer resistant, drought tolerant and non-invasive.
- Planting zones can create pathways, enclosures, privacy, wildlife habitats, and can reduce or limit expansive areas of pavement and lawns. Planting can be used to soften the geometric impact between the built environment and the natural landscape.
- The endangered Coastal Douglas Fir ecosystem is one of the most important features of the community. Unnecessary fragmentation of this forest landscape is discouraged. Rather than cut trees for view corridors, consider “windowing” by trimming branches.

Guideline 7 - Hard surfaces and Paving Materials

- For driveways, patios, and walkways, avoid large, continuous areas of paving and consider using porous materials that permit percolation of water and aeration in soils.

Guideline 8 - Fencing

- Not every property needs a fence or wall along its entire perimeter. Keep fencing to a minimum around specific areas requiring protection and/or screening.
- Consider the neighbourhood and adjoining properties when designing and installing a fence or wall.”

First Nation Engagement

Referral of: South Pender Island Bylaw 123

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Halalt

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lake Cowichan

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lyackson

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Malahat

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
Jan. 12, 2022	Thank you for your consultation request for South Pender Island Local Trust Committee Proposed Bylaw No. 123 Referral dated December 14th 2021 on Pender Island, located in Malahat Nation's traditional territory. Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding this bylaw.	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Pauquachin

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Semiahmoo

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Snuneymuxw

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Stzuminus

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsartlip

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawout

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawwassen

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tseycum

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: WSANEC

Date	Comment/Action	Initial
Dec. 14, 2021	Sent Referral	JC
June 29, 2022	Sent Follow-up Email in regards to Public Hearing.	JC



REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 3900-04-11
6500-20 (2021 LUB
Amendments)

DATE OF MEETING: September 7, 2022
TO: Islands Trust Executive Committee
FROM: Kim Stockdill, Island Planner
SUBJECT: South Pender Island Local Trust Committee – Bylaw No. 122

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 122, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021" in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

South Pender Island Local Trust Committee has referred Bylaw No. 122 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to South Pender Island Local Trust Committee regarding the Executive Committee decision by September 9, 2022 .

Other

None

PURPOSE

South Pender Island Local Trust Committee Bylaw No. 122, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021" (Attachment 6) if adopted, will amend the South Pender Land Use Bylaw (LUB) to include new agricultural regulations, reduce maximum floor areas for dwellings in the rural residential zones, reduce setbacks for dwellings and cottages in the rural residential zones, increase the setback from the natural boundary of the sea, include clauses for those buildings or structures that maybe be deemed legal non-conforming due to the new regulations, and other minor amendments.

BACKGROUND

South Pender Island Local Trust Committee Bylaw No. 122

The Land Use Bylaw Amendment Project was initiated in May 2021. The South Pender Local Trust Committee (LTC) had a number of topics (listed above under 'Purpose') to include in the LUB amendment bylaw. Due to a large turn-out for the initially scheduled Public Hearing in May 2022, the LTC decided to reschedule the Public Hearing to another date with a large venue. The LTC also gave direction to staff to hold additional Community Information Meetings (one in-person and one online) prior to the Public Hearing. At the Community Information Meetings and Public Hearing the community expressed a mix of support and also opposition to the proposed bylaw. The South Pender LTC made additionally amendments to the proposed bylaw at the August 12, 2022 special meeting to try to address concerns raised by the community.

First Reading: May 6, 2022

Second Reading: August 12, 2022

Third Reading: August 12, 2022

Public Hearing: July 23, 2022

The LTC considered and determined that the bylaw is not contrary to or at variance with the Islands Trust Policy Statement (Attachment 4).

Detailed background to the project, including staff reports is available on the Islands Trust website:

<https://islandstrust.bc.ca/island-planning/south-pender/projects/>

Issues Relating To Provincial Interest

The Proposed Bylaw was referred to Capital Regional District – Building Inspection, North Pender and Saturna Island Local Trust Committees, and the Agricultural Land Commission (ALC) for comment. Comments from the ALC were incorporated into the bylaw.

Issues Relating To First Nation Interest

Proposed Bylaw No. 122 was also referred to Cowichan Tribes, Halalt First Nation, Lake Cowichan First Nation, Lyackson First Nation, Malahat First Nation, Pauquachin First Nation, Penelakut Tribe, Semiahmoo First Nation, Stz'uminus First Nation, Tsartlip First Nation, Tsawout First Nation, Tsawwassen First Nation, Tseycum First Nation and WSANEC Leadership Council for comment.

Issues Relating To Resources and Enforcement

There may be a slight increase in Development Variance Permit applications after the adoption of the bylaw due to more restrictive maximum floor area dwelling regulations for new construction.

Public Comments

There have been no public comments made directly to the Executive Committee on the potential approval of Bylaw No. 122.

Staff Comments

Rationale for Recommendation:

- The proposed bylaw have been determined to be consistent with the ITPS by the LTC.
- First Nations and agency referrals were completed and no concerns were raised;
- Statutory processes have been completed including the statutory notification and holding of a public hearing prior to third reading of the bylaw.

The Executive Committee is being asked to approve this bylaw. Following Executive Committee approval, Bylaw No. 122 will be returned to the South Pender LTC for final approval.

KEY ISSUES/CONCEPTS

- Further restricts maximum floor areas for dwellings.
- Incorporates agriculture regulations that are aligned with the Agricultural Land Commission.
- Increases the setback to the natural boundary of the sea.
- Provides clauses to rebuild legal non-conforming buildings in relation to the new, more restrictive regulations.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise South Pender Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 122, cited as "South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the South Pender Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Kim Stockdill, Island Planner	August 25, 2022
Concurrence:	Robert Kojima, Regional Planning Manager	August 25, 2022

Concurrence:	Stefan Cermak, Director, Planning Services	August 30, 2022

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. 122
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: South Pender Island Local Trust Committee

Bylaw No.: SP-122

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 12-Aug-2022

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: SP-122

Trust Area: South Pender Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: SP-122

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 04-Mar-2022

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web: 15-Dec-2021

Resolutions:

Resolution Waiving Public Hearing: No

Resolution Authorizing Public Hearing: Yes

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: Chonk, Jas

Date: 07-Jul-2022

File complete and ready for Public review: Yes

Public Hearings:

Location: St. Peter's Anglican Church Hall

Proofread By: Chonk, Jas

Legal Paper: Gulf Island Driftwood

First Publish Date: 06-Jul-2022

Second Publish Date: 13-Jul-2022

Alternate Paper:

First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held: 23-Jul-2022

Second Reading Date: 12-Aug-2022

Third Reading Date: 12-Aug-2022

Referrals: Bylaw SP-122

Agency	Sent	Received
Agricultural Land Commission <i>Rm. 133 4940 Canada Way: Gordon Bednard</i> <i>Comment: See response in EDM folder.</i>	16-Dec-2021 05-Apr-2022	24-Jan-2022 11-Jul-2022
Capital Regional District - All Referrals Aggie Chan and Jessica Arnet <i>625 Fisgard Street: Referrals Coordinator</i>	16-Dec-2021	
Cowichan Tribes <i>Chief and Council: Tracey Flemming</i>	16-Dec-2021	
Halalt First Nation <i>7973 Chemainus Rd: Raven August</i> <i>Comment: No Comment Received</i>	16-Dec-2021	
Lake Cowichan First Nation <i>313B Deer Road: Carole Livingstone</i> <i>Comment: No Comment Received</i>	16-Dec-2021	
Lyackson First Nation <i>8017 Chemainus Road: Linda Aidnell</i> <i>Comment: No Comment Received</i>	16-Dec-2021	
Malahat First Nation <i>110 Thunder Road, RR4: Heather Adams</i> <i>Comment: Thank you for your consultation request for Draft Bylaw No. 122 dated December 16th 2021, located in Malahat Nation's traditional territory. Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding this and other related bylaws.</i>	16-Dec-2021	17-Jan-2022
North Pender Island Local Trust Committee <i>Islands Trust: Laura Patrick</i> <i>Comment: Interests unaffected by Bylaw.</i>	16-Dec-2021	27-Jan-2022
Pauquachin First Nation <i>9010 West Saanich Road: Darlene Henry</i> <i>Comment: No Comment Received</i>	16-Dec-2021	
Penelakut Tribe <i>Box 360: Denise James</i> <i>Comment: No Comment Received</i>	16-Dec-2021	
Saturna Island Local Trust Committee	16-Dec-2021	

From: Kim Stockdill
Sent: Monday, January 24, 2022 3:03 PM
To: Jas Chonk
Subject: FW: 46801m1 - ALC Response to Bylaw No. 122, amending Land Use Bylaw No. 114, 2016
Attachments: 46801m1 - ALC Response to Bylaw 122.pdf

From: Lambie, Shannon ALC:EX <Shannon.Lambie@gov.bc.ca>
Sent: Friday, January 21, 2022 9:20 AM
To: Kim Stockdill <kstockdill@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>
Cc: Bailey, Reed AFF:EX <Reed.Bailey@gov.bc.ca>
Subject: 46801m1 - ALC Response to Bylaw No. 122, amending Land Use Bylaw No. 114, 2016

Good morning,

Please find attached the Agricultural Land Commission's response with respect to Bylaw No. 122, amending Land Use Bylaw No. 114, 2016.

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

If you have any questions, please do not hesitate to contact me.

Sincerely,
Shannon

Shannon Lambie

Island and South Coast Regional Planner | Agricultural Land Commission
201-4940 Canada Way, Burnaby, BC, V5G 4K6 | T 236-468-2026 (**NEW**)
shannon.lambie@gov.bc.ca | www.alc.gov.bc.ca



Agricultural Land Commission
201 – 4940 Canada Way
Burnaby, British Columbia V5G 4K6
Tel: 604 660-7000 | Fax: 604 660-7033

January 18, 2022

Reply to the attention of Shannon Lambie
ALC Planning Review: 46801

Kim Stockdill
Island Planner, Islands Trust
kstockdill@islandstrust.bc.ca and southinfo@islandstrust.bc.ca

DELIVERED ELECTRONICALLY

Re: Bylaw No. 122, amending Land Use Bylaw No. 114, 2016

Thank you for forwarding a draft copy of Bylaw No. 122 (the “Bylaw”) for review and comment by the Agricultural Land Commission (ALC). The following comments are provided to help ensure that the Bylaw is consistent with the purposes of the *ALC Act*, the Agricultural Land Reserve (ALR) General Regulation, the ALR Use Regulation, and any decisions of the ALC.

The Bylaw is an amending bylaw, updating South Pender Land Use Bylaw No. 114, 2016. ALC staff thank Islands Trust for the opportunity to review the Bylaw and provide the following comments for consideration:

PROPOSED AMENDMENT	ALC COMMENTS/SUGGESTED EDITS
2.1 By adding the following new definitions to Section 1.1 ‘Definitions’: ““agri-tourism” means an activity referred to in Section 12 of the Agricultural Land Reserve Use Regulation.”	ALC do not object to this.
““agri-tourist accommodation” means a use accessory to a farm use for the purpose of accommodating commercial guests within specific structures on specific portions of a lot.”	““agri-tourist accommodation” means a use accessory to a farm use for the purpose of accommodating commercial guests within specific structures on specific portions of a lot as referred to in Section 33 of the ALR Use Regulation. ”
““farm retail sales” means the retail sale of tangible farm products grown or raised on a farm or association to	ALC staff do not object to this.

which the owner of the farm belongs.”	
2.2 By removing the words “floor area of 70m ² or less” and replacing it with “limited floor area” in the definition of ‘cottage’.	ALC staff do not object to this.
2.3 By removing the word “outer” and replacing it with “inner” in the definition of ‘floor area’.	The ALC’s definition for the “total floor area” for both the principal residence and the additional residential dwelling are measured to the outer surface. ALC staff request that Islands Trust staff update this definition by clarifying that residences in the ALR must be consistent with the ALC Act, its regulations, and any Resolution of the Commission.
2.4 By removing the words “7.6 metres (25 feet)” and replacing it with “15 metres (50 feet)” in Subsection 3.3(3).	ALC staff do not object to this.
2.5 By adding the following new subsection after Subsection 3.3(3) and renumbering accordingly: “Despite Subsection 3.3(3), buildings or structures legally constructed prior to [insert date of Bylaw No. 123 adoption] shall not be sited within 7.6 metres (25 feet) of the natural boundary of the sea and, for this purpose only, paved areas of asphalt, concrete or similar material are “structures”.”	ALC staff do not object to this.
2.6 By adding the words “except for a lot located within the Agricultural Land Reserve, the combined floor area must not exceed 100 m ² (1076 ft ²)” at the end of Subsection 3.6(4) so it reads: ‘The combined floor area used in all home businesses on a lot, except a bed and breakfast, must not exceed 65 m ² (700 ft ²) except for a lot located within the Agricultural Land Reserve, the combined floor area must not exceed 100 m ² (1076 ft ²).’	ALC staff do not object to this.
2.7 By deleting the words “Maximum Floor Area per lot” from Subsection 5.1(5) and replacing it with “For a lot where a legal dwelling was constructed prior to [insert	ALC staff are unclear what the reference to <i>Bylaw</i> 123 means, but ALC staff note that in section 5.1 (5) of Bylaw 114, 2016, the maximum floor area for properties larger than 0.8 ha exceeds 500m ² .

date of Bylaw No. 123 adoption] the following maximum Floor Area per lot apply:"

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000ft ²)	353 m ² (3800ft ²)
0.4 ha to 0.79 ha (1 to 2 acres)	557 m ² (6000ft ²)	418 m ² (4500ft ²)
0.8 ha to 1.59 ha (2 to 4 acres)	743 m ² (8000ft ²)	520 m ² (5600ft ²)
1.6 ha to 3.99 ha (4 to 10 acres)	836 m ² (9000ft ²)	543 m ² (5845ft ²)
4.0 ha (10 acres) or greater	1858 m ² (20000ft ²)	560 m ² (6030ft ²)

Please note that effective February 22, 2019, the ALC Act was amended and the ALR Use Regulation was created, including changes to the use of ALR land for residences. Specifically, the total floor area of a principal residence must be 500 m² or less. If the date for *Bylaw 123* is after February 22, 2019, then this would appear inconsistent with the ALR Use Regulation for any properties that are within the ALR and the Rural Residential zone. ALC staff also note that Section 5.1 (3) permits two dwellings and two cottages. Properties in the ALR are limited to one principal residence and one accessory residential dwelling.

2.8 By adding a new subsection after Subsection 5.1 (5) and renumbering accordingly: (6) For a lot where a dwelling is constructed after [insert date of Bylaw No. 123 adoption] the following maximum Floor Area per lot apply:"

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000ft ²)	255 m ² (2750ft ²)
0.4 ha to 0.79 ha (1 to 2 acres)	557 m ² (6000ft ²)	348 m ² (3750ft ²)

ALC staff do not object to this.

0.8 ha to 1.59 ha (2 to 4 acres)	743 m ² (8000ft ²)	372 m ² (4000ft ²)
1.6 ha to 3.99 ha (4 to 10 acres)	836 m ² (9000 ft ²)	418 m ² (4500ft ²)
4.0 ha (10 acres) or greater	1858 m ² (20000ft ²)	465 m ² (5000ft ²)

2.9 By adding the following new subsection after Subsection 5.1(6) and renumbering accordingly:

"The maximum floor area of a cottage must not exceed 70 m² (753 ft²)."

ALC staff do not object to this.

2.10 By adding the following new subsection directly after the newly renumbered Subsection 5.1(8) and renumbering accordingly: "Despite Subsection 5.1(8), the setback for a dwelling or cottage shall be 6.0 metres (20 ft.) from any interior or exterior lot line."

ALC staff do not object to this.

2.11 By removing "560 m² (6028 ft²) and replacing it with "500 m² (5382 ft²) in Subsection 5.5(9).

ALC staff do not object to this. ALC staff note that sections 5.6 *Forestry* and 5.7 *Natural Resource* list the maximum floor area for a residence as 560m². While ALC staff recommend all properties in the ALR be zoned *Agricultural*, at times, some ALR properties are zoned for uses other than agriculture. Please note that properties in the ALR in these zoning designations are limited to a principal residence size of 500m².

2.12 By removing the word "Rescinded" from Article 5.5(1)(d) and replacing it with "Accessory agri-tourism subject to Subsections 5.5(11) to 5.5(14);"

ALC staff do not object to this.

2.13 By adding the words "and farm retail sales." after the words 'on the same lot' in Article 5.5(1)(e).

ALC staff do not object to this.

2.14 By adding the following new article after Article 5.5(1)(d) and renumber accordingly: "Accessory agri-tourist accommodation,

ALC staff do not object to this.

subject to Subsections 5.5(13) to 5.5(19), and as permitted by the Agricultural Land Commission;"

2.15 By adding the following new subsection after Subsection 5.5(9) and renumbering accordingly: "The maximum floor area of a cottage must not exceed 90 m² (969 ft²)."

ALC staff do not object to this.

2.16 By removing the word "Rescinded" adding the following to Subsection 5.5(10): "Farm retail sales are permitted on a lot located within the Agricultural Land Reserve, and the total indoor and outdoor floor area for the farm retail sales shall not exceed 300 m² (3229 ft²).

ALC staff do not object to this.

2.17 By adding the following new subsections after Subsection 5.5(10) under 'Conditions of Use' and renumber accordingly:

ALC staff do not object to 5.5(11) through 5.5 (17).

"5.5(11) Agri-tourism buildings or structures are not permitted.

5.5(12) Agri-tourism must be in compliance with the Agricultural Land Reserve Use Regulation.

5.5(13) Agri-tourism and agri-tourist accommodation are only permitted on a lot with Farm Status.

5.5(14) Agri-tourism and agri-tourist accommodation are only permitted on a lot located in the Agricultural Land Reserve.

5.5(15) Agri-tourist accommodation must be accessory to an active agri-tourism activity.

5.5(16) Agri-tourist accommodation must be accessory to a farm use.

5.5(16) Agri-tourist accommodation buildings and structures must not exceed a lot coverage of 5 percent.

5.5(17) Agri-tourist accommodation must not be in use for more than 180 days in a calendar year.

5.5(18) Agri-tourist accommodation may include associated uses such as meeting rooms and dining facilities for paying registered guests, but may not include a restaurant or any commercial or retail goods and services other than those permitted by the Agriculture (A) Zone.	If the associated uses, such as a meeting room or dining facility, are located within a residence that is housing the agritourism sleeping units (such as a Bed and Breakfast in the principal residence or sleeping units within the additional residential dwelling unit, then guests may use existing space within the residence for dining or meeting. A separate structure, however, cannot be constructed in order to accommodate these associate uses.
5.5(19) The maximum number of guests that may be accommodated in any agri-tourist accommodation at any one time, either alone or in combination with a bed and breakfast, is not to exceed 10 guests or 10 bedrooms.	ALC staff do not object to this.
2.18 By adding the following new subsection after Subsection 5.6(7) and renumbering accordingly: "The maximum floor area of a cottage must not exceed 70 m ² (753 ft ²)."	ALC staff do not object to this.
2.19 By adding the following new subsection after Subsection 5.7(6) and renumbering accordingly: "The maximum floor area of a cottage must not exceed 70 m ² (753 ft ²)."	ALC staff do not object to this.

The ALC strives to provide a detailed response to all referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any decisions of the Commission.

This response does not relieve the owner or occupier of the responsibility to comply with applicable Acts, regulations, bylaws of the local government, and decisions and orders of any person or body having jurisdiction over the land under an enactment.

If you have any questions about the above comments, please contact the undersigned at 236-468-2026 or by e-mail (shannon.lambie@gov.bc.ca).

Yours truly,

PROVINCIAL AGRICULTURAL LAND COMMISSION

A handwritten signature in black ink that reads "S. Lambie". The signature is written in a cursive, flowing style.

Shannon Lambie, Regional Planner

CC: Ministry of Agriculture – Attention: Reed Bailey (reed.bailey@gov.bc.ca)

46801m1

From: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>
Sent: Monday, July 11, 2022 10:04 AM
To: Kim Stockdill <kstockdill@islandstrust.bc.ca>
Subject: RE: 46801m1 - ALC Response to Bylaw No. 122, amending Land Use Bylaw No. 114, 2016

Kim

Thanks for the referral. This is to confirm that the ALC has no objection to the proposed bylaw No. 122, particularly the more restrictive regulation on housing sizes. ALC staff believes that the restrictions on home size will benefit agriculture and reduce the residential footprint on ALR parcels.

Regards

Martin Collins, Regional Planner, ALC

From: Kim Stockdill <kstockdill@islandstrust.bc.ca>
Sent: July 7, 2022 9:51 AM
To: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>; Bandy, Mike ALC:EX <Mike.Bandy@gov.bc.ca>
Subject: RE: 46801m1 - ALC Response to Bylaw No. 122, amending Land Use Bylaw No. 114, 2016

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Mike,

I believe this email should go to you as Shannon is no longer with the ALC (I believe?). We sent a referral regarding a South Pender Land Use Bylaw Amendment (Bylaw No. 122) and received comments from Shannon which were incorporated into the bylaw. Since that time the South Pender Local Trust Committee (LTC) has made further amendments to Bylaw No. 122 for Agriculture zoned properties. I wanted to highlight Section 2.16 of proposed Bylaw No. 122 as it will establish maximum floor areas for dwellings in the Agriculture Zone (cottage sizes will be increased to 90 m²):

"Maximum Floor Area per lot:

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 0.8 ha (1 to 2 acres)	557 m ² (6000 ft ²)	279 m ² (3000 ft ²)
0.8 ha to < 1.6 ha (2 to 4 acres)	743 m ² (8000 ft ²)	325 m ² (3500 ft ²)
1.6 ha to < 4 ha (4 to 10 acres)	836 m ² (9000 ft ²)	325 m ² (3500 ft ²)
4.0 ha (10 acres) or greater	1394 m ² (15000 ft ²)	325 m ² (3500 ft ²)

I understand local governments can regulate the maximum floor areas of dwellings in the ALC as long as they do not exceed 500 m².

Could you please review the attached proposed bylaw and provide any comments you may have. The Public Hearing for the bylaw is scheduled for Saturday, July 23rd.

Thank you,

Kim Stockdill (she/her/hers)

Island Planner

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5157 | islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKEĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəḡən məsteyəx', Scia'new, səliłwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, STÁUTW, Stz'uminus, ʔəʔəmen, toq qaymux', Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláltxw, Xwémalhkwxu/ʔop qaymux', and x'wəḡəḡəyəm.

From: Lambie, Shannon ALC:EX <Shannon.Lambie@gov.bc.ca>

Sent: Friday, January 21, 2022 9:20 AM

To: Kim Stockdill <kstockdill@islandstrust.bc.ca>; SouthInfo <SouthInfo@islandstrust.bc.ca>

Cc: Bailey, Reed AFF:EX <Reed.Bailey@gov.bc.ca>

Subject: 46801m1 - ALC Response to Bylaw No. 122, amending Land Use Bylaw No. 114, 2016

Good morning,

Please find attached the Agricultural Land Commission's response with respect to Bylaw No. 122, amending Land Use Bylaw No. 114, 2016.

The ALC strives to provide a detailed response to all bylaw referrals affecting the ALR; however, you are advised that the lack of a specific response by the ALC to any draft bylaw provisions cannot in any way be construed as confirmation regarding the consistency of the submission with the ALCA, the Regulations, or any Orders of the Commission.

If you have any questions, please do not hesitate to contact me.

Sincerely,
Shannon

Shannon Lambie

Island and South Coast Regional Planner | Agricultural Land Commission
201-4940 Canada Way, Burnaby, BC, V5G 4K6 | T 236-468-2026 (**NEW**)
shannon.lambie@gov.bc.ca | www.alc.gov.bc.ca

Referrals: Bylaw SP-122

Agency	Sent	Received
200 - 1627 Fort Street: Laura Patrick		
Semiahmoo First Nation	16-Dec-2021	
16049 Beach Rd: Chief & Council		
Comment: No Comment Received		
Stz'uminus First Nation	16-Dec-2021	
12611A Trans Canada Hwy: Chenoa Akey		
Tsartlip First Nation	16-Dec-2021	
PO Box 70: Karen Harry		
Comment: No Comment Received		
Tsawout First Nation	16-Dec-2021	
Box 121: Cathy Webster		
Comment: No Comment Received		
Tsawwassen First Nation	16-Dec-2021	
1926 Tsawwassen Drive: Victoria Williams		
Comment: No Comment Received		
Tseycum First Nation	16-Dec-2021	
1210 Totem Lane: Chief Tanya Jimmy		
Comment: No Comment Received		
WSANEC	16-Dec-2021	
WSANEC Leadership Council Society: Justin Fritz		

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 LUB Amendments Project
File Name: SP LTC Bylaw No. 122

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<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: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 12-Aug-2022

Reading:

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 122

A BYLAW TO AMEND SOUTH PENDER ISLAND LAND USE BYLAW NO. 114, 2016

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

1. Citation

This bylaw may be cited for all purposes as “South Pender Island Land Use Bylaw No. 114, 2016, Amendment No. 2, 2021”.

2. South Pender Island Local Trust Committee Bylaw No. 114, cited as “South Pender Island Land Use Bylaw No. 114, 2016” is amended as follows:

2.1 By adding the following new definitions to Section 1.1 ‘Definitions’:

““agri-tourism” means an activity referred to in Section 12 of the *Agricultural Land Reserve Use Regulation*.”

““agri-tourist accommodation” means a use accessory to a *farm use* for the purpose of accommodating commercial guests within specific structures on specific portions of a *lot* as referred to in Section 33 of the *Agricultural Land Reserve Use Regulation*.”

““basement floor area” means any portion of a storey in a dwelling with a lower floor that is located 1.5 metres or more below natural grade.”

““farm retail sales” means the retail sale of tangible farm products grown or raised on a farm or association to which the owner of the farm belongs.”

““Farm Status” means land classified as a farm pursuant to the *(BC) Assessment Act*.”

2.2 By removing the words “floor area of 70m² or less” and replacing it with “limited floor area” in the definition of ‘cottage’.

2.3 By removing the word “outer” and replacing it with “inner” to the definition of ‘floor area’ and by adding the words “and exclusive of a storey that is not fully enclosed by a floor, ceiling, and four walls or glass” at the end of the definition of ‘floor area’.

2.4 By removing the words “7.6 metres (25 feet)” and replace it with “15 metres (50 feet)” and by removing the words “pump/utility house” in Subsection 3.3(3).

2.5 By adding the following new subsection after Subsection 3.3(3) and renumbering accordingly:

“Despite Subsection 3.3(3), *buildings or structures*, except a fence, stairway, wharf and dock ramps or their footings, legally constructed prior to [insert date of Bylaw No. 122 adoption] shall not be sited within 7.6 metres (25 feet) of the *natural boundary* of the sea and, for this purpose only, paved areas of asphalt, concrete or similar material are “*structures*”.”

- 2.6 By adding the following new subsection after Subsection 3.3(3) and renumbering accordingly:

“Despite Subsection 3.3(3), on a lot that contains a legal dwelling, cottage, or accessory building constructed prior to the adoption of this bylaw, a replacement dwelling, cottage, or accessory building may be constructed, or the existing dwelling, cottage, or accessory building re-constructed or altered, provided the distance from the natural boundary of the sea to the replacement, re-constructed or altered dwelling, cottage, or accessory building is not less than the distance from the natural boundary of the sea to the dwelling, cottage, or accessory building on the lot at the time of the adoption of this bylaw and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the siting of the dwelling, cottage, or accessory building at the time of the adoption of this bylaw.”

- 2.7 By deleting Subsection 3.4(1) and replacing it with: “A dwelling or cottage shall not exceed 9.2 metres (30 feet) in height and at no point may a dwelling or cottage exceed 9.2 metres (30 feet) in height.”.

- 2.8 By adding the following new subsections to Section 3.5 ‘Accessory Buildings and Structures’ as follows:

- “(6) Shipping containers are a permitted accessory use on a *lot* subject to the following:
 - (a) On a *lot* less than 0.8 ha (2 acre) in area, a maximum of one (1) shipping container is permitted.
 - (b) On a *lot* 0.8 (2 acres) or greater in area, but less than 1.2 ha (3 acres) in area, a maximum of two (2) shipping containers are permitted.
 - (c) On a *lot* with an area greater than 1.2 ha (3 acres), a maximum of three (3) shipping containers are permitted.
- (7) Shipping containers must be screened from neighbouring *lots*, roads, or the sea by use of landscaping screening in compliance with Section 3.9.”

- 2.9 By adding the words “excluding a *cottage*” after the words ‘used as a dwelling’, by deleting the word ‘rainwater’ and replacing it with “freshwater”, by deleting the word ‘cistern’ after the word ‘minimum’ and replacing it with “storage” and by deleting the words ‘9,000 litres (1980 gallons)’ and replacing it with “18,000 litres (3960 gallons)” for Subsection 3.14(1) so it reads:

‘A building permit shall not be issued for a new *building* to be used as a *dwelling*, excluding a *cottage*, on a *lot* in the RR(1), RR(2) or RR(3) zones unless a *building* on the *lot* is equipped with a freshwater catchment system and cistern(s) for the

storage of freshwater with a minimum storage capacity of 18,000 litres (3960 gallons).

2.10 By deleting the words Table from Subsection 5.1(5) and replacing it with

“

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 0.8 ha (1 to 2 acres)	557 m ² (6000 ft ²)	279 m ² (3000 ft ²)
0.8 ha to < 1.6 ha (2 to 4 acres)	743 m ² (8000 ft ²)	325 m ² (3500 ft ²)
1.6 ha to < 4 ha (4 to 10 acres)	836 m ² (9000 ft ²)	348 m ² (3750 ft ²)
4.0 ha (10 acres) or greater	1394 m ² (15000 ft ²)	372 m ² (4000 ft ²)

”

2.11 By add the following new subsection after Subsection 5.1(5):

“Despite Subsection 5.1(5), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this bylaw and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the floor area of the dwelling at the time of the adoption of this bylaw.”

2.12 By adding the following new subsection after the newly created Subsection 5.1(6) and renumbering accordingly:

“The maximum *floor area* of a *cottage* must not exceed 70 m² (753 ft²).” ✓ ✓ ✓

2.13 By adding the following new subsection directly after the newly renumbered Subsection 5.1(8) and renumbering accordingly:

“Despite Subsection 5.1(8), the setback for a *dwelling* or *cottage* shall be 6.0 metres (20 ft.) from any interior or exterior side *lot line*.” ✓ ✓ ✓

2.14 By add the following new subsection after Subsection 5.1(9):

“Despite Subsection 5.1.(9), on a *lot* that contains a legal *dwelling* or *cottage* constructed prior to the adoption of this bylaw, a replacement *dwelling* or *cottage*

may be constructed, or the existing *dwelling or cottage* re-constructed or altered, provided the distance from the interior or exterior side *lot line* to the replacement, re-constructed or altered *dwelling or cottage* is not less than the distance from the interior or exterior side *lot line* to the *dwelling or cottage* on the *lot* at the time of the adoption of this bylaw and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the floor area of the dwelling at the time of the adoption of this bylaw.”

2.15 By removing the word “Rescinded” from Article 5.5(1)(d) and replacing it with “Accessory *agri-tourism* subject to Subsections 5.5(11) to 5.5(15);”

2.16 By adding the following new article after Article 5.5(1)(d) and renumber accordingly:

“Accessory *agri-tourist accommodation*, subject to Subsections 5.5(14) to 5.5(21), and as permitted by the Agricultural Land Commission;”

2.17 By adding the words “and *farm retail sales*.” after the words ‘on the same lot’ in Article 5.5(1)(f).

2.18 By deleting Subsection 5.5(9) and replacing it with:

“Maximum *Floor Area* per lot:

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 0.8 ha (1 to 2 acres)	557 m ² (6000 ft ²)	279 m ² (3000 ft ²)
0.8 ha to < 1.6 ha (2 to 4 acres)	743 m ² (8000 ft ²)	325 m ² (3500 ft ²)
1.6 ha to < 4 ha (4 to 10 acres)	836 m ² (9000 ft ²)	348 m ² (3750 ft ²)
4.0 ha (10 acres) or greater	1394 m ² (15000 ft ²)	372 m ² (4000 ft ²)

”

2.19 By adding the following new subsection after Subsection 5.5(9) and renumbering accordingly:

Despite Subsection 5.5(9), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this bylaw and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the floor area of the dwelling at the

time of the adoption of this bylaw.”

- 2.20 By adding the following new subsection after the new Subsection 5.5(10) and renumbering accordingly:

“The maximum *floor area* of a *cottage* must not exceed 90 m² (969 ft²).”

- 2.21 By adding the following ‘Information Note’ after the newly created Subsection 5.5(11):

“Information Note: *The maximum floor area of a dwelling or cottage located within the Agricultural Land Reserve must be compliant with the Agricultural Land Commission Act, Regulation, and any Resolution for the Agricultural Land Commission.*”

- 2.22 By removing the word “Rescinded” adding the following to the newly renumbered Subsection 5.5(12):

“*Farm retail sales* are permitted on a lot located within the Agricultural Land Reserve, and the total indoor and outdoor *floor area* for the *farm retail sales* shall not exceed 47 m² (500 ft²).

- 2.23 By adding the following new subsections after Subsection 5.5(12) under ‘Conditions of Use’ and renumber accordingly:

“5.5(12) *Agri-tourism buildings or structures* are not permitted.

5.5(13) *Agri-tourism* must be in compliance with the *Agricultural Land Reserve Use Regulation*.

5.5(14) *Agri-tourism* and *agri-tourist accommodation* are only permitted on a *lot* with *Farm Status*.

5.5(15) *Agri-tourism* and *agri-tourist accommodation* are only permitted on a *lot* located in the Agricultural Land Reserve.

5.5(16) *Agri-tourist accommodation* must be *accessory* to an active *agri-tourism* activity.

5.5(17) *Agri-tourist accommodation* must be *accessory* to a *farm use*.

5.5(18) *Agri-tourist accommodation buildings and structures* must not exceed a *floor area* of 90 m² (969 ft²).

5.5(19) *Agri-tourist accommodation* must not be in use for more than 180 days in a calendar year.

5.5(20) *Agri-tourist accommodation* may include associated uses such as meeting

rooms and dining facilities for paying registered guests contained wholly within the agri-tourism accommodation unit, but may not include a *restaurant* or any commercial or retail goods and services other than those permitted by the Agriculture (A) Zone.

5.5(21) The maximum number of guests that may be accommodated in any *agri-tourist accommodation* at any one time, either alone or in combination with a *bed and breakfast*, is not to exceed 10 guests or 5 bedrooms.

2.24 By deleting Subsection 5.6(7) and replacing it with:

“Maximum *Floor Area* per lot:

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 0.8 ha (1 to 2 acres)	557 m ² (6000 ft ²)	279 m ² (3000 ft ²)
0.8 ha to < 1.6 ha (2 to 4 acres)	743 m ² (8000 ft ²)	325 m ² (3500 ft ²)
1.6 ha to < 4 ha (4 to 10 acres)	836 m ² (9000 ft ²)	348 m ² (3750 ft ²)
4.0 ha (10 acres) or greater	1394 m ² (15000 ft ²)	372 m ² (4000 ft ²)

”

2.25 By adding the adding the following new subsection after Subsection 5.6(7) and renumbering accordingly:

Despite Subsection 5.6(7), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this bylaw and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the floor area of the dwelling at the time of the adoption of this bylaw.”

2.26 By adding the following new subsection after Subsection 5.6(8) and renumbering accordingly:

“The maximum *floor area* of a *cottage* must not exceed 70 m² (753 ft²).”

2.27 By deleting Subsection 5.7(6) and replacing it with:

“Maximum *Floor Area* per lot:

Lot Area	The total floor area of all buildings may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (1 acre)	465 m ² (5000 ft ²)	232 m ² (2500 ft ²)
0.4 ha to < 0.8 ha (1 to 2 acres)	557 m ² (6000 ft ²)	279 m ² (3000 ft ²)
0.8 ha to < 1.6 ha (2 to 4 acres)	743 m ² (8000 ft ²)	325 m ² (3500 ft ²)
1.6 ha to < 4 ha (4 to 10 acres)	836 m ² (9000 ft ²)	348 m ² (3750 ft ²)
4.0 ha (10 acres) or greater	1394 m ² (15000 ft ²)	372 m ² (4000 ft ²)

"

2.28 By adding the adding the following new subsection after Subsection 5.7(7) and renumbering accordingly:

Despite Subsection 5.7(7), on a *lot* that contains a legal *dwelling* constructed prior to the adoption of this bylaw, a replacement *dwelling* may be constructed, or the existing *dwelling* re-constructed or altered, provided the *floor area* of the replacement, re-constructed or altered *dwelling* does not exceed the *floor area* of the *dwelling* on the *lot* at the time of the adoption of this bylaw and for this purpose the Local Trust Committee may require an owner to submit a certification from an appropriately qualified person as to the floor area of the dwelling at the time of the adoption of this bylaw."

2.29 By adding the following new subsection after Subsection 5.7(8) and renumbering accordingly:

"The maximum *floor area* of a *cottage* must not exceed 70 m² (753 ft²)."

3. SEVERABILITY

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

READ A FIRST TIME THIS	6 TH	DAY OF	MAY	2022.
PUBLIC HEARING HELD THIS	23 RD	DAY OF	JULY	2022.
READ A SECOND TIME THIS	12 TH	DAY OF	AUGUST	2022.
READ A THIRD TIME THIS	12 TH	DAY OF	AUGUST	2022.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____

ADOPTED THIS

_____ DAY OF _____ 20____

CHAIR

SECRETARY

PROPOSED

First Nation Engagement

Referral of: South Pender Island Bylaw 122

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Halalt

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lake Cowichan

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lyackson

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Malahat

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
Jan. 17, 2022	Thank you for your consultation request for Draft Bylaw No. 122 dated December 16th 2021, located in Malahat Nation's traditional territory. Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding this and other related bylaws.	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Pauquachin

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Semiahmoo

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Stzuminus

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsartlip

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawout

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawwassen

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tseycum

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: WSA NEC

Date	Comment/Action	Initial
Dec. 16, 2021	Sent Referral	JC
June 27, 2022	Sent Follow-up Email in regards to Public Hearing.	JC

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: LA-BL-99
3900-03:LPS Admin Bylaw

DATE OF MEETING: August 30, 2022
TO: Islands Trust Executive Committee
FROM: Heather Kauer, Regional Planning Manager
SUBJECT: Lasqueti Island Local Trust Committee – Bylaw No. 99

RECOMMENDATION

1. THAT the Islands Trust Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 99, cited as the "Lasqueti Island Local Trust Committee Fees Bylaw, 2022", in accordance with Section 27 of the *Islands Trust Act*.

DIRECTORS COMMENTS

Lasqueti Island Local Trust Committee has referred Bylaw No. 99 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational – none.

Financial

Increases in fees should provide more revenue to cover the cost of processing related permits.

Policy – none.

Implementation/Communications

Communication to Lasqueti Island Local Trust Committee regarding the Executive Committee decision by September 9, 2022 .

Other – none.

PURPOSE

Lasqueti Island Local Trust Committee Bylaw No. 99, cited as the "Denman Island Local Trust Committee Fees Bylaw, 2022" (Attachment 4) is intended to consider adopting a bylaw that updates permitting fees, specifically:

- An expanded Interpretation section.

- Fee increases for the various applications.
- Fees for applications received though work or activity is already undertaken or in operation.
- Clarification of collection of fees and refunds.
- A new section to address Extraordinary Service Costs (ESC)
- A new section to address Annual Fee Increases.

BACKGROUND

Lasqueti Island Local Trust Committee Bylaw No. 99

Bylaw No. 99 was given first and second reading on April 11, 2022 and third reading on August 29, 2022. (Attachment 4).

Issues Relating To Provincial Interest

None.

Issues Relating To First Nation Interest

None.

Issues Relating To Resources and Enforcement

Increased cost recovery.

Public Comments

None.

Staff Comments

None.

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*
- Trust Council Policy "5.6.1 Application Processing Services".

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Lasqueti Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 99, cited as the "Lasqueti Island Local Trust Committee Fees Bylaw, 2022", is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Lasqueti Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	August 30, 2022
Concurrence	Stefan Cermak Director, Planning Services	August 31, 2022

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. EC Policy Checklist
4. Bylaw No. 99



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Lasqueti Island Local Trust Committee

Bylaw No.: LA-099

Bylaw Type: Fees Bylaw

Date of resolution referring bylaw to Executive Committee:

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: LA-099

Trust Area: Lasqueti Island Local Trust Committee
Type: Fees Bylaw
Bylaw No.: LA-099
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 11-Apr-2022

Bylaw Sent to Referrals: No
Date Proposed Bylaw to Web:

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 30-Aug-2022

File complete and ready for Public review: Yes

Public Hearings:

Location:
Proofread By:

Legal Paper:
First Publish Date:

Second Publish Date:

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:
Date Public Hearing Held:

Second Reading Date: 11-Apr-2022

Third Reading Date: 29-Aug-2022

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:

Reading: 29-Aug-2022

Third Reading

PROPOSED

LASQUETI ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 99

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

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees for referral of a license under that Act;

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

Citation

1.1 This bylaw may be cited as the "Lasqueti Island Local Trust Committee Fees Bylaw, 2022".

Interpretation

2.1 In this bylaw:

"Applicant" means:

- 2.1.1 the person authorized under the Lasqueti Island Local Trust Committee Development Procedures Bylaw No. 35, 1992 to make an application in respect of a bylaw or permit under the Islands Trust Act or Part 14 or Part 15 of the Local Government Act;
- 2.1.2 an applicant for a license under the Liquor Control and Licensing Act in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.3 an applicant for a license under the Cannabis Control and Licensing Act in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.6 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

PROPOSED

“Application Processing Fee” means the initial amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit.

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and,
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and
4. staff travel expenses for one site visit, one community meeting.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw	
Column 1: Type of Application	Column 2: Fee
Major (e.g. change to density or OCP)	\$7,800
Minor (e.g. regulation change without changing density or OCP amendment)	\$4,600

PROPOSED

TABLE 2 – Permits	
Column 1: Type of Development Variance Permit:	Column 2: Fee
1. Development variance permit (commercial, industrial or institutional development)	\$1900
2. Development variance permit (residential development)	\$1900
Type of Temporary Use Permit	
3. Temporary Use Permit (residential/commercial/industrial)	\$2150
4. Temporary Use Permit for residential uses and commercial uses under 95 square metres that provide community benefit	\$1,000
5. Temporary Use Permit Renewal	\$700
6. Temporary Use Permit Renewal (Community Benefit)	\$350

TABLE 3 – Subdivision Referrals	
Column 1	Column 2: Fee
1. Application for Subdivision Review – base fee	\$1,100
2. Application for Subdivision Review – per additional lot created	\$110
3. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2: Fee
1. Board of Variance	\$2,200
2. Liquor & Cannabis Regulation Branch – Retail License Application and Process and referrals requiring local government consultation	\$1,500
3. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
4. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, the rate in 3.1 will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.

PROPOSED

- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less \$100.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC, Board of Variance, or formal referral response submitted to the relevant agency.
- 6. Extraordinary Service Costs (ESC)**
- 6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.
- 6.2 Where legal work is required for the preparation of covenants, registration of covenant at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is more than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

PROPOSED

7. Annual Fee Increases

- 7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The Lasqueti Island Local Trust Committee will maintain a record of annual 2% increases and make that record available for public inspection.

8. Application Fee Sponsorship

- 8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

9. Severability

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

10. Repeal

- 10.1 "Lasqueti Island Local Trust Committee Fees Bylaw No. 85, 2009" is repealed upon adoption of this bylaw.
- 10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME THIS 11TH DAY OF APRIL , 2022

READ A SECOND TIME THIS 11TH DAY OF APRIL , 2022

READ A THIRD TIME THIS 29TH DAY OF AUGUST , 2022

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202X

ADOPTED THIS _____ DAY OF _____ , 202X

CHAIR

SECRETARY



Trust Council Minutes of Regular Meeting

Date: June 21 - 23, 2022
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Executive Present:

1. Peter Luckham, Chair, Thetis Island (boardroom)
2. Sue Ellen Fast, Vice Chair, Bowen Island Municipality
3. Dan Rogers, Vice Chair, Gambier/Keats Island
4. Laura Patrick, Vice Chair, Salt Spring Island

Trustees Attending:

5. Alex Allen, Hornby Island
6. Paul Brent, Saturna Island
7. Laura Busheikin, Denman Island (regrets)
8. David Critchley, Denman Island
9. Jeanine Dodds, Mayne Island
10. Doug Fenton, Thetis Island
11. Peter Grove, Salt Spring Island
12. Michael Kaile, Bowen Island Municipality
13. Kees Langereis, Gabriola Island
14. David Maude, Mayne Island
15. Ben McConchie, North Pender Island
16. Lee Middleton, Saturna Island
17. Kate-Louise Stamford, Gambier Island
18. Jane Wolverton, Galiano Island
19. Steve Wright, South Pender Island
20. Scott Colbourne, Gabriola Island
21. Peter Johnston, Lasqueti Island
22. Deb Morrison, North Pender Island
23. Timothy Peterson, Lasqueti Island
24. Tahirih Rockafella, Galiano Island
25. Grant Scott, Hornby Island
26. Cameron Thorn, South Pender Island

Staff Attending:

Russ Hotsenpiller, Chief Administrative Officer (boardroom)
Wanda Boden, Acting Director, Administrative Services (boardroom)
David Marlor, Director, Local Planning Services (boardroom)
Clare Frater, Director, Trust Area Services (boardroom)
Kate Emmings, Manager, Islands Trust Conservancy
Robert Kojima, Regional Planning Manager, South
Heather Kauer, Regional Planning Manager, North
Warren Dingman, Bylaw Compliance and Enforcement Manager
Dilani Hippola, Senior Policy Advisor
Lori Foster, Executive Coordinator/Recorder (boardroom)

Tuesday, June 21, 2022

The electronic meeting was livestreamed, recorded, and made available for electronic public attendance. When the meeting started, there were 2 members of the public present electronically. It was noted that there were 68 live stream views on June 21.

1. LAND ACKNOWLEDGEMENT / CALL TO ORDER

Chair Luckham called the meeting to order at 1:00 p.m. stating gratitude to live and work on Coast Salish First Nations traditional and treaty territory.

There were 21 trustees deemed present when the meeting was called to order. Absent: Trustees Thorn, Morrison, Wright, Colbourne (regrets) and Busheikin (regrets).

It was noted that today is National Indigenous Peoples Day and that future June Trust Council meetings should avoid being scheduled during this week.

2. APPROVAL OF AGENDA

Forwarded from the Executive Committee meeting held earlier today:

- Port Optimization Session Outline/Presentation to 1:00 p.m. on Wednesday, June 22 and PowerPoint added as item 5.3 to Islands Trust Council Quarterly meeting addendum.

TC-2022-037

It was moved by Trustee Middleton and Seconded by Trustee Brent,
That the agenda be reordered to alternate items 4.2.5 and 4.2.6.

CARRIED

By general consent, the agenda was adopted as amended.

3. GENERAL BUSINESS ARISING

3.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendations as presented in items 3.1.1 to 3.1.3.

3.1.1 March Trust Council draft meeting minutes

The minutes be adopted as presented.

3.1.2 Trust Council Follow-Up Action List

Receive for information.

3.1.3 Resolution(s) without Meeting Report

Receive for information.

3.2 Discussion / Decision Items

3.2.1 Trustee Roundtable

Trustees gave verbal updates about their local trust areas.

The meeting recessed for a break at 2:18 p.m. and reconvened at 2:33 p.m.

4. EXECUTIVE

4.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendations as presented in items 4.1.1 to 4.1.3.

4.1.1 Executive Committee Work Program Report

That Trust Council approve the report as presented.

4.1.2 Strategic Plan Quarterly Report

Receive for information.

4.1.3 Continuous Learning Plan

Receive for information.

4.2 Discussion / Decision Items

4.2.1 Chief Administrative Officer's (CAO) Report

CAO Hotsenpiller spoke to the report as presented.

Discussion ensued on:

- Implementation of an Accessibility Committee as required by new legislation,
- Senior Intergovernmental Policy Advisor role,
- Trustee laptops for new term and budget requests,
- Meeting with Minister Cullen.

Trustee Wright joined the meeting at 2:57 p.m.

3 members of the public were present electronically.

4.2.2 Islands Trust Election Procedures Bylaw, 2008, Amendment Bylaw No. 1, 2022 – RFD

DLS Marlor spoke to the request for decision as presented.

Discussion ensued on the electronic voting process, recording of votes either by electronic raised hands or roll call and, if a trustee is logged on but not shown as voting, they will be asked if they are abstaining. When a vote is close, Chair Luckham will call for those in favour, opposed and abstaining by roll call.

TC-2022-038

It was Moved by Trustee Rogers and Seconded by Trustee Brent,
That Trust Council give First reading to Bylaw No. 187, cited as "Islands Trust Election Procedures Bylaw, 2008, Amendment Bylaw No. 1, 2022".

CARRIED

TC-2022-039

It was Moved by Trustee Brent and Seconded by Trustee Langereis,
That Trust Council give Second reading to Bylaw No. 187, cited as "Islands Trust Election Procedures Bylaw, 2008, Amendment Bylaw No. 1, 2022".

CARRIED

TC-2022-040

It was Moved by Trustee Fast and Seconded by Trustee Allen,
That Trust Council give Third reading to Bylaw No. 187, cited as "Islands Trust Election Procedures Bylaw, 2008, Amendment Bylaw No. 1, 2022".

CARRIED

Trustee McConchie called Point of Order that trustees may have to abstain because of a conflict of interest or may not have enough information.

Chair Luckham did not disagree.

4.2.3 2022 Elections Agreements with Regional Districts – RFD

DLS Marlor spoke to the request for decision as presented.

TC-2022-041

It was Moved by Trustee Stamford and Seconded by Trustee Wolverton,
That the Islands Trust Council agree to enter into service contracts with the Boards of the Regional District of Nanaimo, Comox Valley Regional District, Cowichan Valley Regional District, qathet Regional District, Sunshine Coast Regional District, and Capital Regional District for the purpose of sharing the costs of conducting elections, and;
That Islands trust Council authorize the Chair and Director, Legislative Services to sign the service agreements on behalf of Council that will be substantially similar to the attached template.

CARRIED

4.2.4 Freedom of Information and Protection of Privacy Islands Trust Council Bylaw and Model Bylaw – RFD

Trustee Dodds left the meeting at 3:21 p.m. and returned at 3:31 p.m.

DLS Marlor spoke to the request for decision as presented.

TC-2022-042

It was Moved by Trustee Fast and Seconded by Trustee Stamford,
That Trust Council Bylaw No. 188, cited as "Trust Council Bylaw No. 188, 2022"
be given First reading.

CARRIED

TC-2022-043

It was Moved by Trustee Brent and Seconded by Trustee Fast,
That Trust Council Bylaw No. 188, cited as "Trust Council Bylaw No. 188, 2022"
be given Second reading.

CARRIED

TC-2022-044

It was Moved by Trustee Brent and Seconded by Trustee Wolverton,
That Trust Council Bylaw No. 188, cited as "Trust Council Bylaw No. 188, 2022"
be given Third reading.

CARRIED

TC-2022-045

It was Moved by Trustee Brent and Seconded by Trustee Fast,
That Trust Council request all local trust committees to consider adoption of a
new Freedom of Information and Protection of Privacy bylaw based on the
model bylaw.

CARRIED

Trust Council addressed item 4.2.6 next.

4.2.6 Establish a Standing Governance Committee of Trust Council – RFD

The trustee sponsored request for decision (RFD) was presented by Trustee Middleton.

TC-2022-046

It was Moved by Trustee Middleton and Seconded by Trustee McConchie,
That a standing Governance Committee of Trust Council be established per
Terms of Reference and Draft Policy attached with inaugural members elected
June 23rd by Trust Council. The inaugural committee will finalize relevant policy
and prepare a list of initial recommendations for use by next Council term's
Governance Committee members.

Discussion ensued.

TC-2022-047

It was Moved by Trustee Fast and Seconded by Trustee Wolverton,
That motion TC-2022-046 be amended to insert the words “the draft” before the words “terms of reference”.

DEFEATED

Trustee Thorn joined the meeting at 3:45 p.m.

TC-2022-048

It was Moved by Trustee Fast and Seconded by Trustee Wolverton,
Amend motion TC-2022-046 that the word “select” be replaced with the word “standing” and that the motion be severed after the word established.

Chair Luckham ruled motion TC-2022-048 was not in order as it would substantially change the motion’s intent.

TC-2022-049

It was Moved by Trustee Kaile and Seconded by Trustee Wright,
That motion TC-2022-046 be amended by replacing "elected" with "who volunteer at".

DEFEATED

TC-2022-050

It was Moved by Trustee Patrick and Seconded by Trustee Fast,
That motion TC-2022-046 be severed after the word established.

CARRIED

TC-2022-051

It was Moved by Trustee Middleton and Seconded by Trustee Peterson,
That a standing Governance Committee of Trust Council be established.

CARRIED

Trust Council discussed the rest of the severed motion as presented:

“Per Terms of Reference and Draft Policy attached with inaugural members elected June 23rd by Trust Council. The inaugural committee will finalize relevant policy and prepare a list of initial recommendations for use by next Council term’s Governance Committee members.”

TC-2022-052

It was Moved by Trustee Scott and Seconded by Trustee Fenton,
That Trust Council approve the severed motion as amended to read: The Standing Governance Committee create a terms of reference (TOR) and draft policy.

CARRIED

TC-2022-053

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

Amend TC-2022-052 to add "And that the Standing Governance Committee be composed of seven members elected by Trust Council on June 23rd."

CARRIED

The meeting recessed for a break at 5:17 p.m.

5. ENGAGEMENT

Chair Luckham reconvened the meeting at 7:00 p.m. and welcomed members of the public attending electronically and watching live stream. It was noted there were 23 live stream views during this evening session.

5.1 Delegations

5.1.1 Denman Island Climate Action Network - Patti Willis

A PowerPoint presentation was shown requesting Trust Council endorse the call for a Fossil fuel Non-Proliferation Treaty.

5.1.2 Friends of the Gulf Islands - Maxine Leichter

Presented a petition with 800 signatures requesting Trust Council give priority to the protection of the natural environment in all land use planning decisions as updates to the Islands Trust Policy Statement are under consideration.

5.1.3 Rewrite of the Trust Policy Statement - Michael Sketch

Spoke to his submission regarding Islands Trust governance, administration, legislation and draft rewrites of the Islands Trust Policy Statement.

5.1.4 Requests for Council's Consideration - Jacinthe Eastick

Endorsed the call to create a standing Governance Committee and requested a federation-wide definition of "residential density."

5.2 Public Comments

Mary Beth Rondeau and Mairead Boland congratulated Trust Council on the creation of its new Governance Committee and endorsed the request for a provincial review.

Teresa Clinton from Denman/K'ómoks spoke in support of the delegation request, that Trust Council endorse the call for a Fossil fuel Non-Proliferation Treaty.

Jacinthe Eastick, Gabriola Island, spoke to the Local Government Act regarding housing agreements, public hearings and bylaw amendments.

Michael Sketch encouraged Trust Council to address some of its governance issues internally before asking the province for a review.

Chair Luckham heard no more requests to address Trust Council and recessed the meeting at 8:17 p.m.

Wednesday, June 22, 2022

There were two members of the public attending electronically when the meeting started. It was noted there were 82 live stream views on June 22.

At 9:01 a.m., Chair Luckham reconvened the meeting with acknowledgment the meeting was being conducted electronically from the lands of Ləkʷəŋən speaking People, of the Esquimalt and Songhees Nations.

There were 21 trustees present when the meeting started, absent were Trustees Wright, Thorn, Morrison, McConchie, Busheikin (regrets).

Chair Luckham continued with the agenda as reordered by motion **TC-2022-037**.

4.2.5 Review and Implementation of recommendations from the Governance Review, 2022 – Briefing

CAO Hotsenpiller spoke to the briefing as presented.

TC-2022-054

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

That Trust Council request the staff report 4.2.5 “Review and Implementation of recommendations from the Governance Review, 2022 – Briefing” be referred to the Governance Committee for consideration.

CARRIED

There was no objection when Chair Luckham addressed the March Trust Council tabled motion **TC-2022-001/002**, as now superseded by Trust Council’s work through yesterday’s motions **TC-2022-051, 052 & 053**.

6. TRUST AREA SERVICES

6.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendations as presented in items 6.1.1 to 6.1.3.

6.1.1 Trust Programs Committee Work Program Report

That Trust Council approve the report as presented.

6.1.2 Islands Trust Community Stewardship Awards – Briefing

Receive for information.

6.1.3 Species at Risk Program Funding and Workshop – Briefing

Receive for information.

6.2 Discussion / Decision Items

6.2.1 Director of Trust Area Services Report

DTAS Frater spoke to the report as presented.

Discussion regarding Policy 2.1.14 History, Heritage and Conservation Grants-in-aid ensued noting the budget has been spent for 2022/23.

DTAS Frater to amend item 6.2.4, the draft Annual Report, “Grants-in-Aid for History, Heritage and Conservation” adding that grant applications were received for the 2021/22 year with no funds dispersed.

6.2.2 Manager of Islands Trust Conservancy (ITC) Report

ITC Manager Emmings introduced Chair Stamford who spoke to the report as presented.

Manager Emmings explained the sensitivities in mapping bull-kelp regarding a question about its decline.

6.2.3 Policy Statement Engagement Summary Reports and Next Steps – RFD

Amanda Kaiser, Community Engagement Manager with ISL Engineering spoke to the PowerPoint (see Trust Council Quarterly meeting addendum item 6.2.3.1) titled Islands 2050 Phase 3 Engagement Summary.

DTAS Frater introduced the request for decision (RFD).

Discussion ensued on possible amendments to the draft Trust Policy Statement Bylaw No. 183.

TC-2022-055

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

That Trust Council request staff to reformat the draft Trust Policy Statement to separate the mandatory directive policies from the remainder of the text.

TC-2022-056

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

That motion **TC-2022-055** be amended to add “to simplify the structure and shorten the length to improve readability and understanding, for example” following “Trust Policy Statement” so that it reads:

“....reformat the draft Trust Policy Statement to simplify the structure and shorten the length to improve readability and understanding, for example, separate the mandatory directive policies...”

Vice-Chair Rogers call Point of Order that the amendment significantly changes the original motion. Chair Luckham did not agree with the Point of Order. Discussion ensued, the question then called.

CARRIED

TC-2022-055 (as amended by TC-2022-056)

That Trust Council request staff to reformat the draft Trust Policy Statement to simplify the structure and shorten the length to improve readability and understanding, for example, separate the mandatory directive policies from the remainder of the text.

CARRIED

TC-2022-057

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

That staff rewrite the policies to remove desalination from the draft policy statement.

CARRIED

The meeting recessed for a break at 11:10 a.m. and reconvened at 11:25 a.m.

6.2.3 Policy Statement Engagement Summary Reports and Next Steps – RFD

Trust Council continued discussion on potential amendments to draft Bylaw No. 183 Trust Policy Statement.

TC-2022-058

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

That Trust Council requests staff to include from the report (agenda package page 155) items 1.8, and 1.10 (First Nations Early & Meaningful Engagement) in the draft Policy Statement.

CARRIED

TC-2022-059

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

That staff be requested to develop a Glossary of Terms used in the Trust Policy Statement to be an appendix to that document.

CARRIED

TC-2022-060

It was Moved by Trustee Middleton and Seconded by Trustee Wright,
That Trust Council request staff to provide options for draft policy language for the draft Policy Statement to encourage preservation of forest cover in the Trust Area, this will include reference to sustainable forest management practices.

CARRIED

The meeting recessed for lunch at 12:25 p.m. then reconvened at 1:00 p.m. There were approximately 8-10 members of the public in attendance electronically when the meeting resumed.

Chair Luckham welcomed the scheduled 1:00 p.m. session, a presentation by the Vancouver Fraser Port Authority.

5.3 Port Optimization Initiative Session Outline/Presentation

Captain Shri Madiwal gave a PowerPoint presentation regarding the Port of Vancouver's early engagement results and planned next steps for further public engagement on its active vessel traffic management plan. (See Trust Council Quarterly meeting addendum package item 5.3)

Chair Luckham thanked the presenters then continued with agenda item 6.2.3.

6.2.3 Policy Statement Engagement Summary Reports and Next Steps – RFD

TC-2022-061

It was Moved by Trustee Colbourne and Seconded by Trustee Wolverton,
That Trust Council reaffirm its Reconciliation Declaration of March 2019 and its inherent commitment to be responsive to First Nations engagement on the Trust Policy Statement as dictated by the Declaration on the Rights of Indigenous Peoples.

CARRIED

TC-2022-062

It was Moved by Trustee Fenton and Seconded by Trustee Wolverton,
That Trust Council directs that all recommendations for policies related to the Policy Statement are rooted in both current and emerging western science and Indigenous Knowledge.

Trustee Morrison joined the meeting at 1:54 p.m.

DEFEATED

TC-2022-063

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

That Trust Council request Trust Programs Committee to review recent engagement feedback from First Nations, referral agencies, and the public, and resolutions passed by June 2022 Trust Council and work with staff to develop recommendations for further amendments to the draft new Islands Trust Policy Statement Bylaw No. 183, and forward recommendations to Executive Committee for inclusion in the September 2022 Trust Council package.

CARRIED

6.2.4 2021/22 Draft Annual Report – RFD

DTAS Frater presented the request for decision.

Amend the draft Annual Report as discussed under item 6.2.1.

TC-2022-064

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

That the Islands Trust Council approves the 2020/21 Draft Annual Report, as amended, for submission to the Minister of Municipal Affairs.

CARRIED

7. ADMINISTRATIVE SERVICES / FINANCE

7.1 Consent Agenda Items

By general consent, Islands Trust Council adopted the recommendations as presented in items 7.1.1 to 7.1.4.

7.1.1 Financial Planning Committee Work Program Report

That Trust Council approve the report as presented.

7.1.2 March 31, 2022 Fiscal Year Financial Results – Briefing

Receive for information.

7.1.3 March 31, 2022 Allocated Financial Statements – Briefing

Receive for information.

7.1.4 March 31, 2022 Audited Financial Statements of the Islands Trust Conservancy – Briefing

Receive for information.

7.2 Discussion / Decision Items

7.2.1 Director of Administrative Services (DAS) Report

Acting DAS Boden spoke to the report as presented.

7.2.2 March 31, 2022 Islands Trust Audited Financial Statements and Audit Report - RFD

Acting DAS Boden spoke to the request for decision (RFD).

TC-2022-065

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

That Trust Council approve the audited financial statements of the Islands Trust including the Statement of Financial Position, the Statement of Operations, the Statement of Changes in Net Financial Assets, and the Statement of Cash Flows for the year ended March 31, 2022.

CARRIED

8. LOCAL PLANNING SERVICES

Trustee McConchie joined the meeting at 2:00 p.m.

8.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendation as presented in item 8.1.1.

8.1.1 Regional Planning Committee Work Program Report

That Trust Council approve the report as presented.

8.2 Discussion / Decision Items

8.2.1 Director of Local Planning Services Report

DLS Marlor spoke to the report as presented.

8.2.2 Policy 5.9.1 Best Management Practices for Delivery of Local Planning Services to Local Trust Committees (amendments) - RFD

Regional Planning Manager (RPM) Kauer presented a PowerPoint to introduce the request for decision (RFD).

TC-2022-066

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

That draft policy 5.9.1 be amended by adding the words “unless a LTC requests that they be provided” to the end of paragraph 6.2.

CARRIED

TC-2022-067

It was Moved by Trustee Fast and Seconded by Trustee Middleton,
That Trust Council approve amended Policy “5.9.1 Best Management Practices for Delivery of Local Planning Services to Local Trust Committees” as shown in Attachment 1 and amended by motion TC-2022-006.

CARRIED

Trustee Wright left the meeting at 2:50 p.m.

8.2.3 Delegation of Development Permits – RFD

Regional Planning Manager (RPM) Kojima spoke to the request for decision (RFD).

TC-2022-068

It was Moved by Trustee Brent and Seconded by Trustee Langereis,
That Trust Council adopt the draft ‘Land Use Permit Delegation Policy’ and that local trust committees be requested to consider adopting delegation bylaws.

CARRIED

The meeting recessed for a break at 3:05 p.m. and reconvened at 3:20 p.m.

8.2.4 Eelgrass and Kelp Mapping Projects Final Reports - RFD

DLS Marlor spoke to the request for decision (RFD).

TC-2022-069

It was Moved by Trustee Allen and Seconded by Trustee Wolverton,
That Trust Council refer the “Shoreline Polygon Mapping Summary Report: Eelgrass in the Islands Trust Area” and “Shoreline Polygon Mapping Summary Report: Bull Kelp in the Islands Trust Area” both dated March 2022 to local trust committees and Bowen Island Municipality, with a cover briefing/letter, for consideration in their land use planning decisions.

CARRIED

8.2.5 North Pender Local Trust Committee (NP LTC) Fees Bylaw – Briefing

NP LTC members spoke to the briefing and request for plain language speaking notes/communications regarding the fee increases in the model bylaw.

TC-2022-070

It was Moved by Trustee Morrison and Seconded by Trustee McConchie,
That the Trust Council direct staff to provide communication materials for understanding the changes in fees.

CARRIED

9. TRUSTEES REQUEST FOR DECISIONS

9.1 Provincial Review of Islands Trust – RFD

The request for decision (RFD) was presented by Trustee Brent.

TC-2022-071

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

That Trust Council request the Lieutenant Governor in Council for the Province of British Columbia to conduct a review of the Islands Trust's mandate, governance and structure.

CARRIED

TC-2022-072

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

That the Islands Trust Chair, on behalf of Council, submit a letter to the Lieutenant Governor in Council making the review request under Section 8(2)(e) of the Islands Trust Act that outlines the potential scope of a review, including, but not limited to:

- a. An assessment of the optimum governance model to preserve and protect the Trust area pursuant to the Province's vision for the future of the Trust area.
- b. The object of the Islands Trust Act and clarification of the mandate of the organization.
- c. The governance structure of the organization.
- d. The alignment of decision-making processes and structures with the Declaration on the Rights of Indigenous Peoples Act.
- e. The geographic scope of the organization and in particular authority over marine areas.
- f. The funding mechanisms provided to the organization in light of a clarified mandate.

CARRIED

9.2 Advocacy for Legislation to Protect Biological Diversity and Ecosystem Health - RFD

Trustee Rockafella presented the request for decision.

TC-2022-073

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

That Trust Council call on the Province of British Columbia, in partnership with Indigenous leadership, to develop and communicate in a timely way the process and timelines through which they will develop new legislation to protect and restore biological diversity and ecosystem health, in a manner consistent with the United Nations Declaration on the Rights of Indigenous Peoples, and with the involvement of local governments, civil society groups, Indigenous and scientific experts, and the concerned public.

CARRIED

TC-2022-074

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

That Trust Council request the Chair to submit a resolution to Union of British Columbia Municipalities September 2022 convention concerning a request to the Province for new legislation to protect and restore biological diversity and ecosystem health.

CARRIED

Chair Luckham discussed the elections process for the Governance Committee being held tomorrow.

By general consent, at 5:05 p.m. the meeting recessed for the day.

Thursday, June 23, 2022

It was reported that there were 31 livestream views on June 23rd with 2-3 public in attendance electronically.

Chair Luckham opened the meeting to the public at 9:02 a.m. giving a summary of the order of business remaining on the agenda.

24 trustees were deemed present. Trustee Thorn – absent; Trustee Busheikin – regrets.

10. CLOSED MEETING

At 9:07 a.m., the meeting was closed to the public.

TC-2022-075

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

That the meeting be closed to the public subject to Sections 90(1)(b) and (k) of the Community Charter in order to consider matters of personal information about identifiable individuals who are being considered for a municipal award and, negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public and, that staff attend the meeting.

CARRIED

At 10:30 a.m., the meeting was reopened to the public. Chair Luckham welcomed those in attendance and those viewing the live stream.

12. COLLABORATION / PRESENTATION

12.1 Proposed National Marine Conservation Area Reserve (NMCAR) for the Southern Strait of Georgia

James Gordon and Raven August from Parks Canada presented a PowerPoint titled “Briefing and Discussion Proposed SSG NMCAR Update and Next Steps”.

Question and answer discussion followed.

11. RISE AND REPORT

Chair Luckham reported that the minutes of the November/December 2021 Trust Council in-camera meeting were adopted as presented and announced the recipients of the 2022 Community Stewardship Awards as follows: **Individual Category** - Keith Erickson, Galiano Island; Jeanine Georgeson, Galiano Island; Wil Husby, Bowen Island; Kees Ruurs, Salt Spring Island; Ruth Waldick, Salt Spring Island; **Organization Category** - Salt Spring Natural Cemetery, Salt Spring Island; **Other Category** - Chris Straw (Posthumous Nomination), Gabriola Island.

13. NEW BUSINESS

Nominations and Election of Governance Committee Members

DLS Marlor reviewed the resolutions passed yesterday (TC-2022-051, 052 & 053) and the nominations/election process.

Nominations for Governance Committee membership were held.

TC-2022-076

It was Moved by Trustee Brent and Seconded by Trustee Langereis,
To nominate Trustee Middleton for the Governance Committee.
Trustee Middleton agreed to stand.

TC-2022-077

It was Moved by Trustee Wolverton and Seconded by Trustee Rogers,
To nominate Trustee Rockafella for the Governance Committee.
Trustee Rockafella agreed to stand.

TC-2022-078

It was Moved by Trustee Patrick and Seconded by Trustee Wolverton,
To nominate Trustee Stamford for the Governance Committee.
Trustee Stamford agreed to stand.

TC-2022-079

It was Moved by Trustee Stamford and Seconded by Trustee Rockafella,
To nominate Trustee Peterson for the Governance Committee.
Trustee Peterson agreed to stand.

TC-2022-080

It was Moved by Trustee Langereis and Seconded by Trustee Fast,
To nominate Trustee Scott for the Governance Committee.
Trustee Scott declined to stand.

TC-2022-081

It was Moved by Trustee Middleton and Seconded by Trustee Brent,
To nominate Trustee Patrick for the Governance Committee.
Trustee Patrick agreed to stand.

TC-2022-082

It was Moved by Trustee Middleton and Seconded by Trustee Brent,
To nominate Trustee Langereis for the Governance Committee.
Trustee Langereis agreed to stand.

TC-2022-083

It was Moved by Trustee Brent and Seconded by Trustee Langereis,
To nominate Trustee Critchley for the Governance Committee.
Trustee Critchley declined to stand.

TC-2022-084

It was Moved by Trustee Brent and Seconded by Trustee Allen,
To nominate Trustee Kaile for the Governance Committee.
Trustee Kaile agreed to stand.

TC-2022-085

It was Moved by Trustee Luckham and Seconded by Trustee Rogers,
To nominate Trustee Fenton for the Governance Committee.
Trustee Fenton agreed to stand.

TC-2022-086

It was Moved by Trustee Brent and Seconded by Trustee Langereis,
To nominate Trustee Allen for the Governance Committee.
Trustee Allen agreed to stand.

TC-2022-087

It was Moved by Trustee Patrick and Seconded by Trustee Critchley,
To nominate Trustee Rogers for the Governance Committee.
Trustee Rogers declined to stand.

DLS Marlor called 3 more times for any further nominations, hearing none he announced there were 9 trustees standing for membership on the Governance Committee and that an election would proceed after the nomination and election of a scrutineer.

TC-2022-088

It was Moved by Trustee Peterson and Seconded by Trustee Langereis,
To nominate Trustee Wolverton, who agreed to stand, as scrutineer.

CARRIED

The meeting recessed for a break at 11:35 a.m. and reconvened at 11:45 a.m.

The 9 nominated trustees were each given the opportunity to speak to why they chose to stand for the Governance Committee.

After the 9 trustees presented, DLS Marlor emailed all 26 trustees the electronic voting ballots.

The meeting recessed for 10 minutes while the scrutineer and staff determined the election results.

Director of Legislative Services (DLS) Marlor announced the 7 trustees elected to the Governance Committee as follows, in no particular and random order: Trustees Rockafella, Middleton, Allen, Stamford, Patrick, Langereis, and Peterson.

CAO Hotsenpiller will follow-up with the Governance Committee regarding next administrative steps and its inaugural meeting.

TC-2022-089

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

That Trust Council members be asked to forward their comments on the Governance Review Report to the new standing Governance Committee.

CARRIED

14. SUMMARY/UPDATES

14.1 Trustee Updates

14.1.1 BC Ferries Advisory Committee Chairs

Trustee Patrick noted that some BC Ferries board and executive team members were on Salt Spring recently, liaising with the community.

14.1.2 First Nations

Trustee Colbourne spoke about Gabriola Island Local Trust Committee's work on a housing agreement project regarding Snuneymuxw First Nation interests, Elder Geraldine Manson's/C'tasi:a recently launched book titled "Snuneymuxw History Written in Places and Spaces: Ancestor's Voices — An Echo in Time" and finally presenting to her, Islands Trust 2019 Community Stewardship Award in-person, delayed due to COVID.

14.1.2.1 Xwe-etay/Lasqueti Archaeology Project - Trustee Johnston

Chair Luckham thanked Trustee Johnston for his written submission, received for information.

14.1.3 Gulf Islands National Park Reserve Advisory Committee (GINPRAC)

Trustee Middleton noted that no meaningful outreach has occurred between GINPRAC and First Nations but that a trustee should continue to be appointed to GINPRAC each term while the Saturna Parks Liaison Committee continues to work with the National Park's superintendent.

Continue to note that this role is a trustee appointment and to flag this item after the local government election.

14.1.4 Salt Spring Island Watershed Protection Alliance (SSIWPA)

Trustee Patrick noted that SSIWPA strategic planning is underway to create coordinated planning activities with a number of agencies with logos.

14.1.5 Atl'ka7tsem/Howe Sound Community Forum (A/HSCF)

Trustee Rogers reported that the A/HSCF subsumed administratively with the UNESCO Átl'ka7tsem/Howe Sound Biosphere Reserve which is looking for funding.

14.1.6 Southern Gulf Islands Forum

Trustee Wolverton noted the forum continues to meet however the most recent meeting, regarding anchorages, was postponed.

14.1.7 Baynes Sound Forum (BSF)

Trustee Critchley described a recently held BSF where Minister Osborne, of the new Ministry of Land, Water and Resource Stewardship (as well as Fisheries) attended. He urged trustees to read the minister's mandate letter, create staff-to-staff relationships and review its new coastal marine strategy. Also, two presentations on herring were received and a Department of Fisheries and Oceans (DFO) project with K'ómoks First Nation called Area-Based Aquaculture Management was discussed.

Trustee Scott mentioned presenter Denise Smith, Sliammon First Nation (Tla'amin Nation) who attended the forum and recognized the senior herring managers from DFO who also attended.

Trustee Kaile left the meeting at 12:27 p.m.

14.1.8 Freighter Anchorages Update

Chair Luckham referenced yesterday's Port Authority presentation, item 5.3.

14.2 Trust Council Priorities Chart

Received for information.

14.3 Proposed September Trust Council Agenda Program

The draft 3-day schedule was received for information.

It was suggested to hold a longer trustee roundtable discussion/session and for trustees to send in agenda item requests to Executive Committee.

14.4 Disposition of Delegations and Public Comment Requests

Regarding item 5.1.1 Denman Island Climate Action Network - Patti Willis delegation presentation.

TC-2022-090

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

That the Islands Trust formally endorse the call for a Fossil fuel Non-Proliferation Treaty, and further that the Chair on behalf of Trust Council, send a letter to the Prime Minister of Canada and the Premier of B.C. urging the Canadian and B.C. governments to support the global initiative for a Fossil Fuel Non-Proliferation Treaty.

CARRIED

15. STRATEGIC PLAN (Amendments) - None

16. CORRESPONDENCE

All correspondence, items 16.1 to 16.7, were received for information.

16.1 Gulf Islands Alliance re: Governance Review letter dated March 29, 2022

16.2 Gulf Islands Alliance re: Governance Review email dated May 17, 2022

16.3 Minister Alghabra re: concerns about air pollution scrubbing and dumping from vessels in Canadian waters email dated May 19, 2022

16.4 H. Holm submission to June 21-23, 2022 Trust Council dated June 2, 2022

16.5 M. Rondeau re: June 8th EC Support for Letter to Lieutenant Governor email dated June 5, 2022

16.6 M. Gang re: RFD suggesting a letter to the BC Lieutenant Governor email dated June 5, 2022

Same letter received from R. McCuaig, Denman Island June 5, 2022

16.7 G. Leroux re: Governance Proposals EC MTG email dated June 7, 2022

17. NEXT MEETING

The next Trust Council quarterly meeting is scheduled for September 20 -22, 2022 to be held electronically.

18. ADJOURNMENT

By general consent, the meeting was adjourned at 12:43 p.m.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder

Follow Up Action Report

Trust Council

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 That Trust Council consider approaching the Province of British Columbia to request additional funding for the Islands Trust annual budget, ensuring any request that goes forward is appropriately strategized in line with other requests currently being asked of the Province; and that Trust Council direct staff to work with Executive Committee and the Islands Trust Conservancy Board to strategize an approach for requesting additional funding from the Province.	Clare Frater Kate Emmings Russ Hotsenpiller	Meeting: 17-Sep-2019 Target: 31-Dec-2022	In Progress
2 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.	Russ Hotsenpiller	Meeting: 16-Sep-2020 Target: 21-Jun-2022	In Progress
3 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
4 Set up standing Governance Committee records management, administration items, and initial meeting to address next steps, terms of reference, and policy. Forward item 4.2.5 Review and Implementation of recommendations from the Governance Review, 2022 - Briefing to the Governance Committee for consideration.	Russ Hotsenpiller	Meeting: 21-Jun-2022 Target: 20-Sep-2022	Completed

Director, Administrative Services

Activity	Responsibility	Dates	Status

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.	David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 21-Sep-2022	In Progress

Director, Legislative 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-Aug-2022	In Progress
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: 21-Jun-2022	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.	David Marlor Julia Mobbs	Meeting: 15-Sep-2020 Target: 21-Sep-2022	In Progress

Follow Up Action Report

Trust Council

Director, Legislative Services

Activity	Responsibility	Dates	Status
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-May-2022	In Progress
5 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	Completed
6 Conduct an RWM to adopt Election Bylaw 187.	David Marlor	Meeting: 21-Jun-2022 Target: 20-Sep-2022	Completed
7 Complete elections services contracts with regional districts, that the Legislative Director and Chair can sign on behalf of Trust Council.	David Marlor	Meeting: 21-Jun-2022 Target: 20-Sep-2022	Completed
8 Finalize Policy 5.9.1 Best Management Practices for Delivery of Local Planning Services to Local Trust Committees as requested.	David Marlor	Meeting: 22-Jun-2022 Target: 20-Sep-2022	Completed
9 Forward to local trust committees for consideration to adopt delegation bylaws per the adopted Land Use Permit Delegation Policy.	David Marlor	Meeting: 22-Jun-2022 Target: 20-Sep-2022	Completed
10 That the Islands Trust Chair, on behalf of Council, submit a letter to the Lieutenant Governor in Council making the review request under Section 8(2)(e) of the Islands Trust Act as resolved, to conduct a review of Islands Trust mandate, governance, and structure.	David Marlor	Meeting: 21-Jun-2022	In Progress

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-Aug-2022	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: 30-Jun-2022	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-Oct-2022	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
5 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 Kate Emmings	Meeting: 03-Dec-2020 Target: 31-Oct-2022	In Progress
6 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-May-2022	In Progress
7 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: 31-Aug-2022	In Progress
8 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: 20-Sep-2022	In Progress
9 Trust Council approved the Livingstone Forest NAPTEP Certificate for issuance subject to registration of an appropriate conservation covenant with the Islands Trust Conservancy.	Clare Frater Kate Emmings	Meeting: 02-Dec-2021 Target: 31-Oct-2022	Completed

Follow Up Action Report

Trust Council

Director, Trust Area Services

Activity	Responsibility	Dates	Status
10 Proclaim June 8, 2022, to June 7, 2023 "Year of the Salish Sea", to raise public awareness about a healthy Salish Sea and learn from Indigenous Nations on how to improve its health and management for the benefit of future generations.	Clare Frater	Meeting: 08-Mar-2022 Target: 07-Jun-2023	In Progress
11 Format the draft Policy Statement as requested by Trust Council (TC) resolutions under item 6.2.3, reaffirm Reconciliation Declaration to be responsive to First Nations' engagement on the Policy Statement as dictated by UNDRIP. Request from Council to Trust Programs Committee for further review and bring to September's TC meeting.	Clare Frater	Meeting: 22-Jun-2022 Target: 20-Sep-2022	In Progress
12 Annual Report draft approved for final submission to Minister and circulation per policy.	Clare Frater	Meeting: 22-Jun-2022 Target: 20-Sep-2022	In Progress
13 Staff to provide communication materials for understanding the changes in fees re Fees Bylaws.	Clare Frater	Meeting: 22-Jun-2022 Target: 20-Sep-2022	Completed
14 Submit a resolution to UBCM requesting new legislation to protect and restore biological diversity and ecosystem health and call on the Province to develop communication and timelines for this process.	Clare Frater	Meeting: 22-Jun-2022 Target: 20-Sep-2022	Completed
15 Trust Council approved issuance of an increased Natural Area Exemption Certification for the application to expand of the Nighthawk Hill NAPTEP area subject to registration of an appropriate expanded conservation covenant with the Islands Trust Conservancy.	Clare Frater Kate Emmings	Meeting: 02-Dec-2021 Target: 31-Oct-2022	In Progress

Follow Up Action Report

Trust Council

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 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 Kate Emmings	Meeting: 03-Dec-2020 Target: 31-Oct-2022	In Progress
3 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: 31-Aug-2022	In Progress
4 Trust Council approved the Livingstone Forest NAPTEP Certificate for issuance subject to registration of an appropriate conservation covenant with the Islands Trust Conservancy.	Clare Frater Kate Emmings	Meeting: 02-Dec-2021 Target: 31-Oct-2022	Completed

Follow Up Action Report

Trust Council

Manager, Islands Trust Conservancy

Activity	Responsibility	Dates	Status
5 Trust Council approved issuance of an increased Natural Area Exemption Certification for the application to expand of the Nighthawk Hill NAPTEP area subject to registration of an appropriate expanded conservation covenant with the Islands Trust Conservancy.	Clare Frater Kate Emmings	Meeting: 02-Dec-2021 Target: 31-Oct-2022	In Progress



Resolutions Without Meetings Log

Trust Council

Resolution Number	Action	Date
2022-007 It was Moved by Trustee Fast and Seconded by Trustee Brent, That Trust Council adopt Bylaw No. 188, cited as "Trust Council Bylaw No. 188, 2022" Freedom of Information and Protection of Privacy.	Carried	16-Aug-2022
2022-006 It was Moved by Trustee Wright and Seconded by Trustee Langereis, That Trust Council Adopt Bylaw No. 187, cited as "Islands Trust Election Procedures Bylaw, 2008, Amendment Bylaw No. 1, 2022".	Carried	04-Jul-2022

ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-RWM-2022-006

The following matter is considered urgent and necessary in order for Trust Council to adopt Bylaw No. 187, amendment bylaw to Islands Trust Election Procedures Bylaw, 2008.

Trustees were notified, via email, of the call for resolution on July 4, 2022.

Trustees were notified, via email, of the call for the vote on July 4, 2022.

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

That Trust Council Adopt Bylaw No. 187, cited as "Islands Trust Election Procedures Bylaw, 2008, Amendment Bylaw No. 1, 2022".

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Steve Wright	July 4, 2022	In Favour
2. Kees Langereis	July 4, 2022	In Favour
3. Michael Kaile	July 4, 2022	In Favour
4. Doug Fenton	July 4, 2022	In Favour
5. Jeanine Dodds	July 4, 2022	In Favour
6. Peter Johnston	July 4, 2022	In Favour
7. Laura Patrick	July 4, 2022	In Favour
8. Tahirih Rockafella	July 4, 2022	In Favour
9. Kate-Louise Stamford	July 4, 2022	In Favour
10. Dan Rogers	July 4, 2022	In Favour
11. Cameron Thorn	July 4, 2022	In Favour
12. Paul Brent	July 4, 2022	In Favour
13. David Critchley	July 4, 2022	In Favour
14. Jane Wolverton	July 4, 2022	In Favour
15. Peter Luckham	July 4, 2022	In Favour
16. Peter Grove	July 4, 2022	In Favour
17. Tim Peterson	July 4, 2022	In Favour
18. Sue Ellen Fast	July 4, 2022	In Favour
19. David Maude	July 4, 2022	In Favour

TRUSTEES VOTE NOT AVAILABLE

20. Laura Busheikin	21. Scott Colbourne	22. Alex Allen	23. Deb Morrison
24. Lee Middleton	25. Grant Scott	26. Ben McConchie	

FINAL VOTE COUNT (19) IN FAVOUR (0) OPPOSED **DECISION** **CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON JULY 4, 2022.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-RWM-2022-007

The following matter is considered urgent and necessary in order for Trust Council to adopt Freedom of Information and Protection of Privacy Bylaw No. 188.

Trustees were notified, via email, of the call for resolution on August 11, 2022.

Trustees were notified, via email, of the call for the vote on August 11, 2022.

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

That Trust Council adopt Bylaw No. 188, cited as "Trust Council Bylaw No. 188, 2022" Freedom of Information and Protection of Privacy.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Dan Rogers	August 11, 2022	In Favour
2. Peter Grove	August 11, 2022	In Favour
3. Sue Ellen Fast	August 11, 2022	In Favour
4. Doug Fenton	August 11, 2022	In Favour
5. Michael Kaile	August 11, 2022	In Favour
6. David Critchley	August 11, 2022	In Favour
7. Jeanine Dodds	August 11, 2022	In Favour
8. David Maude	August 11, 2022	In Favour
9. Paul Brent	August 11, 2022	In Favour
10. Lee Middleton	August 11, 2022	In Favour
11. Laura Patrick	August 11, 2022	In Favour
12. Jane Wolverton	August 11, 2022	In Favour
13. Kate-Louise Stamford	August 11, 2022	In Favour
14. Cameron Thorn	August 11, 2022	In Favour
15. Peter Luckham	August 11, 2022	In Favour
16. Grant Scott	August 12, 2022	In Favour
17. Kees Langereis	August 12, 2022	In Favour
18. Steve Wright	August 12, 2022	In Favour
19. Alex Allen	August 12, 2022	In Favour
20. Tim Peterson	August 14, 2022	In Favour

TRUSTEES VOTE NOT AVAILABLE

21. Tahirih Rockafella 22. Scott Colbourne 23. Laura Busheikin 24. Deb Morrison 25. Ben McConchie
26. Peter Johnston

FINAL VOTE COUNT (20) IN FAVOUR (0) OPPOSED **DECISION** **CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON August 16, 2022.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

Top Priorities Report

Executive Committee

1. *Islands Trust Act Amendments*

Current requests by Trust Council to seek legislative change have substantially occurred.

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 mitigation and adaptation to climate change impacts. (Strategic Plan 3.1)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 05-Jun-2019

4. *Business Response to COVID-19*

Current business practices have been amended as per provincial health guidelines and work requirements. Adjustments will be made in the fall 2022 if necessary.

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. (Strategic 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*

Including development of a new website. (Strategic Plan Item 4.2)

Responsible

Clare Frater

Date Received

30-Aug-2017

2. *Marine Advocacy*

Associated with i.) impact of commercial activities on Southern Resident Killer Whales SRKW (Strat Plan Item 2.1), ii.) oil spills and iii.) anchorages.

Responsible

Clare Frater

Date Received

02-Sep-2020

3. *Broadcast Public Meetings*

Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council. (Strategic Plan Item 4.1)

Responsible

Clare Frater
Julia Mobbs
Russ Hotsenpiller

Date Received

02-Sep-2020

4. *Improve Communications about the Islands Trust*

Related to Strategic Plan Items 4.1 & 4.2

Responsible

Clare Frater

Date Received

30-Aug-2017

5. *NAPTEP regulation changes to increase the percentage of tax exemption*

Strategic Plan Item 1.3

Responsible

Clare Frater
Kate Emmings

Date Received

02-Sep-2020

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. Governance

Responsible

Date Received

Related to Section 5 of the Strategic Plan

21-Jul-2021

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 -



CHIEF ADMINISTRATIVE OFFICER
2022-2023 2nd QUARTER REPORT

Updated September 1, 2022

September 2022

Electronic Meeting

I want to lead off this CAO report by recognizing the outstanding effort by staff on behalf of the Islands Trust. Louisa Garbo, Acting Regional Planning Manager at the Salt Spring office, has provided strong leadership and demonstrated a singular work ethic as she addressed the vacancies and capacity challenges at the Salt Spring office. I want to thank her for her dedication and ability. Wanda Boden, Acting Director of Administrative Services, has provided excellence to the Islands Trust over the last three months and we are in her debt. Also, Dilani Hippola, has provided a remarkable example of professional analysis and writing in the latest request for decision for the Policy Statement Amendment Project that is featured in this agenda.

A not inconsequential development over the last few months has been the negotiations between the Province and the BC Government Employees Union, which represents the majority of our employees. Without delving into the key issues being negotiated, there are a number of implications for the Trust in these discussions. Simply put, without staff working at full capacity the Islands Trust is challenged to operate. As I write this note, the recent overtime ban has been lifted, a welcome sign that progress is being made. A further consideration is the size of gap between what we budgeted in March for employee compensation and what a final agreement could determine are our labour costs for this and future fiscal years. We have run a number of financial scenarios and have included a first quarter financial forecast report to this agenda to address our budgeting flexibility. Generally, it appears that the Trust is in an acceptable financial position.

Following direction provided by Trust Council at the June meeting, a request was sent to the Province to conduct a review under Section 8(2) of the Islands Trust Act including an assessment of the governance model of the Trust, the Object of the Trust, decision making and structures associated with DRIPA, the geographic scope of the Trust and funding mechanisms. At time of writing, there has been no response. This request of the Province is one of a number of current/potential legislative change requests to the Province by Trust Council including but not limited to: a request to increase the NAPTEP percentage, a request for powers commensurate with Section 8 of the Community Charter regarding authority for tree cutting, a request to review foreshore authority in the Trust Area. Additional current/potential requests to the Province also include a request for financial assistance for Reconciliation work, a request for an annual meeting with the Minister, interest in additional funding to support the Islands Trust, referral of new draft Policy Statement, and potentially increased funding relating to housing in the Trust Area. It is likely that these requests should be rationalized with the overall request by Trust Council in June and

that the organization develop a specific program of work to respond to government should the opportunity arise.

The organization continues to invest in its learning and responsibilities with regard to Reconciliation, our Guiding Principles, our commitment to UNDRIP and humbly working with First Nations. The challenge for the upcoming term will be to become specific, to operationalize what we have learned, to seek formal agreements, and to deliver practical and measurable outcomes. Our intentions, language and aspirations have raised the bar and elevated expectations about how the Islands Trust will share decision making with First Nations throughout the region.

Highlights

- Met with senior staff of UBCM
- Conducted a number of hiring competitions in including Director of Planning Services
- Attended Conservancy-EC annual meeting
- Attended Local Area Administrators meeting in View Royal
- Initiated and prepared for inaugural Governance Committee meeting of the Islands Trust.
- Updated the Communicable Disease Prevention Plan.
- Met with Comox Valley Regional District
- Prepared for the General Local Elections, in support of the Director of Legislative Services.

This is my final report to the 2018-2022 Trust Council. The staff of the organization wish to thank trustees for the work you have done over the last four years recognizing that contributions at the Council table have been in support of making the the Islands Trust the best that it can be. The signature elements of this term: amendment of the Policy Statement, advancement of Reconciliation in a meaningful way, broadcasting public meetings, deep investigation of governance practice, and establishment of a strategic direction for freshwater management, have not been easy and in many ways revealed the strengths and challenges of this form of governance. This term also saw the Conservancy mature even farther into a remarkable institution, one that is developing a provincial and national profile. That this term was nested in the middle of global pandemic and that we successfully continued business and continued advancing the mandate of the Trust is a testament to organizational and political resilience.

From an administrative perspective, much of the work over the last four years has been successful and I believe will provide a strong foundation for change for the next Trust Council. I sincerely hope that Trust Council shares this sentiment and takes a measure of pride in what it has done.

Russ Hotsenpiller
CAO

BRIEFING

To: Trust Council **For the Meeting of:** September 20, 2022
From: CAO **Date Prepared:** August 31, 2022
SUBJECT: September 2022 Strategic Plan Update

PURPOSE: To provide an update on the Strategic Plan.

BACKGROUND: Trust Council gets quarterly updates on the Strategic Plan on a project basis, however this report is intended to provide a broader, annual assessment of progress on the plan overall given the end of the term.

The Strategic Plan was adopted in December 2019, so has been operational for 2.75 years. The Plan was adopted following a priority planning process, as follows:

June 2018 Saturna	Initial concepts about type of plan and process
January 2019 Nanaimo	Introduction of assumptions and principles, broad themes
March 2019 Gabriola	Facilitated session with consultant to develop strategic objectives
June 2019 Galiano	2 nd facilitated discussions with consultant, discussion on strategies, work plan items
Aug 2019	Referral of 1 st Draft to Council Committees
Sept 2019, Bowen	1 st Draft of Strategic Plan presented to Trust Council
December 2019	2 nd Draft of Strategic Plan adopted by Council
January 2020	Initiation of Strategic Plan work-plans

Principles

During the adoption process, important principles were discussed by trustees and staff and adopted as guidance in implementation of the Plan:

- a. The Strategic Plan should be simple, realistic and achievable
- b. The Plan is in support of the object of the Trust and within our authorities
- c. The Policy Statement is the primary source of strategic planning direction
- d. The Strategic Plan is funded

Key themes

- Reconciliation
- Climate Change
- Housing access and affordability
- Marine and freshwater protection
- Communication

A central theme of the strategic planning process that has been revisited with trustees on a regular basis is that (from previous reporting, 2019)

The proposed strategies focus primarily upon our land use authority with Trust Area Services as a supporting agency to the plan. There is not an extensive amount of issue-associated advocacy presented with the proposed strategic plan.

This means that success in the long term for the Strategic Plan is through the adoption by local trust committees, through the Official Community Plan (OCP) amendment process, of key areas of importance: Reconciliation, Climate Change, Housing, and Marine protection. This is inexorably linked to amendment and adoption of the Policy Statement

AMENDMENTS

There have been three significant additions to the Strategic Plan:

1. Inclusion of forest protection based projects
2. Inclusion of a governance review process for the Islands Trust
3. Inclusion of Trust Council review of its Policies and Procedures

ANALYSIS

The 2018-2022 Strategic Plan work program at time of adoption was ambitious and as noted, was increased by adding 3 significant projects in the last year. While it is unrealistic to expect that the Plan would be completed in 3 years given its size and complexity, there has been progress in delivery of plan items.

Most importantly, if there is a belief that amendment of local bylaws is a fundamental means of achieving Islands Trust strategies, the work this term will have set the stage for OCP and land use bylaw amendments for a future Trust Council, if they so direct.

1. Land Stewardship

- a. Mapping of the coastal Douglas-fir (CDF) zone is complete and will be an asset for the Islands Trust (1.1.) This information can now inform land use decisions. Development of a model bylaw is pending and will carry over.
- b. The inclusion of a series of forest-based initiatives for the Trust has been underway for the last year, primary among these being a request for a municipal tree cutting authority for the Islands Trust. This request will likely be considered by government as part of any overall review of Islands Trust governance and authorities.
- c. Increasing the percentage of Natural Area Protection Tax Exemption Program (NAPTEP) from 65% to a higher percentage. The Ministry of Finance and the Ministry of Municipal Affairs have provided important information to guide Islands Trust in this regard. Advocacy has been undertaken relating to enforcement of development permit areas and the Private Managed Forest Lands (PMFL).

Overall, this area of interest has seen modest success and sets the stage for future work in adopting forestry development permits and achieving increased input into forest health in the region.

2. Marine and Freshwater Stewardship

- a. The eelgrass mapping project has been completed. It will inform decisions that impact ecosystem and climate health.
- b. That work informs Strategy 2.3, development of a model policy and bylaw for foreshore protection; however, that work will need to carry over to the next term.
- c. We have developed a Freshwater Strategy. Implementation will be carried over to next term and beyond. This is a fundamental, long-range investment in understanding the state of freshwater in the region and will assist future Councils in making land decisions.
- d. Water budgets have been developed across the region.

3. Climate change

- a. Adoption of the updated Policy Statement is fundamental to achieving climate change progress for the Islands Trust. Strategy 3.2 *“amendment of OCPs and land use bylaws to foster climate change, including the Coastal Douglas-Fir zone, foreshore and groundwater”* is the most impactful strategy of the entire strategic plan. It will require at least five years of structured and regular updates to the Official Community Plans (OCP) of local trust areas. Much effort has been expended to address 3.2 including changing fee structures, changes to the land use planning service to create a long-range planning group, creation of Trust Council policy to lead the funding of Local Trust Committee projects and the establishment of a schedule of implementation for OCP amendments. Together, these items plus the will of a future Trust Council, will determine the success of 3.2.
- b. The development of climate change criteria has not progressed so far this term, nor has there been advancement in determining overall environmental health of the Trust Area. The long-term benefit of this project is that it would provide an environmental baseline across the spectrum of environmental analysis for future Trust Councils to measure their strategic progress and future climate change work. This item is underfunded and contingent on the cooperation of others.

4. Community and Communication

This area of strategic work has seen some success but also a number of challenges.

- a. We now have the ability to not only broadcast but to have fully interactive electronic public meetings.
- b. We have developed and launched a new website, but it needs ongoing refinement and adjustment as an operational item.
- c. The Policy Statement project itself has demonstrated a need to improve our ability to engage on large projects and to better explain land use decisions at a local level. It is arguable that we do not communicate well or often enough and while the current work provides some progress, more is needed.
- d. Development of a Communications plan and strategy and adequate resourcing will be needed to advance our communications profile; however, it was turned down as a strategic objective in 2019 and dedicated funding has not been allocated.
- e. With regard to Strategy 4.4, it is undetermined whether the Island Trust has had any impact on strengthening housing affordability throughout the Trust Area at this point. Success of 4.4 relies on passage of the updated Policy Statement and several items are pending as they are included in the Policy Statement Review.
- f. The stewardship education program has been developed and is being implemented.
- g. We have seen significant development in our ability to work with First Nations over the course of the term and progress in this area will be a defining mark of this Trust Council. We have adopted a Reconciliation Declaration and Action Plan and we have established relationships with a number of First Nations where communication and coordination was limited previously. Overall, this is an area of cautious success for the Trust and a notable area of improvement associated with Trust Council and its priorities.

5. Governance

- a. We have successfully, after 4 years, achieved amendment of the *Islands Trust Act* in a number of ways: adding First Nations to the bodies with whom the Trust works in cooperation, authority for LTCs to pass development approval information bylaws, delegation of development permitting and some variance permits and, the ability to direct funds towards environmental projects in community. More work is required on clarification of foreshore authority throughout the region.
- b. The Secretariat function has been implemented and is functioning well and to a degree has contributed to less negative feedback regarding cooperation on service delivery.
- c. The Islands Trust completed a Governance Review, received in March 2022. Subsequently a Governance Committee was created and tasked with review of the report recommendations initially and oversight of governance at the Trust ongoing.
- d. We have not developed a comprehensive strategy to seek additional funds from the Province.

THE FUTURE

A strategic plan does not end with the election cycle, and the work initiated by the 2018-2022 Trust Council will continue through the next fiscal year. The following are key projects that will carry over to next term that will be the subject of consideration by the new Trust Council:

- Development and adoption of local bylaws in support of Coastal Douglas-Fir conservation, foreshore protection and freshwater protection, floor area ratio, density bonus.
- Amendment of the Policy Statement project and adoption of requisite bylaws.
- Development of climate change/environmental indicator data.
- Policy Statement and OCP/LUB amendments in support of housing affordability.
- Review and updating of the Reconciliation Action Plan to include protocol agreements/governance with First Nations.

Further, the Governance Review Report received by Trust Council recommended that the strategic plan be nested within a larger corporate plan and longer term horizon with annual adjustments. Certainly those objectives can be emphasized by Trust Council. The Governance Committee has expressed interest in review of the strategic process of Trust Council and their work will inform strategic planning for the 2022-2026 term.

ATTACHMENT(S):

1. Strategic Plan Quarterly Report

FOLLOW-UP:

Prepared By: R Hotsenpiller
Reviewed By/Date: August 31, 2022.

Policy Statement Goal A: 'To Foster preservation and protection of the Trust Area's ecosystems'

1. LAND STEWARDSHIP

Preserve, protect and advocate for forest and terrestrial ecosystems

Strategy	Responsibility	Comment	Implementation
1.1. Map contiguous tracks of the Coastal Douglas fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems.	Regional Planning Committee	Completed.	Complete
1.2. Create a model development permit for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas fir zones throughout the Trust Area.	Regional Planning committee	Work will not be completed this term. RPC is reviewing work being undertaken by SSI on CDF protection (wildfire resilience), that work could lead to model bylaws in the future.	Not started
1.3. Amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) to act as an incentive for the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.	Executive	Ministry officials have referred the Islands Trust to the Ministry of Finance for further information. A tax shift analysis is required for a business case to the Province of BC regarding Trust Council's desire that legislation be amended to increase the NAPTEP exemption.	Not started
1.4. Create forestry initiatives including establishment of development permit areas, tree cutting authority advocacy, enforcement of development permits related to forestry and advocacy associated with the <i>Private Managed Forest Land Act</i> .	Executive	Added March 2021 by amendment of Trust Council. Trust Council session on potential tree-cutting powers occurred September 2021. Advocacy has happened re PMFL Act changes. Subsequent discussion with Ministry staff regarding provision of tree authority ongoing, no specific outcomes achieved as of June 2022. This item may best be addressed as part of request by Trust Council for Province to conduct a review of the Islands Trust, June 2022.	In progress

Policy Statement Goal A: 'To Foster preservation and protection of the Trust Area's ecosystems'

2. MARINE AND FRESHWATER STEWARDSHIP

To preserve and protect marine ecosystems

Strategy	Responsibility	Comment	Implementation
2.1. Advocate to minimize the impact of commercial activities on the marine environment and participate in Canada's Southern Resident Killer Whale (SRKW) recovery plan.	Trust Area Services	Some related Facebook posts.	In progress
2.2. Map the extent of eelgrass and kelp beds throughout the Trust Area.	Regional Planning Committee	Work was completed in March 2022. Mapping and the associated reports for eelgrass and kelp mapping is now posted on the Islands Trust website at https://islandstrust.bc.ca/programs/ecosystem-inventories/ and will be shared with First Nations and others as requested.	No mapping has been groundtruthed and further work could include field work to confirm mapping done through photo interpretation (e.g. Level 2 mapping of eelgrass).
2.3. Undertake a review of Local Trust Committee-Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore.	Regional Planning Committee	Partially completed.	Inventory complete, model bylaws not adopted and could be considered for future work.

Policy Statement Goal A: 'To Foster preservation and protection of the Trust Area's ecosystems'

2. MARINE AND FRESHWATER STEWARDSHIP

Protect quality and quantity of fresh water resources of the Trust Area

Strategy	Responsibility	Comment	Implementation
2.4. Develop a regional freshwater management strategy that a. addresses responsibilities under the Water Sustainability Act, b. identifies water resources throughout the Trust Area, c. integrates water resource management into land use decision-making, and d. accounts for the impacts of climate change on island water resources.	Regional Planning Committee	Final Strategy presented to Trust Council in December 2021. Implementation could be part of future work planning.	Complete.
2.5. Map and develop water budgets for groundwater aquifers in the Trust Area.	Regional Planning Committee	Work complete on Hornby, Denman and Gabriola, and updating Salt Spring with new methodology. Completion expected by March 31, 2022. \$50,000 from Trust Council for this project. Current work mapping on Lasqueti, Bowen, Keats and Gambier islands.	In progress
2.6. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.	Regional Planning Committee	Delayed waiting outcome of groundwater mapping projects.	Not started

Policy Statement Goal B: 'To ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of trust area ecosystems'

3. CLIMATE CHANGE

Mitigate and adapt to climate change impacts

Strategy	Responsibility	Comment	Implementation
3.1. Amend the Islands Trust Policy Statement to add climate change mitigation, adaptation and resiliency policies.	TC/Executive/Trust Programs Committee	The Islands Trust released a "What we heard" Phase 1 public engagement report in July 2020 and Trust Council received the Phase 2 public engagement on Policy Directions results in 2021. The Islands 2050 Phase 3 public engagement process took place in March and April 2022. First Nations engagement continues throughout the project. In June 2022 Trust Council received an engagement report, requested staff make some changes to the draft and requested that TPC make further recommendations. Trust Council will receive recommendations in September 2022.	In progress
3.2. Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater.	Local Planning Services	Awaiting model bylaw from RPC- item 2 above. This is not budgeted for FY2020/21. No budget requested for FY 2022/23. This item not expected to be completed this term.	Not started
3.3 Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaption efforts.	Trust Programs Committee	Trust Programs Committee received a contracted report about climate indicators at the August 2020 meeting which it forwarded to Trust Council.	Delayed

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Improve community engagement and participation in Islands Trust work

Strategy	Responsibility	Comment	Implementation
4.1. Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council.	Executive Admin-IT		Substantially complete however this will be ongoing work for the Islands Trust as additional resources have not been allocated to ongoing broadcast/live streaming in the future and there is variability across the Trust Area in terms of broadband access.
4.2. Develop a new website and initiate a social media program.	Executive		Complete as a strategic item, now an operational undertaking.

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Improve community engagement and participation in Islands Trust work

Strategy	Responsibility	Comment	Implementation
4.3. Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area.	Trust Programs Committee	In 2020, TPC delivered a water conservation webinar, an eelgrass webinar and an ecosystem adaptation webinar. In February 2021, TPC delivered a groundwater licencing webinar. In 2021/22, TPC developed a "Living in the Islands Trust Area" mailing for for people new to the region. In March 2022 the package was mailed to 1000 homeowners and in May 2022 TPC voted to continue the mailings three times a year in 2022. A mailing in August 2022 went to 100 new homeowners.	In progress

Strengthen housing affordability throughout the Islands Trust Area

Strategy	Responsibility	Comment	Implementation
4.4 Implement the following high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council.	Trust Area Services/Local Planning Committee	See following	See following
4.4. i. Review the Islands Trust Policy Statement and give consideration to: a) giving affordable housing a greater profile for its role in sustainable communities b) including a reference to affordable housing in its policy direction to LTCs and municipalities.	TC/Executive/Trust Programs Committee	As described above the Policy Statement Amendment Project is underway. Engagement with First Nations continues.	In progress

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Strengthen housing affordability throughout the Islands Trust Area

Strategy	Responsibility	Comment	Implementation
4.4. ii. Review the Islands Trust Policy Statement to ensure that it: a) includes clear and well-thought out definition of affordability b) includes clearly articulated vision, goal and objectives for affordable housing c) gives affordable housing a greater profile for its role in sustainable communities d) includes a reference to affordable housing in its policy direction to LTCs and municipalities.	TC/Executive/Trust Programs Committee	As described above the Policy Statement Amendment Project is underway. The TPC affordable housing working group discussions informed the development of the Policy Directions report, the discussion paper for Trust Councils March 2021 meeting and draft amendments. Engagement with First Nations continues.	In progress
4.4. iii. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws.	Regional Planning Committee	Consultant Report received by Trust Council September 2021. Returned to RPC for additional work.	In progress
4.4. iv. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.	Regional Planning Committee		Not started. See 4.4.v.
4.4. v. Develop model bylaws to address the use of building stratas as a tool for affordable housing.	Regional Planning Committee	RPC has requested funding for FY2022/23 to hold workshop on housing issues to consider them all together. no separate request for this item was made.	Not Started

Strengthen relations with First Nations

Strategy	Responsibility	Comment	Implementation
4.5 Adopt a Reconciliation Declaration.	Trust Council	Adopted March 2019.	Completed

Policy Statement Goal C: 'To sustain island character and healthy communities'

4. COMMUNITY AND COMMUNICATION

Strengthen relations with First Nations

Strategy	Responsibility	Comment	Implementation
4.6. Adopt and implement a Reconciliation Action Plan.	EXEC/TAS/LPS	Trust Council received a 2019-2021 Reconciliation progress report in March 2021 and reconciliation actions are summarized in annual reports. Progress was made in the areas of training/organizational change and relationship development through the Policy Statement process. Further work is required to formalize and document agreements and protocol with Nations.	In progress
4.7. Develop a Trust Area-wide archaeological impact strategy and establish a Cultural Working Group.	Trust Area Services	A process has been developed with regard to chance finds in the Trust Area. The Cultural Heritage Working Group needs to be reconsidered and updated.	Ongoing
4.8 Develop heritage preservation overlay mapping for the Trust Area and model heritage regulatory bylaws for protection of potential heritage and cultural sites.	Regional Planning Committee	Phase 1 completed in 2021/22. Phase 2 is budgeted for Fiscal 2022/23 at \$72,000. Work has not yet begun due to consultant negotiations/access.	In progress

Policy Statement Goal D: 'Effective, efficient and collaborative governance'

5. GOVERNANCE

To improve and modernize the ability of the Islands Trust to regulate land use activity and work with others

Strategy	Responsibility	Comment	Implementation
5.1. Amend the Islands Trust Act or other legislation to: i. Allow for entry warrants ii. Grant authority to use municipal ticketing for development permit enforcement iii. Enable adoption of development approval information bylaws by local trust committee iv. Add First Nations to the list of bodies with whom the Trust works in cooperation v. Enable delegation to staff the issuance of development permits vi. Clarify foreshore zoning authority	Executive/LPC		Substantially complete
5.2. Provide a secretariat role to forums within the Trust Area.	Trust Programs Committee	Trust Council adopted the Secretariat Services policy in 2020. Trust Programs Committee co-hosted the Baynes Sound Lambert Channel Forum on May 30, 2020 and delivered support to coordination groups. In 2020/1 and 2021/22 and 2022/23 TPC allocated support to : - Southern Gulf Islands Forum, - Baynes Sound Lambert Channel Ecosystem Forum, - Coastal Douglas-fir Conservation Partnership, - Howe Sound AtI"ka7tsem Community Forum, and - Rural Island Economic Forum	In progress
5.3. Undertake a Governance and Management Review	Select Committee	Final report presented to Trust Council in March 2022. Governance Committee formed June 2022.	Recieved March 2022

Policy Statement Goal D: 'Effective, efficient and collaborative governance'

5. GOVERNANCE

To improve and modernize the ability of the Islands Trust to regulate land use activity and work with others

Strategy	Responsibility	Comment	Implementation
5.4 Implement a Trust Council Policy analysis, review, and amendment of deemed top priorities for consideration and approval by Trust Council.	Executive	Added March 2021 by amendment of Trust Council. To date 11 out of 18 policies marked for review have been amended and adopted.	In progress
5.5. Request additional funding from the Province	Executive	No active engagement underway with Province at this time.	Hold

To amend the Policy Statement

Strategy	Responsibility	Comment	Implementation
5.6. Amend the Policy Statement introductory and definitions sections.	TC/Executive/Trust Programs Committee		In progress
5.7. Determine if additional changes to the Policy Statement are desired by Trust Council.	TC/Executive/Trust Programs Committee	Pending Trust Council direction on next steps.	In progress

BRIEFING

To:	Trust Council	For the Meeting of:	August 3, 2022
From:	CAO	Date Prepared:	July 28, 2022
SUBJECT:	2022-2026 Trust Council Orientation Overview		

PURPOSE: To review key deliverables associated with the delivery of an orientation for trustees for the 2022-2026 term.

BACKGROUND: Staff are in the process of developing and refining the orientation process for the incoming Trust Council at the direction of Executive Committee (EC).

This report was provided to EC, who have redirected it to Trust Council for their information. Over the last number of months trustees as a whole and Executive and Governance Committee members have been asked for their feedback and suggestions for the upcoming orientation program for fall 2022. That work is ongoing.

To that end, we have reviewed the materials from the previous orientation process as well as the schedule of training that was implemented in 2018/19. Trustee education and orientation is a governance responsibility of the Executive Committee (EC). This report is an overview of the suggested approach. It will be supplemented over the next weeks into final form for EC concurrence. This allows other trustees, who have not commented yet, a chance to participate and also gives the Governance Committee an opportunity for suggestion as well.

1. Orientation in 2018: What was delivered to trustees?

- Inaugural meeting in December 2018
 - 12 sessions of approximately 1 hour each.
 - “The Big Picture
 - Trust Area Services review
 - Islands Trust Conservancy
 - Council Roundtable: What is important?
 - Administrative Services
 - Human Resources
 - Closed Sessions
 - Staying out of Trouble: Conflict, Bias, Freedom of Information (FOI)
 - Making Fair Decisions
 - Local Planning Session
 - Executive Committee (EC) candidate presentations and questions
 - Elections for EC and Islands Trust Conservancy Board
 - Associated staff/directors presented on their subject area, with the Chief Administrative Officer (CAO) delivering a general information session.
- Supplemental training (8 sessions) at the January 2019 meeting.
 - Local Trust Committee (LTC) planning and meetings
 - Trust Area Services
 - Islands Trust Conservancy
 - Budget 2019-2020
 - First Nations engagement and Reconciliation

- Strategic Planning
- Budget amendments
- Standards of Conduct
- EC training was held subsequent to the January meeting with an external consultant.
- 3 separate local planning sessions were held on a regional office basis that focused upon LTC meeting procedures.
- Development of a Starter Kit for each trustee that summarized all training and provided a reference guide for governance. This Starter Kit was installed on each trustee's new computer for ease of access over the term, or made available over WebDAV.

2. What worked?

- Comprehensive: the material was appropriate and comprehensive, covering the broad areas of responsibility for trustees and staff.
- Preparation for budgeting was effective given the narrow timeline prior to March budget.
- Feedback was generally positive from trustees on presentations and quality of information.
- The Starter Kit was initially a success.

3. What didn't work?

- Trustees indicated that it was too much information at once, hard to digest all of the material and difficult to sit in session for extended periods. There was not enough time to get to know other trustees.
- A number of trustees did not implement some of the orientation materials in conducting their work over the term calling into question the effectiveness of orientation training.
- Not enough information on the role of Executive Committee.
- The Governance Report of 2022 claimed that most trustees do not remember getting orientation or training for their roles, so as a consequence, the training was not effective.

4. New and key elements of upcoming Orientation

Given the previous orientation and lessons learned, as well as comments from current trustees, it is proposed that the approach for the upcoming term will include the following:

- Incorporate suggestions from Executive Committee, trustees and Governance Committee and recommendations associated with the Governance Review if applicable, in orientation.
- **Update the Starter Kits:** Reimagine the starter kits to refresh and excite trustees, include acronyms that are used at the Trust, discussion of strategic planning and integration with work planning, e.g. What is a project charter and how to use effectively, First Nations update, and dealing with the public. Final copies will be provided electronically and in binder form.
- To lighten the number of sessions and 'time at the table' for the initial meeting, we will **develop a series of webinar sessions on specific topics**, focused upon land use planning and local trust committee meeting management. Trustees will attend these sessions outside the Trust Council meetings in November and December.
- Develop more **time for discussion** and issue identification at the two initial Trust Council meetings.
- The use of more examples in training.
- Development of a **"Rookie Class"** to introduce common/basic concepts to new trustees exclusively. To be delivered electronically.
- A more limited, but more in depth, group of live sessions at the Trust Council meetings to focus on:

A. Governance: Process and structures to effectively make decisions and lead the organization.

- *Role of elected officials and staff*
- *Policy development*
- *Attendance and preparation for Trust Council and Local Trust Committees*
- *Participation on one of the Trust's Standing Committees*
- *A minimum number of LTC Meetings*
- *A minimum number of "office/public hours" for constituents*
- *Dealing with correspondence*
- *How to get the most out of a meeting?*

B. Governance/staff relations:

- *Who does what?*
- *How to work with staff*
- *How to deal with staff in public?*
- *What if things go wrong?*

C. First Nations and Reconciliation: Review of Islands Trust Reconciliation Declaration, discussion on how to adapt work to better include First Nation interests, protocol agreements and protocols. This session to be delivered by external contractor, Elder or knowledge holder with staff support.

D. Local Trust Committee preparedness

E. Council Committee System, Trust Area Services

F. Decision making, voting and meeting best practices

G. Conflict of interest, Freedom of Information, Confidentiality

H. Inclusion and Diversity

I. Budget and Finance

Schedule

There are two Trust Council meetings (scheduled in November and December) to provide trustee orientation. It is proposed that the first meeting is necessarily about big picture processes, collegiality, the protocol of office, taking of the oath and elections. The second session in December will have a more detailed approach and of course a focus upon the budget process and outcomes for March 2023.

ATTACHMENT(S):

1. 2018-2019 Schedule of Orientation

FOLLOW-UP: Update at next Executive Committee meeting.

Prepared By: R Hotsenpiller

Reviewed By/Date: Aug 30, 2022

Islands Trust Council Meeting Schedule

November 6 – 8, 2018

[Attachment 1. 2018 Orientation Schedule](#)

Location: Parkside Hotel and Spa, 810 Humboldt Street, Victoria BC

TUESDAY, NOVEMBER 6		WEDNESDAY, NOVEMBER 7		THURSDAY NOVEMBER 8	
		7:30	BREAKFAST Location: City Club Lounge 8 th Floor Tower B	7:30	BREAKFAST Location: City Club Lounge 8 th Floor Tower B
		8:30	Chair’s Welcome Remarks and Introductions Location: The Urban Ball Room - Main Floor	8:30	Budgeting The Urban Ball Room - Main Floor
		9:00	The Big Picture: An Overview of the Islands Trust	9:00	Local Planning Services Session Meeting procedures review, policy statement brief
1:00	VICTORIA OFFICE OPEN HOUSE Location: Suite 200 1627 Fort Street (2 nd floor)	10:00	BREAK	10:00	BREAK
Trustees pick up personalized computer and attend orientation session ½ hour drop in sessions (9 person capacity): • 1:30 – 2:00 • 2:30 – 3:00 • 3:30 – 4:00		10:15	Notice of Elections & Intent For Executive Committee & Islands Trust Conservancy	10:15	Elections Executive Committee and Islands Trust Conservancy
		10:45	Governance and Getting Things Done	11:00	Business Decision Items
5:00	SONGHEES NATION ADDRESS	12:00	LUNCH Location: City Club Lounge 8 th Floor Tower B	12:00	LUNCH Location: City Club Lounge 8 th Floor Tower B
Location: Urban Ball Room – Main Floor Parkside Hotel & Spa, 810 Humboldt Street		1:15	Council Roundtable – What’s Important	1:00	Town Hall Location: Urban Ball Room – Main Floor
5:30	SWEARING IN CEREMONY FOR TRUSTEES Location: Urban Ball Room – Main Floor	3:15	BREAK	1:30	ADJOURNMENT
6:00	Reception and Photos Location: Urban Ball Room – Main Floor Trust Council group photo and individual photos for website - Refreshments and appetizers	3:30	Trustee Questions & Answers	1:45	Executive Committee Meeting Location: Executive Boardroom Mezzanine Tower A
		4:00	Candidate Presentations and Questions from Trustees For Executive Committee and Islands Trust Conservancy		
		5:00	ADJOURNMENT		



Islands Trust Council Meeting Schedule [Attachment 1. 2019 Orientation Schedule](#) January 15 – 16, 2019

Location: Bastion Coast Hotel – Ballroom Lobby Level
11 Bastion Street, Nanaimo

Tuesday, January 15		Wednesday, January 16	
7:30	Breakfast	7:30	Breakfast
8:30	Executive Committee Meeting	8:30	Strategic Planning Session
9:00	Chair's Welcome		
9:15	Local Planning Services Session		
10:15	Break	10:00	Break
10:30	Trust Area Services Session	10:15	continued
11:30	Islands Trust Conservancy Session	11:00	Budget Amendments
		11:55	Staff Awards
12:30	Lunch	12:00	Lunch
1:30	Budget 2019-2020 Session	1:00	Business Decision Items and Town Hall
		2:00	Closed Meeting
3:00	Break	3:00	Break
3:15	Standards of Conduct / Conflict of Interest / Freedom of Information Session	3:15	Local Trust Committee Review Session
4:00	First Nations Session		
5:30	Adjournment	5:00	Adjournment



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 7, 2022

From: David Marlor, Director,
Legislative Services **Date Prepared:** August 31, 2022

SUBJECT: Bylaw Amendment to the Freedom of Information and Protection of Privacy Islands
Trust Council Bylaw No. 188 and Model Bylaw

RECOMMENDATION:

1. That Trust Council Bylaw No. 189, cited as “Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022, Amendment Bylaw No. 1, 2022” be given first reading.
2. That Trust Council Bylaw No. 189, cited as “Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022, Amendment Bylaw No. 1, 2022” be given second reading.
3. That Trust Council Bylaw No. 189, cited as “Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022, Amendment Bylaw No. 1, 2022” be given third reading.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The amendment to the Freedom of Information and Protection of Privacy bylaw is a technical amendment to correct a typographical error in the original bylaw.

1. **PURPOSE:** To correct a typographical error within Trust Council Bylaw No. 188, Schedule “A” – Schedule of Maximum Fees.,

2. **BACKGROUND:**

An error in a reference to a table section in the recently adopted Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022 was not caught until after adoption by Trust Council.

The amendment will replace in the column headed “Description of Service”, the words “For commercial applicants for each service listed in Item 1” with the words “For commercial applicants for each service listed in Item 2”.

Staff has administratively amended the model bylaw and this bylaw will be used as a template for local trust committees to consider replacing their Freedom of Information bylaws; however, for an actual adopted bylaw the only means to amend is by the bylaw process.

3. **IMPLICATIONS OF RECOMMENDATION**

ORGANIZATIONAL:

No organizational implications.

FINANCIAL:

No financial implications

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS:

Staff will update Trust Council FOI Bylaw.

FIRST NATIONS:

There is no impact on First Nations on the adoption of the new Freedom of Information and Protection of Privacy bylaw and model bylaw.

OTHER:

There are no other implications of the recommendation.

4. RELEVANT POLICY(S): N/A

5. ATTACHMENT(S):

1. Islands Trust Council Draft Bylaw No. 189 – Amendment to the Freedom of Information and Protection of Privacy Bylaw

RESPONSE OPTIONS

Recommendation:

1. That Trust Council Bylaw No. 189, cited as “Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022, Amendment Bylaw No. 1, 2022” be given first reading.

That Trust Council Bylaw No. 189, cited as “Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022, Amendment Bylaw No. 1, 2022” be given second reading.

That Trust Council Bylaw No. 189, cited as “Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022, Amendment Bylaw No. 1, 2022” be given third reading.

Alternative:

1. That draft Bylaw No. 189 be amended, and be read a first, second and third time.

2. That this report be referred back to staff for additional information.

Prepared By: David Marlor, Director, Legislative Services

Reviewed By/Date: Executive Committee/September 7, 2022

DRAFT

ISLANDS TRUST COUNCIL

BYLAW NO. 189

A BYLAW TO AMEND THE ISLANDS TRUST COUNCIL FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW

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

1. Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022 is amended as follows:
 - a) By amending Item 3 in “Schedule A – Schedule of Maximum Fees”, by replacing in the column headed “Description of Service”, the words “For commercial applicants for each service listed in Item 1” with the words “For commercial applicants for each service listed in Item 2”.
2. This Bylaw may be cited for all purposes as “Islands Trust Council Freedom of Information and Protection of Privacy Bylaw, 2022, Amendment Bylaw No. 1, 2022”.

READ A FIRST TIME THIS	_____	DAY OF	_____	, 20__
READ A SECOND TIME THIS	_____	DAY OF	_____	, 20__
READ A THIRD TIME THIS	_____	DAY OF	_____	, 20__
ADOPTED THIS	_____	DAY OF	_____	, 20__

SECRETARY

CHAIR

Top Priorities Report

Financial Planning Committee

1. Budget 2023/24: Draft 1 Review

Review Draft 1, version 1 of the 2023/24 budget on October 12, 2022
Review Draft 1, version 2 of the 2023/24 budget on November 30, 2022

Responsible

Clare Frater
David Marlor
Julia Mobbs

Dates

Rec'd: 01-Jun-2022
Target: 01-Dec-2022

2. Budget 2023/24 Public Consultation: Planning

Discussion of the Public Consultation plan begins at FPC's August meeting each year. Review of planned consultation materials and engagement platforms will continue at FPC's January meeting prior to consultation initiation that same month.

Responsible

Clare Frater

Dates

Rec'd: 01-Jun-2022
Target: 01-Jan-2023

3. Financial Policy Review

Review selected Trust Council financial policies:
·6.5.2 Budget Control and Adjustment Authority
·6.3.2 Special Property Tax Requisitions
·7.2.1 Trustee Remuneration

Responsible

Julia Mobbs

Dates

Rec'd: 16-Feb-2022
Target: 12-Oct-2022

1. GENERAL & FPC

In support of the Financial Planning Committee (FPC) we have completed work on the following standard annual areas of work:

- ~ **2021/22 Statement of Financial Information (SOFI):** The SOFI is complete and has been reviewed by FPC and forwarded to Trust Council for their approval. This is a legislated report that will be submitted to the Minister in accordance with the Financial Information Act.
- ~ **2022/23 First Quarter Financial Report:** We have completed the June 30, 2022 first quarter financial report which tracks actual financial performance against budget for the first three months of the fiscal year. This report showed that overall Islands Trust is spending largely as expected, at 24% of budget spent in the first quarter.
- ~ **2022/23 June 30, 2022 Forecast:** We have completed an initial forecast based on June 30, 2022 actuals which shows the Islands Trust will have a reduced draw on General Revenue Surplus due mainly to increase in forecasted interest income and delays in strategic plan projects.

The next FPC meeting will be held in October 2022 with a focus on the start of the 2023/24 budget cycle, specifically regarding assumptions and principles to be applied in the budget for next year. A plan to review select financial policies at this meeting is also in the works.

2. FINANCE

Finance staff have continued to provide coverage for specific human resource and administrative duties in the face of staff vacancies and capacity pressures in that area. They continue to orient new staff on financial processes relevant to their work at the Trust, such as proper submission of electronic expense claims, travel reimbursements, and procurement practices.

Since our last report, the following public procurement processes have been undertaken by the Province in conjunction with Islands Trust staff:

- Coastal Douglas Fir Protection - RFP closed July 4, 2022
- Hornby Island OCP Review - RFP closed July 25, 2022
- Dell Server - ITQ closed June 16, 2022
- Tape Autoloader - ITQ closed June 16, 2022

3. EMPLOYEE SERVICES/HUMAN RESOURCES (HR)

We have completed several hiring actions and internal position updates this quarter, resulting in the following changes to the Islands Trust team:

- ~ Chloe Cookson joined Islands Trust as the new LPS Administrative Assistant on July 14, 2022. Chloe will be providing administrative assistance to both Bylaw Enforcement staff and southern office planning staff. Chloe recently graduated from the University of Victoria (UVic) with a major in writing and a minor in English. She previously worked for UVic in the Faculty of Education.
- ~ On July 25, 2022, we welcomed Devin Snider to Islands Trust as the new Administrative assistant for the administrative services team... Devin worked in the print industry for over nine years in sales, customer service, production and production management and previously worked with Elections BC. Devin went to the Alberta College of Art & Design (Alberta University of the Arts), majoring in Media Arts & Digital Technology.
- ~ Stefan Cermak has re-joined Islands Trust on August 15, 2022 as the Director, Planning Services. Stefan will provide leadership for planning services and contribute significantly to overall management of the Islands Trust. Stefan has a MSc in Planning from the University of Toronto and has demonstrated a commitment to ongoing learning.
- ~ On August 25, 2022, Anthony Fotino joined our Salt Spring Island office as our new Island Planner. He has a Bachelor in Urban, Regional and Rural Planning from Concordia University and a Diploma of Collegial Studies in Architecture from Saint-Laurent College.

We are currently in the process of hiring for three vacant positions:

- ~ We are in the final stages of completing the Regional Planning Manager for Local Planning Services, we anticipate a start date of mid September 2022.
- ~ Planner 2, Local Planning Services is currently in the written assignment stage, we hope to have this position completed with a start date in the middle of September.
- ~ Bylaw Enforcement Officer was posted August 30, 2022 and will close September 20, 2022.

Our All Staff Meeting this quarter took place on June 28, 2022 and was our first in person gathering. Russ Hotsenpiller, CAO provided staff with an update on Trust Council activities and presented quarterly awards and recognition to staff. In the afternoon, Harold Joe, cultural knowledge holder, provided an interpretive tour to [Ye'yumnuts](#), a sacred ancestral place of the Cowichan people. The session was an excellent learning opportunity and received positive feedback from all. The next all staff meeting will be in late September.

4. INFORMATION SERVICES (IS)

Information Services continues to support a hybrid workforce, and ongoing service improvements.

Specific project milestones completed over the last quarter include:

- ~ Successful installation of corporate server and backup system.
- ~ Successful implementation of SOLR search engine, providing faster and more accurate search results, replacing native WordPress search and improving overall site performance.

- ~ Completed redesign and implementation of improved search dialogues, including site search and document library filters, providing a more intuitive interface along with easier access to document library.
- ~ Complete evaluation of Local Government Development Application Processing (LGDAP) RFP and awarded contract to CityView. CityView to lead configuration, implementation and ongoing support of their off-the-shelf Development Application Approvals software solution. Project kickoff in September 2022, with completion date anticipated for May 30, 2023.
- ~ Completed 2022 orthophoto acquisition for Lasqueti Island. Bowen Island Municipality imagery to be acquired through a data sharing agreement with Metro Vancouver Regional District.

Continued focus is directed towards the following:

- ~ Succession planning for the Information Systems Coordinator position continues, with the retirement of Dave Beeston looming. Discussions regarding the optimal use of staff time versus contractor time for the work this role performs is underway.

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 20, 2022
From: Financial Planning Committee **Date Prepared:** August 31, 2022
SUBJECT: 2021/22 STATEMENT OF FINANCIAL INFORMATION (SOFI)

RECOMMENDATION:

That the 2021/22 Statement of Financial Information be approval as presented/amended.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The SOFI is an annual legislated reporting requirement which is informative for all trustees. As such, communication of this report to Trust Council is appropriate as desired by the Financial Planning Committee.

1 PURPOSE:

The Statement of Financial Information (SOFI) is provided to Financial Planning Committee for information, prior to submission to the Ministry of Municipal Affairs ("the Ministry"). It has been historical practice at Islands Trust that Financial Planning Committee forward the SOFI to Trust Council prior to submitting the report to the Ministry.

2 BACKGROUND:

In June of each year, Trust Council receives the audited Financial Statements for the Islands Trust. These are subsequently included in the Islands Trust Annual Report and forwarded to the Ministry.

The SOFI is an associated financial report that provides more detailed information with respect to expenditures included in the financial statements. The SOFI report is prepared as per the Financial Information Act (FIA) Guidance Package requirements and parameters. The reporting components and deadlines are defined in the Financial Information Act (the "Act"). Section 2 (3) of the Act states the following:

"Within 6 months after the end of each fiscal year of a corporation, it must prepare a statement of financial information for that fiscal year that includes the following:

(a) a schedule showing

(i) in respect of each employee earning more than a prescribed amount, the total remuneration paid to the employee and total amount paid for the employee's expenses, and

(ii) a consolidated total of all remuneration paid to all other employees;

(b) a schedule showing

(i) the total amount paid to each supplier of goods or services during the fiscal year that is greater than a prescribed amount, and
(ii) a consolidated total of all other payments made to suppliers of goods or services during that fiscal year.”

The Islands Trust Finance Officer prepares this financial information annually. Following review by the Director, Administrative Services and Financial Planning Committee, the report is submitted to the Ministry to fulfill the legislated requirement.

It has been historical practice at Islands Trust that Financial Planning Committee forward the SOFI to Trust Council prior to submitting the report to the Ministry.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: The SOFI will be submitted to the Ministry by September 30, 2022 to ensure compliance with legislated deadlines.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S): None.

5 ATTACHMENT(S): 2021/22 Statement of Financial Information

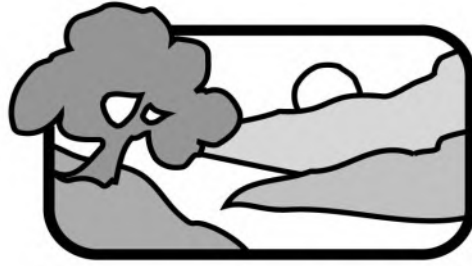
RESPONSE OPTIONS

Recommendation:

That Trust Council approve the 2021/22 Statement of Financial Information as presented.

Prepared By: Nancy Roggers, Finance Officer

Reviewed By: Wanda Boden, a/Director, Administrative Services



Islands Trust

STATEMENT OF FINANCIAL INFORMATION APPROVAL

The undersigned represents the Trust Council of Islands Trust and approves all the statements and schedules included in this Statement of Financial Information, produced under the *Financial Information Act*.

Peter Luckham
Chair, Islands Trust Council



Islands Trust

The Financial Statements contained in this Statement of Financial Information under the Financial Information Act ("the Act") have been prepared by management in accordance with generally accepted accounting principles or stated accounting principles, and the integrity and objectivity of these statements are management's responsibility. Management is also responsible for all the statements and schedules, and for ensuring that this information is consistent, where appropriate, with the information contained in the financial statements.

Management is also responsible for implementing and maintaining a system of internal controls to provide reasonable assurance that reliable financial information is produced.

The Islands Trust Council is responsible for ensuring that management fulfils its responsibilities for financial reporting and internal control and exercises this responsibility through the Audit Committee of Trust Council. The Audit Committee meets with management and the external auditors two times a year.

The external auditors, KPMG, conduct an independent examination, in accordance with generally accepted auditing standards, and express their opinion on the financial statements. Their examination does not relate to the other schedules and statements required by the Act, including the Statement of Financial Information. Their examination includes a review and evaluation of the corporation's system of internal control and appropriate tests and procedures to provide reasonable assurance that the financial statements are presented fairly. The external auditors have full and free access to the Audit Committee of Trust Council and meet with it twice each year.

On behalf of Islands Trust,

Wanda Boden
Acting Director, Administrative Services



Islands Trust

SCHEDULE OF GUARANTEE AND INDEMNITY AGREEMENTS

Islands Trust has not given any guarantees or indemnities under the Guarantees and Indemnity Regulation.

STATEMENT OF SEVERANCE AGREEMENTS

There were no severance agreements made between Islands Trust and its non-unionized employees during fiscal year 2021/22.

Prepared under the Financial Information Regulation, Schedule 1, Subsection 6 (7).

On behalf of Islands Trust,

Wanda Boden
Acting Director, Administrative Services



SCHEDULE OF REMUNERATION & EXPENSES FOR TRUSTEES

For the year ended March 31, 2022

Prepared as required by Financial Information Regulation, Schedule 1, section 6

ELECTED OFFICIAL		POSITION	TOTAL REMUNERATION & TAXABLE BENEFITS	EXPENSES
Adams,	Linda	ITCB Provincial appointee	\$ 1,200	-
Allen,	Alexander	Trustee	11,612	-
Brent,	Paul	Trustee	10,956	-
Busheikin,	Laura	Trustee	12,927	787
Clake,	Donald	ITCB Provincial appointee	150	-
Colbourne,	Scott	Trustee	20,965	-
Critchley,	David	Trustee	12,227	520
Dodds,	Jeanine	Trustee	12,777	238
Fast,	Sue Ellen	Trustee, Council Vice Chair	42,877	3,462
Fenton,	Lawrence	Trustee	12,270	947
Grove,	Peter	Trustee	35,044	323
Johonston,	Peter	Trustee	9,670	120
Kaile,	Michael	Trustee	4,214	-
Langereis,	Kees	Trustee	21,365	235
Luckham,	Peter	Trustee, Council Chair	59,093	5,385
Maude,	David	Trustee	12,877	(149)
McConchie,	Benjamin	Trustee	15,372	-
Middleton,	Lee	Trustee	9,856	-
Morrison,	Deborah	Trustee	15,872	-
Patrick,	Laura	Trustee, Council Vice Chair	73,116	2,256
Peterson,	Timothy	Trustee	11,520	-
Rockafella,	Tahirih	Trustee	12,608	-
Rogers,	Dan	Trustee, Council Vice Chair	50,224	2,101
Scott,	Grant	Trustee	11,712	380
Smith	Risa	ITCB Provincial appointee	600	590
Stamford,	Kate-Louise	Trustee, ITCB Chair	14,401	2,570
Thorn,	Cameron	Trustee	9,216	-
Wolverton,	Jane	Trustee	13,808	809
Wright,	Stephen	Trustee	9,316	681
TOTAL			\$ 527,845	\$ 21,256



SCHEDULE OF REMUNERATION & EXPENSES FOR EMPLOYEES

For the year ended March 31, 2022

Prepared as required by Financial Information Regulation, Schedule 1, section 6

EMPLOYEE	POSITION	TOTAL REMUNERATION & TAXABLE BENEFITS	EXPENSES
Beeston, David	Information Systems Coordinator	\$ 82,302	-
Cermak, Stefan	Regional Planning Manager	104,497.06	1,389
Chadwick, Narissa	Island Planner	85,278.81	2,264
Dingman, Warren	Bylaw Enforcement Manager	75,156.66	3,249
Emmings, Kate	Manager, Islands Trust Conservancy	96,413.85	1,061
Frater, Clare	Director of Trust Area Services	110,728.87	1,972
Garbo, Louisa	Island Planner	85,742.65	1,488
Hippola, Dilani	Senior Policy Advisor	89,193.53	1,033
Hotsenpiller, Russel	Chief Administrative Officer	184,066.97	607
Kauer, Heather	Regional Planning Manager	97,405.30	2,259
Kojima, Robert	Regional Planning Manager	107,542.06	387
Marlor, David	Director, Local Planning Services	123,248.54	3,172
Mobbs, Julia	Director, Administrative Services	126,659.49	2,043
Shulba, William	Senior Freshwater Specialist	79,753.72	545
Smith, Bradley	Island Planner	93,445.64	3,817
Stockdill, Kimberly	Island Planner	84,652.10	365
Thiel, Carmen	Legislative Services Manager	103,256.53	1,603
Van Bakel, Mark	Senior Technical Analyst	90,324.40	117
Wilcox, Lisa	Senior Intergovernmental Policy Analyst	81,115.87	-
Youmans, Jason	Island Planner	84,174.63	-
TOTAL OVER \$75,000		\$ 1,984,959	\$ 27,370
TOTAL \$75,000 OR LESS		2,250,690	\$ 46,781
GRAND TOTAL		4,235,648	\$ 74,150



Islands Trust

RECONCILIATION OF EMPLOYEE REMUNERATION AND EXPENSES TO THE FINANCIAL STATEMENTS

For the year ended March 31, 2022

The variance between the Schedule of Employee Remuneration and Expenses (“the Schedule”) to the Annual Financial Statements is attributable to a number of factors including:

- The Schedule is prepared on a cash basis whereas the Financial Statements are prepared on an accrual accounting basis.
- The Schedule includes amounts paid for gross salary and wages, unused vacation payouts, and taxable benefits only.
- The Financial Statements includes employer-related payroll costs such as remittances for CPP, EI, EHT, pension plan contributions, etc.

On behalf of Islands Trust,

Wanda Boden
Acting Director, Administrative Services



SCHEDULE OF PAYMENTS TO SUPPLIERS

For the year ended March 31, 2022

Prepared as required by Financial Information Regulation, Schedule 1, section 7

SUPPLIERS NAME	AMOUNT PAID
AHNE STUDIOS	\$ 61,171
AON REED STENHOUSE	208,140
BC HYDRO CAD	54,005
BLACKMAN SUPPORT SERVICES	97,428
CAPITAL REGIONAL DISTRICT	33,842
CARRINA MASLOVAT	45,503
COLLIERS MACAULEY NICOLLS	295,373
ECONICS SERVICES INC	90,300
ESRI CANADA LIMITED	26,678
GREAT NORTHERN MANAGEMENT	78,750
INLAILAWATASH GP LTD	54,772
ISL ENGINEERING & LAND SERVICES LTD	63,541
MORAN COASTAL & OCEAN RESOURCES INC	62,603
MINISTER OF FINANCE - EMPLOYEE BENEFITS	1,078,174
MINISTER OF FINANCE - QUEENS PRINTER	59,987
NAUT'SA MAWT TRIBAL COUNCIL	61,404
PACIFIC BLUE CROSS	39,534
RECEIVER GENERAL - TRUSTEE REMUNERATIONS	91,707
SHANNON COWAN CONSULTING	63,255
SHAW BUSINESS SOLUTIONS	40,445
SHI CANADA	45,662
YOUNG ANDERSON	264,873
TOTAL PAYMENTS OVER \$25,000	\$ 2,917,147
TOTAL PAYMENTS \$25,000 OR LESS	\$ 764,726
GRAND TOTAL	\$ 3,681,873



Islands Trust

RECONCILIATION OF PAYMENTS FOR GOODS AND SERVICES TO THE FINANCIAL STATEMENTS For the year ended March 31, 2022

The variance between the Schedule of Payments to Suppliers of Goods and Services (“the Schedule”) to the Annual Financial Statements is attributable to a number of factors including:

- The Schedule is prepared on a cash basis whereas the Financial Statements are prepared on an accrual accounting basis.
- The schedule includes disbursements for purchases of capital assets, which are not included in expenses in the Financial Statements.
- The Schedule includes GST paid to suppliers, where applicable, whereas the annual Financial Statements do not.
- The Schedule excludes disbursements for staff and trustee remuneration, as well as non-cash amortization expense, whereas these items are included in the Financial Statements.

On behalf of Islands Trust,

Wanda Boden
Acting Director, Administrative Services

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: September 20, 2022

From: Financial Planning Committee

Date Prepared: August 4, 2022

SUBJECT: Q1 JUNE 30, 2022 FINANCIAL REPORT

RECOMMENDATION:

That Trust Council approve the June 30, 2022 Financial Report as presented/amended.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The first quarter financial report indicates that Islands Trust is generally following the financial plan for 2022/23.

1 PURPOSE:

To summarize the findings of the June 30, 2022 quarterly financial report.

2 BACKGROUND:

Islands Trust *Policy 2.3.3 Financial Planning Committee Terms of Reference* requires the Financial Planning Committee to report to Trust Council on the organization's financial management practices. Quarterly financial reports are prepared by staff, reviewed by FPC, and presented to Trust Council as part of this requirement.

FINANCIAL REPORT FINDINGS

The benchmark for non-tax revenue sources and operational expenditures after three months of operations can be estimated at 25% of the annual budget. As at June 30, 2022 Islands Trust has consumed a net 22% of the annual approved budget which is slightly below expected expenditures. Individual areas may experience overspending or underspending based on activities in the year to date. Individual revenue and expense items that vary significantly (where significance is determined as more or less than 10%, and more or less than \$5,000) from the 25% benchmark include:

REVENUES

Total Revenue is lower than the benchmark by -\$1,828,982 (-21%) due to the property tax levy, special property tax requisition and Bowen property tax levies not being received in Q1. The full amount of all levies will be received in July of 2022.

Provincial Grant - Unrestricted is higher than budget by \$48,000 (102%) due an additional distribution of grant funds to Local Governments by the Provincial Government. Islands Trust received \$48,000 more than the \$180,000 expected in April 2022.

Federal and Provincial Grants – Restricted is lower than the benchmark by -\$70,270 (-12%) due to decreased expenditures as revenue is recognized as work is performed. There were no expenditures associated with the Local Government Development Approvals Program (LGDA) grant funds due to work on the related competitive process during Q1.

Property Tax Levy General was lower than the benchmark by -\$1,827,466 (-25%) due to the levy not being received in Q1. The full amount of the property tax levy will be received in July, 2022.

Special Property Tax Requisition was lower than the benchmark by -\$15,000 (25%) due to the requisition not being received in Q1. The full amount of the special property tax requisition will be received in July, 2022.

Property Tax Levy Bowen was lower than the benchmark by -\$80,942 (-25%) due to the levy not being received in Q1. The full amount of the Bowen property tax levy will be received in July, 2022.

Investment Income was higher than the benchmark by \$4,240 (21%) due to rising interest rates. Investment revenue will increase as levy and requisition funds are received in July, 2022 and are invested then drawn down throughout the fiscal year to fund operations. Investment income will continue to be higher than budget for fiscal 2023 as interest rates on GIC investments have increased and budget was calculated using interest rates in effect when the budget was approved.

EXPENSES BY FUNCTIONAL AREA

COUNCIL

Total Council expenses include costs related to three main areas: Trust Council; Executive Committee; and Trust Area Services; as well as an allocation of administrative expenses. In aggregate and inclusive of the admin allocation these expenses were lower than the benchmark by -\$35,166 (-2%).

Trust Council costs are comprised of the TC and TC committee meetings; elections and by-elections; portion of insurance attributed to TC activities; portion of legal expenditures attributed to TC legal advice; training specific to TC, governance management and operations review, and the TC portion of trustee remuneration and benefits. Total Trust Council spending to June 30, 2021 is \$66,388 (14% of budget), which is lower than the benchmark by -\$49,002 (-11%). Elections expenditures have not yet begun and will take place in Q2.

LOCAL PLANNING SERVICES (LPS)

Total LPS expenses include costs related to five main areas: Local Trust Committees (LTCs); LPS Projects; LPS Staff; LPS facilities; and Bylaw enforcement; as well as an allocation of administrative expenses. In aggregate and inclusive of the admin allocation, these expenses were lower than the benchmark by -\$211,186 (-3%).

LPS Projects costs are comprised of all LTC projects, housing initiatives, groundwater recharge mapping, heritage overlap mapping, LG Development Approvals program and includes all SSIWPA expenses. This area of spending was lower than the benchmark by -\$113,701 (-14%) as expenditures are expected to occur in the remainder of this fiscal year. Project underspending is partially offset by overspending for the Weston Lake project totaling \$19,794 (66%). The budget for this project represents a continuation of work that was started in Fiscal 2022 and completed during Q1.

TRUST CONSERVANCY (ITC)

Total ITC expenses include costs related to three main areas: Board expenses; Operations expenses; and Property management expenses; as well as an allocation of administrative expenses. In aggregate and inclusive of the admin allocation, these expenses were higher than the benchmark by 10,710 (1%).

ITC Board costs are comprised of ITC board meeting expenses, honoraria and training for board members. Board expenses were under expectation by -\$1,408 (-15%) due to board meeting expenditures that are expected to occur in future quarters.

Property Management costs are comprised of ITC property management expenses and ITC conservation planning and land securement expenses. Property management expenses were under the benchmark by -\$16,365 (-10 as property management activities did not ramp up until summer this year due to poor spring weather.

GENERAL ADMINISTRATION

Total general administrative expenditures include costs related to six main areas: Executive office; Administrative services; Office Operations; Information systems; Computer, Furniture and Equipment; and Amortization expense. General administration costs are allocated to the three functional areas of the Trust (Council, LTC Services, and ITC) based on their relative dollar magnitudes for the period. In aggregate these expenses were higher than the benchmark by \$16,635 (1%). There are no significant variances, for individual categories, in expenditures of more or less than 10%.

CONSOLIDATED EXPENSES BY OBJECT

Public Sector Accounting Standards determine that financial reporting for government entities be reported “by function” (i.e.: service area) in the Statement of Financial Operations as presented in the earlier section of this report. Expenses “by object” (i.e.: type) are reported in accompanying financial statements notes. For purposes of greater transparency and understanding of Islands Trust financial results, June 30, 2022 expenses by object are shown as follows:

Expense	2022/23 Approved Budget	Actuals to 6/30/2022	% of Budget Consumed
Staff Salaries and benefits	5,461,757	1,330,800	24.4%
Office Operations	1,031,150	249,442	24.2%
Council and trustee costs	882,054	202,779	23.0%
Elections	141,000	0	0.0%
Programs	1,244,230	164,962	13.3%
Legal - General	48,784	20,206	41.4%
Legal - Bylaw Enforcement	80,795	22,125	27.4%
Legal - Litigation	85,551	12,966	15.2%
Legal - Statutory Notices	17,850	2,708	15.2%
Travel/training and recruitment	141,187	42,415	30.0%
Subtotal	9,134,358	2,048,404	22.4%
Amortization	168,000	41,544	24.7%
Total Expenses	9,302,358	2,089,947	22.5%

Staff salaries and benefits costs and *Office operations costs* are tracking as expected.

Council and trustee costs are less than the benchmark due to Trust Council meetings that will be spent in subsequent quarters.

Programs costs are less than the benchmark due to strategic projects and LTC project delays where expenditures are expected to occur later in the fiscal year.

Legal expenses overall for general, bylaw, litigation and statutory notices are tracking as expected at a total of 25% spent in the Q1.

Traveling/training and recruitment costs are over the benchmark due to increased staff travel for ITC property management activities in Q1 and for planning activities as LTC meetings are held in person. In addition, there have are increased training costs as staff catch up on training after having taken minimum training over the last 2 years due to COVID 19 restrictions.

Amortization costs are tracking as expected.

4 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None. Expenditures to June 30, 2022 are within the overall Islands Trust annual approved budget.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: None. Managing staff at Islands Trust and Islands Trust Conservancy will continue to receive financial reporting on their respective areas of oversight throughout the year.

FIRST NATIONS: None.

OTHER: None.

5 RELEVANT POLICY(S):

Islands Trust Policy 2.3.3 Financial Planning Committee Terms of Reference
Bylaw No. 185, Islands Trust Financial Plan Bylaw, 2022-2023

6 ATTACHMENT(S):

June 30, 2022 Financial Report

RESPONSE OPTIONS

Recommendation:

That Trust Council approve the June 30, 2022 Financial Report as presented/amended.

Alternative: None.

Prepared By: Nancy Roggers, Finance Officer
Reviewed By: Wanda Boden, a/Director, Administrative Services

Islands Trust

Detailed Statement of Operations

For The 3 Months Ending June 30, 2022

Expected % of Budget Received/Used as at Report date = 25%

Exceptions: Grant revenue, property tax levies, other revenues, project spending

Variances > +/- 10% include explanations

Description	Approved Budget	YTD Actual	\$ budget not yet received/spent	% of budget received/spent
Revenue:				
Fees & Sales	264,724	43,638	(221,087)	16%
Provincial Grant - Unrestricted	180,000	228,000	48,000	127%
Federal and Provincial Grants - Restricted	580,500	74,855	(505,645)	13%
General Property Tax Levy - All LTAs	7,309,863	-	(7,309,863)	0%
Special Property Tax Requisition - SSI LTA	60,000	-	(60,000)	0%
Municipal Property Tax Levy - Bowen Island Municipality	323,769	-	(323,769)	0%
Investment Income + Other Income	20,001	9,240	(10,586)	46%
Total Revenue	8,738,857	355,733	(8,382,949)	4%
Council Expenses				
Trust Council	461,562	66,388	(395,174)	14%
Executive Committee	107,872	26,138	(81,734)	24%
Trust Area Services	621,118	166,297	(454,821)	27%
General Admin Allocation - 14%	339,254	88,463	(250,791)	26%
Total Council Expenses	1,529,806	347,286	(1,182,520)	23%
Local Planning Services				
Local Trust Committees	767,575	184,391	(583,184)	24%
Projects (Note 1)	804,800	87,499	(717,301)	11%
Planning Staff	2,858,258	620,238	(2,238,020)	22%
LPS Facilities	361,889	90,979	(270,910)	25%
Bylaw Enforcement	371,410	95,803	(275,607)	26%
General Admin Allocation - 74%	1,471,492	368,760	(1,102,732)	25%
Total Local Planning Services Expenses	6,635,424	1,447,670	(5,187,754)	22%
Trust Conservancy				
Board	9,625	998	(8,627)	10%
Conservancy Staff and Associated Costs	710,999	194,135	(516,864)	27%
Property Management	164,330	24,717	(139,613)	15%
General Admin Allocation - 12%	252,173	75,142	(177,031)	30%
Total Trust Conservancy Expenses	1,137,127	294,992	(842,135)	26%
General Admin				
Senior Management	432,337	114,488	(317,849)	26%
Admin Services	493,394	134,555	(358,839)	27%
Office Operations	326,855	61,926	(264,930)	19%
Information Systems	564,634	161,541	(403,093)	29%
Computer/Furniture & Equipment	77,700	18,312	(59,388)	24%
Amortization Expense	168,000	41,544	(126,456)	25%
General Admin Recovery	(2,062,920)	(532,365)	1,530,555	26%
Total General Admin Expenses	-	-	-	
Total Expenses	9,302,357	2,089,947		22%

For The 3 Months Ending June 30, 2022

Expected % of Budget Received/Used as at Report date = 25%

Exceptions: Grant revenue, property tax levies, other revenues, project spending

Variances > +/- 10% include explanations

Description	Approved		\$ budget not yet received/spent	% of budget received/ spent
	Budget	YTD Actual		
YTD Surplus (Shortfall)	(563,500)	(1,734,214)		
Amortization Adjustment	(168,000)	n/a		
Capital Adjustment	n/a	16,751		
Adjusted surplus (Shortfall)	(395,500)	(1,717,464)		
Transfer from General Surplus Fund	183,500	1,642,832		
Transfer from LTC Project Specific Reserve Fund	143,600	33,238		
Transfer from Special Tax Requisition Fund	68,400	41,394		
	395,500	1,717,464		
Net Balance	0	0		

Note 1:

Projects made up of:

SSIWPA - Coordination	60,000	11,425	(48,575)	19%
SSIWPA - Weston Lake	30,000	27,294	(2,706)	91%
SSIWPA - Water Protection Plan	38,400	14,100	(24,300)	37%
LTC Projects - allocated budget funds	143,600	33,238	(110,362)	23%
Housing Initiatives	5,000	-	(5,000)	0%
Groundwater Recharge Mapping	86,800	1,443	(85,357)	2%
Heritage Overlap Mapping	74,000	-	(74,000)	0%
LG Development Approvals Program	367,000	-	(367,000)	0%
TOTAL	804,800	87,499	(717,301)	11%



BRIEFING

To: Trust Council **For the Meeting of:** September 8, 2022
From: Financial Planning Committee **Date Prepared:** August 24, 2022
SUBJECT: FINANCIAL FORECAST AS AT JUNE 30, 2022

PURPOSE:

To provide Trust Council with an overview of forecasted financial performance to the end of the current fiscal year, to support their responsibility for financial management oversight.

BACKGROUND:

The forecasted financial results for March 31, 2023 have been prepared based on actual financial performance to June 30, 2022, plus estimates of forecasted spending for the remainder of the fiscal year.

DESCRIPTION	ANNUAL BUDGET	YTD ACTUALS AT JUNE 30, 2022	FORECAST TO MARCH 31, 2023	FORECAST OVER (UNDER) BUDGET \$
TOTAL REVENUE	8,738,857	355,733	8,804,910	66,053
OPERATING EXPENSES	8,303,357	1,939,918	8,375,540	72,183
CAPITAL	77,700	18,313	77,700	0
PROJECTS	921,300	131,717	780,316	(140,984)
TOTAL EXPENDITURES	9,302,357	2,089,948	9,233,555	(68,802)
SURPLUS (SHORTFALL)	(563,500)	(1,734,215)	(428,645)	134,855

Revenues are forecast to be The June 30, 2022 forecast reflects a projected shortfall of \$428,645, which is \$134,855 less than the budgeted shortfall of \$563,500. Revenue is forecast to increase due to additional unrestricted provincial grants and increased interest income. Operating expense has increased due to forecast collective agreement costs, offset by forecast savings in projects.

An explanation of the significant revenue and expenditure areas contributing to this variance are as follows (where significance is determined as greater than or less than 10% from budget, and greater than or less than \$5,000 from budget).

Revenues:

Revenues are forecasted to come in at a net \$66,053 higher than budgeted due to:

- Fees & Sales – forecasted to be \$44,724 under budget due to less application revenue received. Forecast was estimated based on revenue received during April 1 to July 30.
- Interest Income – forecasted to be \$104,463 higher than budget due to increased interest rates on guaranteed investment certificates. As further increases are expected to be announced on September 7, 2022, therefore investments in GICs will not be made until after that announcement to maximize investment income.
- Provincial Grant Income Non Regional District Grant – forecast to be \$48,000 higher than budget due to additional funding received from the Provincial Government in April 2022.
- Provincial Grant Income R – forecast to be \$7,314 higher than budget for grant received for the Denman Farm Plan.
- Provincial Grant Income R LGDA – forecast to be \$50,000 under budget to match the forecast decrease in expenses for the Local Government Development Application project as work is delayed to the next fiscal year under this multi-year grant.

Expenditures:

Total expenditures are forecast to be \$68,802 under budget.

Significant areas of under spending and overspending include:

- Meeting Streaming Services – forecast overspending of \$15,000 due to new service contract.
- LTC Trustee Accounts – forecasted underspending totaling \$10,262 on LTC accounts for Trustee Expenses, LTC Meeting Expenses, APC Meeting Expenses and Special Projects due to consistent historical underspending in these accounts over the past 10 years.
- Notices (Statutory & Non Statutory) – forecasted underspending totaling \$7,019 due to historical underspending in this account over the past 5 years
- Office Rent – forecasted overspending totaling \$6,500 due to increases in Victoria office lease caused by higher insurance premiums paid by landlord that are passed down to lesser, higher than budgeted costs for the Northern office where new lease at a higher rate was renewed starting November 2022, and where Trustee Offices were paid for approximately 3 months of this fiscal year but not included in the budget due to termination of leases on these spaces.
- Salaries and Benefits – forecasted overspending totaling \$52,048 due to the following factors where underspending has been offset by overspending:
 - Forecast overspending of \$66,775 due to a potential BC General Employee Union (BCGEU) increase, budgeted at 2% and included in this forecast at 3.76%. Trustees should be aware that the BCGEU percentage increase is currently unknown as contract negotiations continue to take place;

- Underspending due to vacancies during the year including the Salt Spring Regional Planning Manager, Director - Planning Services, Senior Intergovernmental Policy Advisor and various planning positions; and
- Overspending due to additional resources for Local Planning and Administrative Services;
- Mobile Devices – forecasted overspending totaling \$28,000 due to increased contract rates. Budget was based on a discounted rate that was received in the prior year.
- Projects - forecasted underspending of \$140,984. This includes \$74,000 forecast underspend in Strategic Plan Projects due to Heritage Overlay Mapping project delays. Within Operational Projects there is a forecast \$50,000 underspend in Local Government Development Approvals Program where this amount is expected to be spent in fiscal 2023/24. This project is funded by restricted grants.

Other variances are not considered significant for the purposes of reporting.

CONCLUSIONS:

The approved budget for fiscal year ending March 31, 2023 included approved expenditures of \$9.3M. Current forecasted spending for the year is expected at \$9.2M, which is under by \$0.1M

The forecasted draw from surplus \$0.351M, which is \$0.045M less than the budget draw from surplus of \$0.396M.

ATTACHMENT:

- **First Quarter Forecast to June 30, 2022**

FOLLOW-UP: n/a

Prepared By: Nancy Roggers, Finance Officer

Reviewed By: Wanda Boden, Acting Director, Administrative Services

ISLANDS TRUST

Q1 Forecast to March 31, 2023

Based on actuals as at June 30, 2022

Acct #	Description	Annual Budget	YTD Actuals at June 30, 2022	Forecast to March 31, 2023	Forecast Over (Under) budget \$
REVENUES					
40300	Fees & Sales	264,724	43,638	220,000	(44,724)
44001	Federal Grant Income R	213,500	68,097	213,500	0
45000	Provincial Grant Income Non R	180,000	228,000	228,000	48,000
45001	Provincial Grant Income R	0	6,758	7,314	7,314
45003	Provincial Grant Income R LGDA	367,000	0	317,000	(50,000)
46000	Property Tax Levy General	7,309,863	0	7,309,863	0
46200	Special Levy Property Tax Requisition	383,769	0	383,769	0
48000	Interest Income	20,001	9,065	124,464	104,463
49000	Other Income "General"	0	175	1,000	1,000
Total Revenue		8,738,857	355,733	8,804,910	66,053
EXPENSES					
50500	Admin Cost Recovery	(2,062,920)	(532,365)	(2,062,920)	0
50700	Admin Support Services	2,062,919	532,365	2,062,919	0
50900	Amortization Expense	168,000	41,544	168,000	0
50950	Applications Sponsored by EC	4,000	0	4,000	0
50951	NAPTEP Applications Sponsored by EC	1,000	0	1,000	0
50960	History and Heritage Funding Grants in Aid	4,000	4,000	4,000	0
51000	Audit	20,000	330	20,000	0
51500	Bank Charges & Interest	4,000	637	4,000	0
52500	Board of Variance	1,200	0	1,200	0
54000	Committee Expense FPC	800	0	800	0
54100	Committee Expense RPC	800	0	800	0
54200	Committee Expense TPC	800	0	800	0
54500	Communications	61,291	4,237	61,291	0
54580	FN Protocol Funds	5,004	0	5,004	0
55105	SW Support and Licensing	80,400	21,939	80,400	0
55200	Internet	47,800	11,907	47,800	0
55500	Technical Support	94,715	24,011	94,715	0
55510	Meeting Streaming Services	0	3,618	15,000	15,000
56500	Contract Services	140,600	7,426	140,600	0
57000	Elections	141,000	0	141,000	0
60000	Insurance	192,000	47,960	192,000	0
61100	ITC "Board Honoraria"	6,600	850	6,600	0
61200	ITC "Board Meeting Expense"	1,425	14	1,425	0
61210	ITC "Board Training & Conferences"	1,600	130	1,600	0
61300	ITC "Property Management"	137,780	17,179	137,780	0
61500	Conservation Planning & Land Securement	26,550	7,538	26,550	0
61600	ITC "Ecosystem Mapping"	18,000	0	18,000	0
62000	Land Title Registrations	0	1,102	4,406	4,406
63000	Legal "General"	48,784	20,206	48,784	0
63100	Legal "Bylaw Enforcement Litigation"	80,795	22,125	80,795	0
63200	Legal "Litigation Defence"	85,551	12,966	85,551	0

ISLANDS TRUST

Q1 Forecast to March 31, 2023

Based on actuals as at June 30, 2022

Acct #	Description	Annual Budget	YTD Actuals at June 30, 2022	Forecast to March 31, 2023	Forecast Over (Under) budget \$
65000	LTC - Trustee Expense	4,501	585	2,340	(10,262)
65050	LTC "Executive Expense on LTC's"	12,000	2,578	12,000	
65200	LTC Local Exp LTC Meeting Expenses	32,399	7,361	29,445	
65210	LTC Local Exp APC Meeting Expenses	4,860	1,115	4,462	
65220	LTC Local Exp Communications	5,000	1,790	5,000	
65230	LTC Local Exp Special Projects	4,749	0	0	
67000	Meeting Expense	66,600	1,173	66,600	0
67500	Memberships	13,899	4,114	13,899	0
68100	Notices Statutory & Non Statutory	17,850	2,708	10,831	(7,019)
69000	Office Rent	394,500	105,281	401,000	6,500
69005	Office Services	61,000	11,291	61,000	0
70000	Postage & Courier	9,595	2,059	9,595	0
74000	Recruitment	6,000	1,545	6,000	0
74900	Safety	5,000	1,660	5,000	0
75100	Salaries - Admin Staff	2,232,803.00	558,943	5,513,805	52,048
75110	Benefits - Admin Staff	567,132.00	140,853		
76100	Salaries - Planners & RPMs	1,409,006.00	328,537		
76110	Benefits Planners & RPMs	357,887.00	82,878		
77100	Salaries Planning Support	433,987.00	105,342		
77110	Benefits Planning Support	110,232.00	26,551		
78100	Salaries Bylaw	279,673.00	70,038		
78110	Benefits Bylaw	71,037.00	17,658		
79000	Stationary & Supplies	31,400.00	8,382	31,400	0
79500	Subscriptions	6,660.00	292	6,660	0
80100	Telephone	12,100.00	3,093	12,100	0
80300	Mobile Devices	16,490.00	6,569	28,000	11,510
81100	Training "Organization Wide"	5,000.00	567	5,000	0
81200	Staff Meetings and Recognition	13,600.00	4,600	13,600	0
81300	Training & Conferences	43,425.00	7,507	43,425	0
81305	Travel for Training	16,035.00	5,217	16,035	0
82300	Travel	57,127.00	22,979	57,127	0
84100	Trustee Remuneration	554,424.00	138,482	554,424	0
84110	Trustee Remuneration "CPP Expense"	20,177.00	5,261	20,177	0
84120	Trustee Remuneration Health/Dental Benefits	40,885.00	10,221	40,885	0
84140	Trustee Remuneration Pay In Lieu of Benefits	1,000.00	250	1,000	0
84150	Trustee Remuneration "Employer Health Tax"	9,141.00	2,719	9,141	0
84500	Trustee Remuneration "Executive on LTC's"	1,689.00	0	1,689	0
Operating Expenses Subtotal		8,303,357	1,939,918	8,375,540	72,183
CAPITAL					
55101	Computer H/W & S/W	67,000	17,831	67,000	0
55101	Computer HW for new trustees	7,500	0	7,500	0
69101	Furniture and Equipment Capital	3,200	481	3,200	0
Capital Subtotal		77,700	18,313	77,700	0

ISLANDS TRUST

Q1 Forecast to March 31, 2023

Based on actuals as at June 30, 2022

Acct #	Description	Annual Budget	YTD Actuals at June 30, 2022	Forecast to March 31, 2023	Forecast Over (Under) budget \$
PROJECTS					
	LTC Projects Funded by LTC Reserve Fund	143,600	45,660	135,322	(8,278)
	LTC Projects Funded by Special Requisition Surplus	68,400	41,394	65,694	(2,706)
	LTA Work Funded by Special Requisition (SSIWPA)	60,000	11,425	60,000	0
	Strategic Plan Projects	275,800	33,238	195,800	(80,000)
	Operational Projects	373,500	0	323,500	(50,000)
	Projects Subtotal	921,300	131,717	780,316	(140,984)
	Total Expenditures	9,302,357	2,089,948	9,233,555	(68,802)
	Surplus (shortfall)	(563,500)	(1,734,215)	(428,645)	134,855
	<u>Funded by:</u>				
	Transfer (to) from (Contribution to) General Revenue Surplus Fu	183,500		149,929	
	Transfer (to) from LTC Project Specific Reserve Fund	143,600		135,322	
	Transfer (to) from Special Tax Requisition Fund	68,400		65,694	
	Net Surplus (Shortfall)	(168,000)	(1,734,215)	(77,700)	
	Add back Amortization Expense	168,000			
	(not taxed, so removed for purposes of balancing approved budget)				
	Add back Capital Expenditures			77,700	
	(not expensed in year of purchase, so removed from actuals)				
	Balance	0	(1,734,215)	0	
	TOTAL draw from surplus funds	395,500		350,945	(44,555)

BRIEFING

To: Trust Council

For the Meeting of: September 7, 2022

From: Financial Planning Committee

Date prepared: August 31, 2022

SUBJECT: 2023/24 DRAFT BUDGET ASSUMPTIONS AND PRINCIPLES (BAP), TIMELINES

PURPOSE:

To discuss and develop the assumptions and principles upon which the next fiscal year's budget will be based. The assumptions and principles provide the underlying basis for developing many of the individual revenue and expense budget lines.

BACKGROUND:

Trust Council's [Policy 6.3.i Budget Process Policy](#), section C.2.d states that “*Budget Principles and Assumptions shall be addressed in December of each year*”.

Initial review of the BAP by Trust Council takes place in September each year, to inform Trustees of the preliminary assumptions and principles that Financial Planning Committee will use in developing the first draft of the next fiscal year budget.

In some cases the assumptions and principles are well-defined and unlikely to change during the budget development process. Other assumptions and principles are less certain at this point, and will likely be amended during the budget development process. At their August meeting, FP recommended the addition of assumptions and principles associated with Reconciliation actions and communication and engagement.

ATTACHMENT(S):

1. 2023-24 Draft Budget Assumptions and Principles (BAP)
2. 2023-24 Draft Budget Timelines

FOLLOW-UP:

The BAP will be updated and amended as new and better information becomes available. The revised document will be presented to Trust Council in December 2022 after review by FPC.

Prepared By: Wanda Boden, a/Director, Administrative Services

Reviewed By:

ISLANDS TRUST

2023/24 Draft Budget Assumptions and Principles

September 2022

Draft Budget Development Process:

During the budget cycle, each line of the detailed draft budget is reviewed by the responsible manager, giving consideration to previous years' spending and future work programs and services (including Trust Council's Strategic Plan initiatives). Planning staff review planning project needs with Local Trust Committees and identify top priorities and senior staff review project recommendations with Trust Council's committees and Executive Committee. The Islands Trust Conservancy Board requests budget funding levels appropriate to support the goals in its Regional Conservation Plan and other fiscal initiatives. Directors review their respective Committee work programs, policy requirements and operational needs to ensure activities are appropriately funded. The Director, Administrative Services reviews the detailed spending and projects costs on behalf of the organization with respect to completeness and accuracy and compiles the detailed budget for the year. The draft budget detail is reviewed and by the Islands Trust management team prior to being submitted to the Financial Planning Committee for review and consideration. A first draft of the budget is forwarded to Trust Council in December of each year, or in the case of election years, the following January.

REVENUES			
	ITEM	ASSUMPTION/PRINCIPLE	DATA SOURCE
1	Fees and Sales	Budgeted fees revenue has historically been based on an average of previous years' actual revenues, adjusted for trends identified by the Director, Planning Services. In June 2021, Trust Council amended their Application Processing Services Policy 5.6.1 which includes a revised Model Fees Bylaw for consideration by LTCs. LTCs have adopted and implemented new Fees. Budgeted fees revenue for 2023/24 will be based on the following: - Estimated application volumes, by type and by LTA, based on fiscal 2022/23 - Estimated application fees by type and by LTA, as determined by Trust Council's revised model bylaw approved in June 2021. Model Fee bylaw adopted with minor amendments in all Local Trust Areas to the exception of the Lasqueti LTA. The Lasqueti LTC is scheduled to consider the draft fees bylaw amendments August 29, 2022.	Historical application volume levels seen in pandemic-impacted fiscal years. Model Fees Bylaw as approved in Trust Council's Application Processing Services Policy 5.6.1. Estimated will be adjusted if/as LTCs adopt new application processing fees in advance of the final budget draft.

2	Provincial Grant Funding - Unrestricted	Unrestricted grants are given without restrictions dictating how the funds must be spent. The Provincial grant funds received by Islands Trust annually are unrestricted. These grants are recorded as revenue when they are received. Assumed that unrestricted grant funding from the Province will be received, and that the value will remain consistent with prior years. Although there is a Trust Council resolution to request more funds from the Province, no work has progressed on this task and progress is unlikely in the short term. As such, no increase in funds is anticipated at this time.	Prior year funding levels.
3	Provincial Grant Funding – Restricted	Restricted grants have restrictions dictating how the grant funds must be spent by the receiver. These grants are recorded as revenue only when eligible expenses have been incurred. In Fiscal 2021/22, Island Trust was awarded a grant of \$367,795 under the 2021 Local Government Development Approvals Program. Assume following spending schedule associated with this grant: F2021/22 - \$183,897 received, nil spent F2022/23 – Planned spending \$317,795 F2023/24 – Planned spending \$50,000 The planned spending in F2023/24 will be reflected as revenue in the draft budget, along with the related expenses the grant will pay for.	Signed grant agreements between: - ITCB and Habitat Conservation Trust Foundation (HCTF) Other grants as identified and approved.
4	Federal Grant Funding – Restricted	Restricted grants have restrictions dictating how the grant funds must be spent by the receiver. These grants are recorded as revenue only when eligible expenses have been incurred. ITC has been awarded a multi-year grant totaling \$597,000 for work related to Species at Risk in the Trust Area. This grant was signed in October 2020. Of the total funding awarded, \$205,000 relates to work to be performed in fiscal 2022/23. As such this amount is recognised as revenue in the draft budget, along with the related expenses the grant will pay for. Related expenses are included in their appropriate area of spending and are not shown separately as their own line item.	Signed grant agreement between ITCB and Environment and Climate Change Canada .

5	Property Taxes - General	Assumed property tax revenue will be required to balance the Islands Trust budget. Assumed the full balance requisitioned will be received by Islands Trust under normal timelines. It is assumed that there will be increased pressures on taxation in the coming budget year as a result of: - Reduced minimum balance surplus levels, meaning less funds available to draw from to balance the budget as has been historical practice of the Trust. - Anticipated increases in the operating budget - Anticipated increases in project budgets	Draft budget expenditures less amortization expense, less other revenue sources.
6	Property Taxes - Non-Market Change (NMC) in Tax Base	The property tax base within the Islands Trust Area will grow due to new development activity and changes in use. Assumed that jurisdictions 763 and 764 remain an appropriate representation of the NMC within the total Trust Area.	Draft 1, Version 1 of the budget retains the previous budget's NMC values. BC Assessment report provided in December each year indicates non-market growth for the Trust Area and is updated in the draft budget at that time.
7	Property Taxes - Special Requisitions	Assumed SSI LTC will request by way of resolution, a special levy to continue the SSIWPA work (to be considered	Trust Council Policy 6.3.2 Special Property Tax Requisitions SSI LTC resolution pending
8	Property Taxes - Bowen Island Municipality	Assumed relevant policy regarding this requisition will remain unchanged.	Trust Council Policy 7.2.6 Municipal Property Tax Requisition Calculation
9	Investment Income	Assumed interest income will be higher than older historical levels due to rising interest rates. Assumed Islands Trust will continue to invest in conservative investments in line with legislation. Assumed sustainable investment vehicles will be secured for a portion of invested funds to align with Trust values.	Islands Trust Act, Community Charter , current interest rate trends and investment advisor information.
10	Other Grant Funding	Islands Trust will continue to monitor grant opportunities available for corporate work, but does not expect significant new inflows of revenue from this source. Any budgeted revenue from grant funds for projects will be offset by a budgeted expense for the same amount, to ensure appropriate conservatism in the budget.	Current grant programs available to Islands Trust and historical inflows of grant funding, adjusted for change in staff hours dedicated to the grants function in light of job description revamp associated with this position.

EXPENSES			
	ITEM	ASSUMPTION/PRINCIPLE	DATA SOURCE
11	Inflation	The cost of goods and services will rise in line with inflation. Application of this assumption is not applied in a direct manner whereby all expenses are increased by a percentage. Rather, where real spending trends are analysed for purposes of generating a budget figure, historical averages are most frequently rounded upwards, with special considerations given to expenditure types experiencing higher than typical increases, including standard rates for contractors where work is most often completed by external parties (i.e.: strategic plan projects).	Consumer Price Index (CPI) for Victoria, as reported for the month of December by BC Statistics (based on Statistics Canada data), to assess if current inflation accommodations are appropriate.
12	Staffing Levels	Assumed Island Trust management will bring forward funding requests for additional staff positions if desired, or revised staffing complements that result in budget increases. Decreased staffing levels may result in a reduced level of services, functions, or quality of work. New functions or services may require either additional staffing or the deletion of some existing functions or service levels.	Current staffing levels, plus potential forthcoming new staff requests.
13	Staffing Salaries and Benefits	Assumed that staff will continue to be appointed subject to the <i>Public Services Act</i> and the <i>Public Service Labour Relations Act</i>, in accordance with the <i>Islands Trust Act</i>. Assumed costs for staff salaries and benefits will rise in accordance with relevant legislation and union agreements.	Public Service Labour Relations Act (all staff). Public Services Act and PSA Policy on salary administration for management employees (exempt staff). BCGEU union agreement (union staff). Public Service Agency (benefits costs/rate, all staff) – based on prior year benefit rate in the absence of information from PSA whose timing is delayed due to provincial budget delays.
14	First Nations Engagement and Reconciliation	First Nations engagement and reconciliation activities should be integrated into Islands Trust work and budget development. All business cases should include consideration of First Nations engagement needs (e.g. capacity funding, relationship building opportunities) and opportunities to advance reconciliation and identify associated costs.	Identification of staff/contractor time and other resource needs

15	Engagement and Communication	Public engagement and communication needs should be considered for all projects. All business cases should include consideration of public engagement and communications needs (e.g. engagement tools, communication products, advertising, graphic design) and identify associated costs.	Identification of staff/contractor time and other resource needs
16	Trustee Remuneration	Assumed that no changes will be made to the guiding policy for Trustee Remuneration. Assumed that the number of meetings requiring payment to trustees will increase due to the addition of the Governance Committee, but that meetings requiring payment to trustees for the other three Trust Council Committees, FPC, TPC and RPC, will remain similar to fiscal 2022/23 figures.	TC Policy 7.2 Trustee Remuneration. (census information 2016 (V1/2021 V2), stats Canada CPI information, Folio information from BC Assessment)
17	Office Facilities	Assumed that office locations for staff will remain in Victoria, on Salt Spring Island and on Gabriola Island. Islands Trust has signed a 2 year lease with Northern Island office landlord. During this time management will continue to explore opportunities to share office space with other Provincial agencies in Nanaimo, BC. With the adoption of a more remote workforce at the Trust, real estate needs on Gabriola Island may shift, providing an opportunity to re-evaluate our needs in the current climate. Consideration of retaining a presence in Gabriola Island in a smaller capacity is part of the ongoing assessment. Early discussions with the landlord of the Salt Spring Island Office (BC Hydro) indicates likely shrinking the available office space which will disrupt work in the office and lead to changes in lease. At the direction of Trust Council office leases for space for trustees on the following islands were terminated during Fiscal 2022/23: Denman, Mayne, Pender and Saturna Islands. Discussion regarding current leased space on Galiano should take place with Galiano trustees after the October election to assess ongoing need for this space.	TC Policy 7.4.4 On-Island Trustee Offices. Existing multi-year office leases.

18	Planning Services	Assumed that Islands Trust Council will continue to provide sufficient funding for LTCs to carry out their primary function of land-use planning and regulatory activities within their local trust area, as permitted by the <i>Islands Trust Act</i>. OCP and LTC project budgets are distributed between LTCs as they seek funding for various projects. Smaller projects with estimated costs less than \$5,000 continue to be funded by the lump sum budget for LTC project work which LTCs can draw from throughout the year. OCP and LTC projects with estimated costs greater than \$5,000 will require a funding request from the LTC, for consideration by Trust Council.	Local Planning Services Review 2018 TC's Strategic Plan 2018-2022 TC Policy 5.9.1 Best Management Practices for Delivery of Local Planning Services to Local Trust Committees
19	Planner Resource Allocation	Draft amendments to Trust Council policies 6.2.1 (Priority Setting) and 6.7.1 (Work Programs, FUAs, and Priority Charts) forwarded to Trust Council for consideration in September 2022.	LPS Review 2018 TC's Strategic Plan 2018-2022 Implementation TC Policy 6.2.1 and 6.7.1
20	Strategic Plan Projects	Assumed projects underway as part of the current strategic plan will be seen through to completion.	TC's Strategic Plan 2018-2022
21	Elections Cost	No Election in Fiscal 2023/24	
ITEM		ASSUMPTION/PRINCIPLE	DATA SOURCE
22	General Surplus	Assumed that general surplus will be used to reduce tax burden leaving the general revenue surplus at the minimum level under Trust Council Policy.	TC policy 6.5.1 Reserves and Surplus , section D.6, amended, recommends a minimum level of General Revenue Surplus as "2.4 months (or 20%) of expenses net of 2.4 months of revenue, excluding revenue from property taxes or the provincial grant".
23	LTC-Specific Reserve Fund	Assumed Trust Council will continue to make use of the LTC-Specific Reserve Fund.	Estimate from DLPS based on known and anticipated projects.
24	Special Property Tax (SSIWPA) Surplus Fund	Unknown at this time if the SSI LTC unspent special property tax balance at fiscal 2023 end will be requested for spending in the 2023/24 budget.	TC resolution #2020-086 SSI LTC resolutions pending

25	Significant Unusual Circumstances	The COVID-19 pandemic is ongoing. The ramifications of this are likely to continue in some capacity into fiscal 2023/24, impacting the way in which we do business. Many of the new processes that have been adopted during the pandemic will continue permanently in some capacity in the future. Significant new processes expected to continue into fiscal 2023/24 include: - Hybrid meeting models for public meetings and some internal staff meetings - A more remote workforce, which may impact office real estate needs The impacts of these factors will be captured in the budget as much as is possible to estimate.	Provincial Health Officer restrictions, Islands Trust CAO and management team, Trust Council and Council Committee resolutions

Resolutions Referenced, in order of mention:

TC 2020-086

THAT Trust Council authorize the Salt Spring Island Local Trust Committee to use unspent special property tax requisition funds from previous fiscal years to undertake water sustainability projects that do not require coordination through the local trust committee's (LTC's) delegated authority under Trust Council Bylaw No. 154.

ISLANDS TRUST
BUDGET CYCLE TIMELINE

Fiscal Year: 2023/24

Date	Activity
July-Aug, 2022	LTCs, Council Committees, SSIWPA start discussion of upcoming fiscal year priorities and work programs with planning staff, including project proposals for consideration as 'additional operations' (ie: potential special requisitions)
August 31, 2022	Financial Planning Committee meeting Budget Cycle Timeline: FPC reviews and approves the Budget cycle timeline. BAP: FPC reviews first draft of Budget Assumptions and Principles (BAP) Public Consultation: FPC discussion of planned changes/improvements to the budget Public Consultation process.
Week of Sept 6, 2022	Departmental budget templates deployed: Budget documents distributed to all Managers for development of departmental budgets. Budget Requests Development: Managers develop and review budget requests with staff for input and feedback into the budget process. Other Agency Consultation: DAS begins consultation with Bowen Island Municipality and Islands Trust Conservancy.
Sept 20-22, 2022	Trust Council meeting Discussions at this meeting may help inform budget decisions.
Oct 12, 2022	Financial Planning Committee meeting BAP: FPC reviews updated BAP. Budget Draft 1, V1: FPC reviews and discusses Draft 1, Version 1 of the budget. Budget Requests: FPC reviews business cases for budget funding requests and makes recommendations to staff on which requests to include/remove from the draft budget.
Nov 1-3, 2022	Trust Council meeting New Council/Trustees Orientation
Nov 4 - 22, 2022	Budget Draft 1, V2: Staff make revisions to budget draft as directed by FPC. Continued research and planning to improve estimates for proposed operational changes. LTC Project Specific Reserve Fund: Planning staff develop budget proposals on behalf of LTCs for estimates of LTC Specific Reserve Fund requirements. Special Tax Requisitions: Preparation for potential local tax requisitions for individual LTCs (see policy 6.3.ii Special Property Tax Requisition).
Nov 30, 2022	Financial Planning Committee meeting BAP: FPC reviews updated BAP to be forwarded to December Trust Council. Budget Requests: FPC reviews amended and new budget request business cases to be forwarded to Trust Council in December. Budget Draft 1, V2: FPC reviews Draft 1, Version 2 of the budget to be forwarded to Trust Council in December. LTC requests: FPC reviews any specific requests coming from LTCs as part of the budget draft review.
Dec 6-8, 2022	Trust Council meeting BAP: Trust Council endorses Budget Assumptions and Principles. Budget Draft 1, V2: Trust Council discusses and debates draft budget, and provides direction for changes as determined necessary. Public Consultation: Trust Council endorses draft budget (as amended, if needed) for public consultation, and approves the Budget consultation process.
January 2023	Financial Planning Committee meeting (assumed) Budget Draft 2, V1: FPC reviews and discusses Draft 1, V1 of the budget which will be amended to reflect Trust Council's directions, as well as refined operational budgets to adjust for new and updated data. Other Agency Consultation: Consultation with Bowen Island Municipality and Trust Conservancy Board continue. Public Consultation on draft budget is conducted. Special Tax Requisitions: LTCs seeking funding for "additional operations" from a special tax requisition pass a resolution to do so.
February 2023	Financial Planning Committee meeting (assumed) Special Tax Requisitions: LTCs proposing a special tax requisition hold public consultation meetings. Public Consultation Review: FPC reviews results and feedback from the budget public consultation, and makes recommendations to budget changes from these results, as needed. Special Tax Requisitions: FPC makes recommendations on special requisitions. Budget Draft 2, V2: FPC reviews Draft 2, Version 2 of the budget to be forwarded to Trust Council for their March meeting
March 2023	Trust Council (assumed) Budget Approval: Trust Council approves the Budget along with the current year Property Tax Requisition, Bowen Municipality Tax Levy and LTC special tax requisitions. Bylaw Approvals: Trust Council approves Financial Plan bylaw and Revenue Anticipation bylaw. Minister's Package: Staff prepare a report on the budget for the Minister, and submit this report along with the approved financial bylaws for consideration by the Minister. Communications: Approved budget information is posted to the Islands Trust website and a news release rolled out.



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

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- 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 or _____ Council Committee

at the meeting of September 20

I REPRESENT Gulf Islands Alliance

(Name of Organization if applicable)

AS Board Member

(Capacity/Office)

NAME OF PRESENTER or Alternate Graham Brazier

ADDRESS Denman Island, B.C.

TELEPHONE NO.(s) [REDACTED]

E-MAIL [REDACTED]

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

Suggestions for material to be included in background material for newly-elected Trustees.

(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.

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Date: August 29, 2022

Signed: Graham Brazier
(Signature of Applicant)



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I wish to address Islands Trust Council or _____ Council Committee

at the meeting of September 20, 2022

I REPRESENT _____
(Name of Organization if applicable)

AS _____
(Capacity/Office)

NAME OF PRESENTER or Alternate Jennifer Margison

ADDRESS _____

TELEPHONE NO.(s) _____ E-MAIL _____

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

to present information gathered on the importation of potable water to the islands in r
of water

(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.
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Date: September 1, 202 Signed: _____
(Signature of Applicant)

How Many Straws Can You Stick in a Milkshake Before No One Gets a Sip?
Trucking of Freshwater to the Gulf Islands

As the summer of 2022 draws to a close, let's talk about water. Potable water specifically. There has been much coverage of water again in the news this summer. The drought in Europe is now the worst in 500 years, affecting two-thirds of the continent. Nearly all of Europe's rivers have dried up to some extent, affecting tourism, shipping and the energy sector where hydroelectric power has dropped by a significant 20%. Nuclear plants are being shut down as the water is too hot to cool the reactors. Other effects have been felt including wildfires crop failures, deaths from extreme heat and flooding where for example, one third of Pakistan is under water.

What about here at home in the southern coastal region? I had a look at historical drought information available on the BC Drought Information Portal. This portal provides a snapshot of the BC drought situation going back to 2015.

Early and/or prolonged drought is a theme in our area, with record-breaking temperatures, reduced snow packs and drought ratings of 4 and 5, with 5 being the most extreme. This likely will continue to be our climate reality. An appendix is attached to this presentation with more detailed descriptions and the link to the drought portal.

How can we determine and measure how the changing climate is affecting the islands in the Trust Area? Having heard the report on Gabriola trucked water provided to you last June by a Gabriola resident, Alix Hodson-Duggen and seeing water trucks on my own island, Galiano, I decided to see if more information could be compiled about the Trust Area's dependence on trucked water.

Why is this important?

Because both the 2003 Trust Policy Statement and the draft 2021 revised Trust Policy Statement include policies that state that islands in the Trust Area are to be self-sufficient in their supply of freshwater. If self-sufficiency of water is a Trust policy, then perhaps islands' reliance on imported water should be understood and monitored.

Let's look at what is happening on the ground - or on the road as it were. This preliminary information on trucked water was obtained by island residents asking water hauling companies and regional districts for information. This report does not include trucked deliveries of bottled water. We intend to pursue this research and will provide additional reports as we can obtain more information.

More investigation on this is needed including a more detailed breakdown of trucked water reliance by residential and by commercial customers, for example resorts. Also, it would be instructive to know more about why trucked water is needed by a customer. Is

it due to sudden well failure or predictable low levels or dry wells during the dry season? Is it as a result of salt water intrusion or well interference from use of a neighbouring well? Is it a dry season or an all-year requirement?

Starting with the northernmost island for which we have information and which was previously communicated to you, it was found that Gabriola in 2021 trucked in at least 9 million liters during the dry season, roughly May to October from two water hauling companies but there were also probable deliveries from two other companies. One company, Island Water began delivering twice a day in June 2021 and this continued for three full months.

As an update, this summer to the end of August, Island Water has been delivering twice a week to Gabriola. They mentioned that The Haven Retreat Centre on Gabriola receives daily deliveries of 18,184 liters from May to October. That alone is a staggering 3,273,120 liters in 6 months. I don't know if this resort built in 1983 ever relied on island water and clearly, they would build the cost of this trucked water into their program fees, but it is interesting to note this level of dependence on imported water.

In the Southern Gulf Islands, another company, South Island Water provides much, though not all of the water. They told me that Pender is the biggest customer with two trucks every week last summer. Over a four-month minimum dry season (June-Sept) in 2021, two trucks would have delivered 450,944 liters, though likely these deliveries started earlier and continued later. It was mentioned that last summer one resort on Pender had a delivery every week.

According to this company, Galiano was second in the amount of imported water in 2021 with one truck a week last summer, so over the same four-month period, that would have been 225,472 liters.

Mayne received deliveries about 3 times in the dry season and Saturna even less.

I was told that 50% of the calls last year were from residents who had either never had to order water before or only required it late in the summer. Of 10 calls for water, typically 7 would be for cisterns providing water for drinking and household use, 2 for swimming pools and 1 for construction sites for machinery or dust control.

One question I asked of the water companies was how sustainable is a reliance on their water delivery services on the Gulf Islands.

One company owner told me that the previous owners of the company were considering stopping delivery to the SGI due to a poor expense/revenue ratio. He says he is committed to continuing but that it is only a break-even situation for him due to time and ferry costs. His cost per delivery is a flat \$1250 but he says other companies from the mainland will charge \$1550 a delivery and levy additional charges for the ferry costs and time. His water all comes from the CRD filling station in Langford. The analogy "You can only put so many straws in a milkshake before no one gets a sip" is his.

The second company said their profit margin on deliveries to the Gulf Islands is marginal due to ferry and time costs. Last year, they were restricted by the Regional District in the amount of water they could buy.

One company owner mentioned the impact of blasting for development on nearby wells, resulting in good wells suddenly having no water. I asked him for his thoughts on rainwater catchment for potable water and he stated that you need to be very dedicated to do this - cleaning roofs and eaves and equipment and it takes a lot of time and is expensive.

It would appear according to this very preliminary look at water delivery to the islands, that contrary to the Trust Policy, many are not self-sufficient in their supply of freshwater. And it seems drought conditions according to all the science, will continue to worsen with climate change. Add to that escalating development and increased populations, both part-time and full-time, reliance on trucked water, whether it comes from on or off-island is a trend that the Trust should be watching carefully.

I believe this is a critical piece of information needed to assess the health of our islands' water resources and changes in groundwater, or surface water supplies as development increases along with the impact of climate change. Considerations of restrictions or even moratoriums on new growth for islands importing significant amounts of water may well be necessary - sooner rather than later. I hope that new and returning Trustees following the elections will give ecosystem health of the Trust Area the attention that was intended when the Islands Trust was created.

Respectfully,

Jennifer Margison, Galiano island, BC

Appendix 1 **Information from BC Drought Information Portal**

<https://www.bcsia.org/content/bc-drought-information-portal>

2015

2015 was the most significant drought in recent memory. The drought season started early with lower than normal snowpacks, which rapidly melted off early in the spring due to an early heat wave. Drought levels ramped up quickly due to hot dry conditions and much of the southern half of the province experienced severe drought, peaking in late August until rain eased the situation at the end of August. A drought rating of 3 on May 28 went to 4 on July 3 until August 20 when it went back down to 3 til sept. 17.

2016

2016 was an average year for most parts of the province. Vancouver Island was the most impacted but returned to normal conditions in mid-September. A drought rating of 3 on May 27 went to 4 on June 28, then back to 3 on July 14.

2017

In 2017, significant spring flooding delayed the start of the drought season in 2017. However, due to the almost total absence of rain in southern British Columbia from the beginning of June to the end of October, the 2017 season was one of the driest in recent memory with the peak of drought with a 4 rating occurring in October. Due to the late onset of dry conditions, impacts were less severe than in previous drought years.

2018

In 2018, due to relatively normal to high snow packs in the spring, early forecasts did not flag a drought risk for 2018. However, a heat wave in late spring rapidly depleted snow packs and caused freshet flooding earlier than normal. That, and the lack of precipitation from July to November, created extensive dry conditions across much of the province, sparing only the East Peace. 2018 was unusual in that the entire coast, including the northwest (an area that doesn't normally experience drought), were the most impacted by drought. In addition, dry conditions prevailed late into the fall, with many of the northern regions remaining at Level 2 and 3 well into November. July 26 had a 3 rating going up to 4 on Aug. 14 until Sept. 20.

2019

2019 There were lower than normal snow pack across much of the province and a very dry warm May. A dry June had record-breaking temperatures. In August, pockets of drought persisted across Okanogan and SE Vancouver Island. Record low flows in the Koksilah river near Duncan falling below the established Critical Environmental Flow Threshold.

2020

began with dry, cool conditions in March and April across much of the province. This helped to moderate snowpack levels somewhat, after a very snowy January and February. Very wet weather dominated the province in late May and most of June. By mid- August, most of southern B.C. started to experience extended summer dry spells. This led to pockets of dry to very dry conditions emerging on Vancouver Island, the southern Okanagan, and the Kootenays. Local drought conditions intensified into mid-September.

2021

In 2021, May and June had dry and warm conditions. At the end of June, the Heat Dome caused all-time maximum temperatures to be shattered, and the melting of the remaining snow pack and glaciers created high flows for high elevation watersheds. Drought conditions continued to deteriorate following the Heat Dome for Vancouver Island, south coast, and southern interior, including the Thompson/Okanagan, Kootenays and Cariboo with many watersheds experiencing very dry conditions by mid-July. The drought intensified into August and September with several streams falling below the Critical Environmental Flow Threshold for several weeks for the Vancouver Island, south coast and southern interior areas. Heavy rainfall returned to the province by mid-September, with several atmospheric rivers affecting the province in the month. Drought conditions began to improve by October as creeks responded to the rainfall accordingly.

2022

In 2022, as we try to recall when we last had rain in the Trust Area, the drought rating was just raised to Level 3 for East Vancouver Island.



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I wish to address Islands Trust Council or _____ Council Committee

at the meeting of 21 September, 2022

I REPRESENT _____
(Name of Organization if applicable)

AS _____
(Capacity/Office)

NAME OF PRESENTER or Alternate Michael Sketch

ADDRESS Pender Island

TELEPHONE NO. (_____) E-MAIL _____

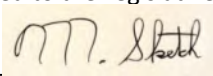
My reason(s) for appearing is (are) and the substance of my presentation is as follows:

Is the Trust effectively preserving and protecting fresh water?

(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.
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Date: 1 September, 2022 Signed: 
(Signature of Applicant)

**Delegation submission from Michael Sketch to Trust Council for the
evening session 7 P.M. - 9 P.M., Tuesday, 21 September, 2022
of the electronic quarterly meeting**

**Is the Trust effectively preserving and protecting freshwater?
If not, the corollary is overdevelopment.**

Councilors – I address preservation and protection of groundwater in the Trust Area and argue that Trust Area policies are ineffective for the purpose. Limited groundwater encourages or even requires importation of potable water, particularly for tourist accommodation in dry summers. Significant importation of potable water is almost certain evidence that the island is short of groundwater in zones where it is most needed.

For instance the City of Nanimo responded to an FoI request that the “Summer Rain” water haulage company, one of several delivering water to Gabriola Island, received 1.1 million imperial gallons in the dry summer months of 2121. Anecdotally, in the same period, 3100 gallons per day were delivered daily from Victoria to North Pender for one or more tourist accommodation zones. For less dry four month summers, 3100 gallons per week are delivered to Pender which is 244 thousand gallons.

A consequence of ineffective Trust Area policies respecting groundwater is frequent failure in both staff advice and LTC decisions to give priority to the effective determination of drilled well potable water quality and quantity before - and I stress before - consideration of zoned density.

For the important category of zoning for tourist accommodation units, density is the number of accommodation units per hectare. For instance on North Pender, density in the C2 Zone is the number of 600 sq ft cottages per hectare.

Once zoning is given, it is difficult to undo. Not under the Local Government Act, but because downzoning is politically unpopular.

C2 density and the number of C2 Zones on an island are important metrics for gauging ‘seasonal overdevelopment’. Island populations swell dramatically in the dry summer months when the parabola of freshwater under each island is being depleted, but not recharged.

The consequence of overdevelopment can be a failed well and potential for sea water intrusion, even for inland wells. Despite disadvantage for neighbourhood wells, challenged wells are too often hydrofractured.

It seems the Trust Area is more aware of the global freshwater shortage than we are locally. Internationally, rivers which should have the right to run are running dry. Access to freshwater is a driver for enduring conflict; a driver for conflicting interests.

It's been nearly five decades since the provincial legislature heard rationale for preserving and protecting the Gulf Islands based on a realistic threat of overdevelopment. But evidence of overdevelopment is manifest, particularly for Trust islands closest to cities.

Why should there be overdevelopment? The province gave legislation to control development, distinct from regional growth strategies in municipalities.

The Trust Area preserve and protect legislation is unique. Legislation which points the way to rights in law for elements of the natural environment. Which points the way to a duty of care owed by advice givers, decision makers and purveyors of the built environment to the very elements of the natural environment necessary to sustain anthropogenic development. For now, that duty of care should be implicit in all we do in the Trust Area.

The Islands Trust Act answered the threat of overdevelopment with a preserve and protect Object which is to be implemented in Trust Area policies of Council's Trust Policy Statement bylaw. I'll call it the TPS.

TPS policies must be effective in preserving groundwater; a foundation element of the natural environment. Groundwater is limited by rainfall and recharge capacity. It follows that the built environment must be limited.

Aquifers from which drilled wells divert freshwater are a valuable resource. It is argued that the atmosphere is increasingly contaminated with micron and sub-micron particulates, some toxic. Rain is not pristine and will become less so. Allowing rain to be filtered and probably improved in its passage to the aquifer is more likely to yield better potable water than direct collection from rooftops in above-ground plastic cisterns, with their own contribution to contamination.

Does TPS policy preserve and protect freshwater in the Trust Area?
If not, the corollary is overdevelopment.

At face value, TPS policies should protect. An islander who reads the TPS for evidence of protection of freshwater sees policies 4.4.1 and 4.4.2:

4.4.1 It is Trust Council's policy that islands in the Trust Area should be self - sufficient in their supply of freshwater.

But there are two caveats:

1) "should be self-sufficient" doesn't give the protection of "shall be self-sufficient" and

2) TPS policy 4.4.1 is a "Commitment of Trust Council", but in the "role of local trust committees" section of the TPS, we read that: "Local trust committees are not required to comply with any policy in the Policy Statement that is not a directive policy".

In other words, advice givers and decision makers in Local Trust Areas may ensure self-sufficiency of freshwater, but they don't have to.

4.4.2 – the 'policy component' reads: "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".

Although 4.4.2 is a promising directive policy, again there are two caveats:

1) The 'policy component' has a preamble, roughly that LTCs shall, in their policy and regulatory bylaws, address measures that ensure ... ('policy component' 4.4.2). Compliance is delegated to the Local Trust Area for implementation.

2) Policy 1.3.1 of the Trust Policy Manual gives instruction regarding directive policies of the TPS; that they should be addressed in OCP and regulatory bylaws unless reason is given by the Local Trust Area for not doing so.

In other words the Local Trust Area may adhere to TPS policy 4.4.2 but doesn't have to.

The caveats are devastating.

In my delegation submissions, I have given Trust Council reason to rewrite the structure and content of the TPS to give meaningful effect to Trust Area policies in individual Local Trust Areas.

Effective freshwater preservation and protection is needed in order that the Trust Area itself is preserved and protected.

At this final Council meeting for the trustee term, please move that the draft TPS rewrite I have submitted, or a functional equivalent, be accepted by Council for scrutiny and improvement in the next trustee term.

Michael Sketch


North Pender Island

Top Priorities Report

Trust Programs Committee

1. Policy Statement Amendment Project

Implement Policy Statement engagement plan and project charter (in support of Strategic Plan strategies 3.1; 4.4; 5.6; 5.7)

Responsible

Clare Frater
Dilani Hippola
Gillian Nicol

Dates

Rec'd: 21-Jun-2017
Target: 15-Oct-2022

2. Secretariat Role to Forums within the Trust Area

Administer Secretariat Services program. Strategic Plan item 5.2

Responsible

Clare Frater
Gillian Nicol

Dates

Rec'd: 20-Jun-2018
Target: 15-Oct-2022

3. Stewardship Education Program

Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area. (Strategic Plan strategy #4.3). This includes the Living in the Trust Area project guided by the project charter endorsed by TPC.

Responsible

Clare Frater

Dates

Rec'd: 13-Aug-2020
Target: 15-Oct-2022

Projects Report

Trust Programs Committee

1. *Update Crown Land Agreements*

Responsible

Date Received

Engage Bowen Island Municipality and the Province of B.C. in updating and consolidating existing agreements into one.

19-Jun-2014

2. *Community Benefit Land Trust Concept*

Responsible

Date Received

Further consideration of the Community Benefit Land Trust Concept briefing presented to TPC on February 5, 2021.

05-Feb-2021

BRIEFING

To: Trust Council **For the Meeting of:** September 20-22, 2022
From: Trust Area Services **Date Prepared:** August 24, 2022
SUBJECT: Legislative Monitoring Report, August 2022

PURPOSE: To provide Trust Council with a summary of past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects, as well as information about resources and issues of interest.

Caveat: This document is provided for convenience only and is not to be construed as a legal document or as legal advice.

BACKGROUND: The Legislative Monitoring Report was established in 2003 and was traditionally presented to Trust Council every six months. In October 2019, the Executive Committee requested that the report be provided quarterly at each Trust Council meeting. In February 2022, the Executive Committee requested that the report be provided every six months with the next one being March 2023.

The attached legislative monitoring report includes:

- Planned legislation;
- Legislation in process;
- Legislation in effect;
- Court decisions;
- New resources; and
- Discussion/Planning/Conservancy and Advocacy topics;

The report does not track private members' bills, except if introduced by Islands Trust Area Members of Legislative Assembly or Members of Parliament.

The report is updated using a range of sources, including Union of British Columbia publications, the websites of the Legislative Assembly of BC and the Parliament of Canada, provincial and federal news releases, the Canada Gazette, and a variety of websites and RSS news feeds.

ATTACHMENT(S): Legislative Monitoring Report, August 2022

FOLLOW-UP: Staff will follow-up as requested. Staff will provide the report to Bowen Island Municipal Council.

Prepared By: Mike Richards, Trust Area Services

Reviewed By/Date: Clare Frater, Director, Trust Area Services / August 24, 2022
Stefan Cermak, Director, Local Planning Services / August 30, 2022
David Marlora, Legislative Services Manager/August 30, 2022
Russ Hotsenpiller, CAO / August 31, 2022



LEGISLATIVE MONITORING REPORT

August 2022

This document is intended to advise Trust Council about past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects. The chart captures changes made in the last three months and is organized according to the following categories:

- **PLANNED LEGISLATION** – the intention to draft and pass new legislation is being developed and may be in a consultation or draft stage. No bill has been introduced to legislature/parliament yet.
- **LEGISLATION IN PROCESS** – a bill has been introduced to legislature/parliament and is awaiting Royal Assent, or Royal Assent has been issued but the new law or regulation has not come into force yet.
- **NEW LEGISLATION IN EFFECT** – legislation has received Royal Assent and any specified timeline for it to come in effect has occurred.
- **COURT DECISIONS** – a ruling from any level of court that affects the Islands Trust.
- **NEW RESOURCES** – publically available reports or websites that provide information relevant to Islands Trust work.
- **DISCUSSION, PLANNING, CONSERVANCY, and ADVOCACY TOPICS** – information related to topics of interest to Islands Trust.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Planned Legislation				
Wildfire Act Review	Announced July 27, 2022. Survey responses accepted until September 9, 2022	The BC Wildfire Service is assessing provincial wildfire legislation and policy framework to determine whether improvements could be made to better support local governments with preventing human-caused wildfires. BC Wildfire Service has held meetings with some local governments and is now requesting broader local government input through a survey . Interested local governments are asked to complete the survey by September 9, 2022 .		
Integrated Pest Management Regulation (IPMR)	Consultations closed June 19, 2022. A 'What We Heard' summary paper of the submitted comments will be posted in due course.	The Integrated Pest Management Regulation (IPMR) is under review to update the second-generation anticoagulant rodenticides (SGARs) requirements. The proposed changes will address risks and reduce rodenticide wildlife exposure by minimizing the unnecessary use of SGARs. Review the IPMR Rodenticide Intentions Paper (PDF, 1MB) for a detailed explanation. The Intentions Paper was posted in May 2022 feedback accepted until June 19, 2022. The public consultation is now closed.	In March 2021 requested the Chair to write the Minister of Environment urging the Province to introduce a province wide ban on the use of anticoagulant rodenticides.	
Repeal and replacement of the Emergency Program Act (EPA)	Last updated: June 6, 2022	Emergency Management BC has advised that it's re-engaging its partners on the modernization of BC's emergency management legislation. This follows a year in which efforts were paused as a result of various extreme weather events, including wildfires, floods and a summer heat wave. Local governments with questions about the legislative process, or that did not receive the March 23 EMBC email update are asked to contact EMBC. Having completed its collection and analysis of stakeholder feedback, EMBC is using this next stage of engagement to inform partners about the legislative framework being developed, including co-development with Indigenous partners. EMBC also		

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
		intends to discuss upcoming regulation development and implementation planning.		
Provincial Housing law to intervene in municipal rejection decisions	Announced March 2022 and further information expected Fall 2022	The BC government is looking at legislation that would allow the province to override municipalities' decisions not to approve affordable housing projects.		Staff will continue to monitor.
Federal Planned Legislation				
Proposed Aquaculture Act and Regulations (Federal)	Fisheries and Oceans Canada led two initial rounds of engagement in 2017-18 and in 2019. An online consultation also took place from June - December 2019 along with in-person engagement in some regions. See " What We	The proposed <i>Aquaculture Act</i> is expected to: • define the term aquaculture in legislation • recognize the need for clarity and stability for responsible economic growth of the aquaculture sector • ensure environmental protections enshrined in the <i>Fisheries Act</i> are included and specific to aquaculture • develop enforcement mechanisms specific to aquaculture • respect provincial and territorial jurisdictions • respect roles and responsibilities articulated in treaties and other rights reconciliation arrangements On Aug 17, 2020, the Minister of Fisheries, Oceans, and the Canadian Coast Guard launched the next phase of the Government's public engagement on the first-ever Aquaculture Act. A discussion paper providing background on aquaculture in Canada, rationale for the proposed legislation and an overview of	Jan 2018 Chair letter to Minister of DFO requesting ecosystem-based study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea. 2018 UBCM resolution calling for DFO to conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased	The Province has responsibility for issuing tenures for aquaculture. Local trust committees and Bowen Island Municipality have zoning authority. This generally does not include regulating anything covered through aquaculture licenses from DFO. Once the amendments are complete, a review should be undertaken to

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
	Heard Report". The next phase of public engagement was open until February 12, 2021	the elements proposed for the new Act, is now available online with key questions to guide feedback to the Government on this important initiative. The public is invited to visit https://dfo-mpo.gc.ca/aquaculture/act-loi/consultations-eng.html, and had until February 12, 2021 to participate in this round of consultation. UPDATE August 11, 2022: No further progress since last report. Fisheries and Oceans Canada is continuing in taking time to review and carefully consider the input.	monitoring and enforcement. Dec 2019 Chair letters to Ministers of DFO and FLNRORD requesting more resources for enforcement of shellfish regulations and tenure licenses. Trust Programs Committee co-sponsored a virtual Baynes Sound/Lambert Channel Ecosystems Forum in May 2020, together with the World Wildlife Fund. On January 14, 2021 the Island Trust Chair sent a submission comments pertinent to the federal Aquaculture Act Consultation	determine any necessary zoning amendments. Applications should include foreshore and underwater archaeological reviews to protect historical clam beds, fish weirs, and cultural heritage. Section 35 rights for access should be considered.

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Progress				
Bill 7: Coastal Ferry Amendment Act, 2022	First Reading February 23, 2022	The provincial government is introducing changes to the Coastal Ferry Act to increase oversight of the public interest in delivery of coastal ferry services. The legislative amendments will build on the changes made in 2019 by ensuring the authority is better positioned to help work with BC Ferries through challenges resulting from COVID-19, and to support the corporation's longer-term strategies for the development of the ferry system. The changes will enable the authority to issue binding resolutions on matters it considers in the public interest. Changes also require the B.C. Ferry Authority to consult with the Public Sector Employers Council and develop executive compensation plans, to ensure BC Ferries' executive compensation levels do not exceed those provided to similar executives in the B.C. public sector. To ensure transparency, the authority will be required to publicly report on its resolutions, and BC Ferries will include in its annual reporting the actions it has taken in response to the resolutions.		No land use implications. May be advocacy opportunities.
Federal Legislation in Progress				
BILL S-5: Strengthening Environmental Protection for a Healthier Canada Act	Third reading on June 22, 2022 (Senate)	Except for minor revisions, Bill S-5 is a re-introduction of Bill C-28, . Bill C-28 did not pass before the federal election in 2021. Bill S-5 proposes to amend the Canadian Environmental Protection Act in three main areas: 1. introducing the right to a healthy environment; 2. providing protections for vulnerable populations and considerations of cumulative effects; and 3. changing the management of toxic substances.		

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Effect				
<u>Wildlife Act - Designation and Exemption Regulations Changes</u>	Announced June 23, 2022	Regulatory changes have been made to the provincial Wildlife Act to help enhance government's ability to manage feral rabbits and reduce their spread. Wild European and eastern cottontail rabbits are non-native and are known to destroy property (including agricultural crops) and are detrimental to native wildlife and their habitats. Under changes to the Designation and Exemption Regulations in the Wildlife Act, European and eastern cottontail rabbits can no longer be relocated or released into the wild. As well, a permit will no longer be required for trafficking, possessing or exporting European rabbits, captive or not. This removes permit requirements for municipalities or other groups to trap rabbits and transport them to rehab centres or homes, or euthanize them.		
<u>Accessible British Columbia Regulation under Part 3 of the Accessible British Columbia Act.</u>	Comes into effect Sept. 1, 2022	The regulation requires organizations listed in the regulation (including Islands Trust) to meet the requirements of Part 3 of the Accessible British Columbia Act. Government and listed organizations must establish: 1. An accessibility committee 2. An accessibility plan 3. A tool to receive feedback on accessibility Islands Trust must comply by September 1, 2023	This is a standing item on the Occupational Health and Safety Committee committee agenda.	Islands Trust management team will develop a business case for funding and an implementation plan for 2023.
<u>Bill 20- Municipal Affairs Statutes Amendment Act, 2022</u>	Royal Assent May 03, 2022	These legislative changes provide local governments and Islands Trust with two separate but related tools for circumstances where a local elected official has been charged with or convicted of a criminal offence. The first amendment makes a change to the existing disqualification rules to ensure that a local elected official is disqualified at the time of conviction for an indictable offence.		Management will update trustee orientation materials to include this new legislation

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		The second will require an elected official be put on mandatory paid leave when charged with a criminal offence until the criminal process is complete or the charges are resolved.		
Bill 14 - Wildlife Amendment Act, 2022	Royal Assent June 02, 2022	Bill 14, the Wildlife Amendment Act, 2022, brings in a requirement to consider Indigenous knowledge and establishes a process by which the Province can align its laws with protocol hunting agreements and traditions that have long existed. These changes complement the non-derogation provision recently added to the Interpretation Act. This ensures that the Wildlife Act does not negatively impact Aboriginal constitutional and treaty rights.		
Bill 22 – 2021: Freedom of Information and Protection of Privacy Amendment Act, 2021	Royal Assent November 25, 2021	Highlights of the amendments include: • updating FOIPPA’s data-residency provisions so public bodies can use modern tools while continuing to protect personal information; • adopting a privacy management program (in accordance with the directions of the minister responsible for this Act), • enhancing public-sector privacy protections and increasing accountability by implementing mandatory privacy-breach reporting; • introducing a modest application fee (\$10) for non-personal freedom of information (FOI) requests; and • demonstrating the Province’s commitment to diversity, inclusion, reconciliation and equity by increasing information sharing with Indigenous Peoples, adding Indigenous cultural protections and removing non-inclusive language A special committee of the Legislative Assembly is embarking on a statutory review of FOIPPA, and this process is likely to lead to even more recommendations for reform.		Trust Council and local trust committees will amend their respective FOIPP bylaws and the Islands Trust Conservancy will amends its policy to reflect changes to fees under the amended FOIPP Act; The FOI Head of the above noted Islands Trust bodies will develop a privacy management program in accordance with the directions of the minister responsible for the Act; and Islands Trust FOI and Information Systems

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		As part of these changes, the B.C. government introduced a \$10 fee for general freedom of information (FOI) requests. The application fee for general requests is intended to bring B.C. in line with other Canadian jurisdictions that also have an application fee. Those making personal requests will continue to pay no fee at all.		staff will adjust FOI practices as necessary in accordance with the amended FOIPP Act and regulations.
<u>Bill 26 Municipal Affairs Statutes Amendment Act (No. 2), 2021</u>	BC Reg dated Jan 31, 2022 makes all provisions effective Feb 28, 2022 https://www.bclaws.gov.bc.ca/civix/document/id/oic/oic_cur/0050_2022	The Municipal Affairs Statutes Amendments Act (No. 2), 2021, among other purposes: • Require local governments to consider developing or updating codes of conduct (does not apply to Islands Trust bodies but does apply to Bowen Island Municipal Council) • Streamline local government development approvals processes • Modernize local government public notice requirements • Respond to the Islands Trust request to remove administrative barriers and meet its unique mandate more effectively The proposed amendments to the Islands Trust Act address specific requests made by the Islands Trust Council. The changes include: • including a specific reference to First Nations in the trust's objective statement to recognize its ongoing relationship and reconciliation efforts with First Nations; • enabling the Islands Trust to give financial support to community groups for activities that provide education about or preserve the environment and unique amenities of the Trust Area; and • streamlining the Islands Trust development approvals processes by enabling local trust committees to adopt and amend Development Approval Information bylaws. Moving this decision to local trust committees is	Islands Trust has taken an active role in advocating for several components of this legislation. Specifically, <u>Electronic Permit And Public Hearing Notification changes</u> through resolutions to AVICC and UBCM in 2021; <u>and a request for Legislative Changes to the Islands Trust Act</u> in 2018. A <u>news release</u> welcoming the changes to the legislation was sent out by Islands Trust in mid-November	Staff will review internal procedures for giving notice of public hearings and meetings, and advise local trust committees accordingly. A bylaw must be adopted in order for trust bodies to provide for alternative means of publishing a notice instead of publishing the notice in a newspaper.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		consistent with other authorities in the trust and will create efficiencies in approval processes. The following legislated changes apply to all local governments in British Columbia, and aspects of this legislation will affect planning at the Islands Trust. Specially: 1. Changes to notices for public hearings – no longer need to rely on newspaper, with a default system in the new legislation. LTCs can adopt an alternative approach by bylaw. 2. Ability to delegate minor DVPs to staff – the legislation places limitations on the types of variances and requires that the delegating bylaw specify what is “minor”. This delegation would be via bylaw, with guidelines for staff on when to approve, as well as a definition of what is considered minor. The amendment to the Islands Trust Act to add First Nations came into force with Royal Assent of Bill 26. and all of the provisions above came into force by regulation in February 2022.		
Federal Legislation in Effect				
<u>Bill S-10 - An Act to give effect to the Anishinabek Nation Governance Agreement, to amend the Sechelt Indian Band Self-</u>	Royal Assent in Parliament on June 23, 2022	This legislation, both symbolically and in real terms, transforms the relationship between Canada and the shíshálh Nation. The Bill updates the 1986 Act, removing the anglicized name and transitioning to the <i>shíshálh Nation Self-Government Act</i>. Other changes include: • Aligning the Self-Government Act with the United Nation Declaration on the Rights of Indigenous Peoples, • removing outdated oversight provisions that are not required under modern self-government arrangements,		Staff will assess whether the changes have implications for the Lasqueti Island Local Trust Area.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Government Act and the Yukon First Nations Self-Government Act and to make related and consequential amendments to other Acts		- confirming law-making powers over social and welfare services, including child and family services for all shíshálh Nation members, and - allowing for the establishment of a new land registry for the registration of interests in shíshálh lands, as an alternative to the <i>Indian Act</i> Reserve Land Register.		
2022 protective measures for Southern Resident killer whales on the West Coast – Various regulations and agreements	Announced April 29, 2022	Measures for 2022 include: - Two new Seasonal Slowdown Areas near Swiftsure Bank, in which all vessels will be restricted to a maximum speed of 10 knots, in effect from June 1 to November 30, 2022. This measure was co-developed with Pacheedaht First Nation and incorporates new scientific information about habitat use. - For the third consecutive year, vessels must stay at least 400 m away from all killer whales in southern British Columbia coastal waters between Campbell River and Ucluelet, including Barkley and Howe Sound. This is in effect year-round until May 31, 2023. If killer whales approach any vessel, boaters should place their engine in neutral and wait for the animals to pass. - A renewed agreement with local whale watching and ecotourism industry partners to once again not offer or promote tours focused on Southern Resident killer whales. - Re-introducing two interim sanctuary zones off Pender Island and Saturna Island from June 1 to November 30, 2022. No vessel traffic will be permitted in these areas		

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		during this period, subject to certain exceptions for emergency situations and Indigenous vessels. - Expanded fishery closures will be put in place for commercial and recreational salmon fisheries in 2022 in a portion of Swiftsure Bank, Southern Gulf Islands, the Strait of Juan de Fuca, and the Mouth of the Fraser River. These actions will help protect the whales' access to salmon and minimize disturbance in key foraging areas. Fishing closures will be modified compared to 2021 based on new science advice regarding whale presence, their foraging areas, and impacts of vessel disturbance. - Similar to last year, the Southern Gulf Islands closure protocol for commercial and recreational salmon fisheries will be in effect from the first confirmed presence of Southern Resident killer whales in the area until October 31. - Continuing to help reduce contaminants in the environment affecting whales and their prey. Long-term actions focus on enhancing regulatory controls, monitoring and research, sharing information and data, and expanding outreach and education. Recent progress includes launching the Pollutants Affecting Whales and their Prey Inventory Tool, which maps estimates of pollutant releases within the habitats of Southern Resident killer whales and their prey. This tool is public and will help model the impacts of additional mitigation measures and controls. - The Vancouver Fraser Port Authority-led Enhancing Cetacean Habitat and Observation (ECHO) Program will coordinate voluntary underwater noise reduction initiatives in key areas of Southern Resident killer whale critical habitat across the Salish Sea, including Haro Strait		

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		and Boundary Pass, Swiftsure Bank, and the Strait of Juan de Fuca. Transport Canada works with the Department of Fisheries and Oceans, Parks Canada, RCMP and Canadian Coast Guard to plan and execute the SRKW Interim Order compliance and enforcement regime and will continue to strengthen enforcement of these measures.		

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
<u>Mark Lee Wilson and Dorothy Kelly Wilson vs Cowichan Valley Regional District</u>	Corrected Judgment February 07, 2022	Mark and Dorothy Wilson, owners of 10119 South Shore Rd., were denied a development permit in 2019 by the CVRD because their plan didn't meet the district's criteria in a number of ways, with the most important being the couple's intent to build within the property's stream-side protection and enhancement area. Justice Veronica Jackson, from the Supreme Court of B.C., ruled that the regulation the CVRD used to deny the development permit is invalid as it goes beyond the district's grant of statutory authority to regulate development permit areas. "It fully prohibits development in an area in which the CVRD has the statutory authority to regulate development, through conditions in place to protect the natural environment, but not prohibit development entirely," Jackson said in her ruling.		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
First Nation-Municipal Land Use Tool	Available	A document offering guidance regarding joint land use planning in Canada .		
Community Information Tool (CIT)	Announced August 3, 2022	The Community Information Tool (CIT) is a free online tool that provides single window access to more than 40 public data sets, including census information, Data BC, the B.C. Data Catalogue, and industrial lands information.		
Agricultural Land Commission	April –August 2022	Since March 2022 the Agricultural Land Commission issued the following policy and information updates: 1. Residences in the ALR Information Bulletin, June 2022 revision 2. Residences in the ALR FAQ, June 2022 3. Potential Exceptions from Restrictions of Use in the ALCA: Parcels Less Than 2 Acres Policy Amendment, April 2022 4. Soil or fill uses in ALR Information Bulletin, August 2022 Revision		ALC legislation overrides local bylaws in the case where the ALC floor area or siting provisions are more restrictive than the local bylaw. Building inspector cannot issue a building permit if it does not comply with the ALC Act. LTCs should, however, update their bylaws to bring the zoning into compliance with the ALC Act. Soil removal – in ALR is regulated by the ALC. Local government soil removal and deposit bylaws should exclude the land in the ALR

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Updated BC Climate Action Toolkit website	Launched on June 15, 2022	This website provides communities with access to over 200 climate action tools. Originally created in 2008, the Climate Action Toolkit is designed as a one-stop shop for climate action resources aimed at BC local governments. Its purpose is to support local governments in meeting their commitments under the BC Climate Action Charter (Charter). The Charter commits local government signatories to work toward corporate carbon neutrality; measure their community emissions; and create complete, compact and energy-efficient communities. The user-friendly web interface makes it accessible to search for tools used to improve climate action in your community. Enhanced features of the refreshed website include: • Updated tool library • Ability to filter tools by topic of interest • Calendar access to upcoming climate action events • User-friendly site structure and design		
Building momentum: 2021-2022 Declaration Act Annual Report	Released June 30, 2022	The 2021-2022 Declaration Act Annual Report highlights progress made in implementing the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and advancing reconciliation in B.C. Highlights of work outlined in the report include: • establishing the Declaration Act Secretariat, a dedicated body to support government's obligations ensuring laws, policies and practices are consistent with the Declaration on the Rights of Indigenous Peoples Act (Declaration Act); • aligning new and existing legislation with the Declaration Act across government, including changes to support the recruitment of more Indigenous teachers, developing a shared vision for forestry, and recognizing Indigenous		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		identity as protected grounds against discrimination under the BC Human Rights Code; and developing the first Declaration Act Action Plan to outline steps needed to advance reconciliation.		
Climate in Focus video series	Available June 2022	The Municipalities for Climate Innovation Program's <i>Climate in Focus</i> video series offers step-by-step guidance on how to become a leader in local climate action. The video series is divided into five parts: Part I: An introduction to climate action concepts Part II: Getting started with planning Part III: How collaboration leads to effective planning Part IV: How to set your plan in motion Part V: How to evaluate and evolve your plan		
Updated CRD Regional Parks and Trails Strategic Plan 2022-2032	Interim approval: July 13, 2022	An updated Regional Parks and Trails Strategic Plan 2022-2032 has been developed to guide regional parks and regional trails over the next decade. It defines the vision for the CRD regional parks' system and sets the foundation for how the CRD can consistently move towards achieving its' desired outcomes.	Island Trust Conservancy participated in an electronic stakeholder consultation meeting on Feb 28, 2022.	
Southern Gulf Islands Housing Strategy	Endorsed June 2022.	The basis of the recommendations in the Housing Strategy reflect the information learned through the 2018 CRD Housing Needs Assessment and the updated SGI Market analysis conducted in 2022, combined with years of community input and engagement accumulated through land use planning processes. The Housing Strategy includes an objective to advance a whole government approach utilizing multiple stakeholders working together. Identified as a shared responsibility, partnerships should include	On Aug. 24, 2022, the RPC requested the Chair of RPC to work with staff to develop an RFD to TC recommending that TC write to the Province outlining issues and requesting exploration of solutions related to	

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		the non-profit sector and residents working together with the federal, provincial, and local governments to advance the goals of the Housing Strategy, with seven objectives and 22 actions identified.	affordable housing. As well, the RFD will request EC to develop communications, host panel sessions, and to coordinate a round table with key stakeholders early in the new political term as part of an orientation.	
Local Government Election Resources	Available	The Ministry of Municipal Affairs resources for the October 15, 2022 general local elections are now available online at: www.gov.bc.ca/localelections. Resources include: • Candidates Guide to Local Elections in B.C. 2022 • Thinking About Running for Local Office Brochure • Voter’s Guide for Electors Living on Reserve • Videos for prospective candidates (www.gov.bc.ca/localgov-thinking-running-local-office), including the new panel discussion series “Being an Effective Elected Official”. The general local elections webpages also include information about elections administration, voter eligibility & voting, scrutineers and election organizations & endorsements. Elections BC also has a variety of resources for candidates, elector organizations and third party sponsors about the campaign financing and election advertising rules under the <i>Local Elections Campaign Financing Act</i> available on its website.		
B.C.’s Climate Preparedness	Released June 20, 2022	The strategy strengthens the collective capacity to anticipate, prepare for and respond to the impacts of climate change. This includes sudden events like wildfires, floods and heatwaves as well		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
and Adaptation Strategy		as changes that happen more slowly like rising sea-levels, receding glaciers and shifting ecosystems. Actions fall under four key pathways that work to strengthen the foundations for success, build safe and healthy communities, foster resilient species and ecosystems and advance a climate-ready economy and resilient infrastructure.		
Canadian Census 2021 Data	Release dates announced May 12, 2022	There will be seven major 'themed' release dates for the dissemination of data from the 2021 Census of Population. Each major release of data by theme will be highlighted in The Daily, Statistics Canada's official release bulletin, and each major release will offer data, analytical, and reference products for our users to access and consume. • February 9, 2022, for population and dwelling counts; • April 27, 2022, for age, sex at birth, and gender, type of dwelling; • July 13, 2022, for families, households, and marital status, Canadian military experience, and income; • August 17, 2022, for language; • September 21, 2022, for indigenous peoples, and housing; • October 26, 2022, for immigration, place of birth, and citizenship, ethnocultural and religious diversity, and mobility and migration; • November 30, 2022, for education, labour, language of work, commuting and instruction in the official minority language.		If staff resources permit, Trust Area Services staff will investigate options for procurement of a Islands Trust Area data set and development of Census data trend charts for local trust areas/Bowen Island/ Islands Trust Area.
BC First Nations Climate	Released April 22, 2022	The First Nations Leadership Council (FNLC) announced the release of the BC First Nations Climate Strategy and Action Plan (the Strategy), timed to celebrate and honour Earth Day.		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Strategy and Action Plan		The Strategy presents a vision, guiding principles, and priorities for climate action articulated by leadership and community members from across the province, and is grounded in a First Nations climate lens. The Strategy focuses on ensuring that First Nations' inherent title, rights and treaty rights are recognized and affirmed in climate change planning and response as an essential building block for climate action. Four priority pathways guide the Strategy: <i>Inherent Title and Rights; Capacity and Leadership; Land and Water Protection; and Climate Response and Preparedness.</i>		
Factsheets to help communities achieve 2050 climate goals	Announced April 20, 2022	From FCM: • Municipal governance for deep decarbonization: <i>Introduction on how to influence your community's transition</i> • Governance strategies for deep decarbonization: <i>How to choose the right strategies and approach for deep decarbonisation</i> Governance components for deep decarbonization : <i>How to build a good governance structure for deep decarbonization</i>		
Asset Management Resource Library	Announced April 20, 2022	Federation of Canadian Municipalities curated collection of links to guides, case studies, templates and more. The library is organized by common asset management topics that are found within the Asset Management Readiness Scale (AMRS) and include an assortment of resources to help guide, inform, and inspire.		
Small And Rural Communities Climate Action Guidebook	Available	The <i>Small and Rural Communities Climate Action Guidebook</i> , developed by ICLEI Canada and the Federation of Canada Municipalities (FCM) for the Partners for Climate Protection (PCP) program, is a direct response to the climate planning challenges		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		faced by small and rural communities, offering local decision makers case studies and advice tailored to their experience. Designed for municipal staff and decision makers in small and rural communities tasked with developing local climate initiatives or reducing GHG emissions, the guidebook can help municipalities: • Develop realistic climate action policies • Engage and collaborate with the public • Build a GHG inventory baseline and data library • Generate municipal revenue and local economic and wellbeing benefits through climate action • Identify sector-specific climate challenges and identify solutions to overcome them		
Declaration On The Rights Of Indigenous Peoples Act Action Plan 2022-2027	Released on March 30, 2022	The <i>Declaration on the Rights of Indigenous Peoples Act</i> (Declaration Act) establishes the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) as the Province’s framework for reconciliation, as called for by the Truth and Reconciliation Commission’s Calls to Action. The Declaration Act Action Plan outlines how BC will bring the UN Declaration into harmony with its work over the next five years. Sections of particular interest to Islands Trust include: 1.11 <i>Support inclusive regional governance by advancing First Nations participation in regional district boards. (Ministry of Municipal Affairs)</i> 3.2 <i>Establish an operational approach to set and achieve targets for equitable recruitment and retention of Indigenous Peoples across the public sector, including at senior levels. (Public Service Agency, Public Sector Employers’ Council Secretariat)</i>		Islands Trust staff will continue to liaise with provincial staff regarding First Nations engagement and opportunities to advance reconciliation.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<i>4.27 Review the principles and processes that guide the naming of municipalities and regional districts, and evolve practices to foster reconciliation in local processes. (Ministry of Municipal Affairs)</i>		
<u>Building BC: Housing Completions & Population Growth 2016-2021</u>	Released March 23, 2022	A new paper from UBCM, <u>Building BC: Housing Completions & Population Growth 2016-2021</u> , shows resolving the affordable housing shortage is much more complex than just building more homes. Drawing on current data, the report identifies additional factors that must be recognized as playing a large role in our affordable housing problem.		
Public Notice Guidance Materials: For B.C. Local Governments	Released February 2022	Amendments to public notice provisions now allow local governments the choice to adopt a public notice bylaw to specify what methods they will use to provide public notice. If a local government or Islands Trust body is satisfied with the current requirement of publishing notice in a newspaper they will not have to change anything – this remains the default. Prior to adopting a public notice bylaw, local governments and Islands Trust bodies must consider principles of effective public notice, which are defined by regulation. For more information about how to consider the principles and the amendments in general please see <u>guidance material</u> prepared by the Ministry of Municipal Affairs. These amendments came into force on February 28, 2022 and apply to the <i>Community Charter, Islands Trust Act, Local Government Act, Municipal Replotting Act, University Endowment Land Act</i> and the <i>Vancouver Charter</i> .		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Engagement: K'ómoks Treaty Negotiations	Announced Monday, August 29, 2022	Negotiations between K'ómoks First Nation, B.C. and Canada are coming to a close and the public is invited to attend in-person and virtual open houses. People can join representatives from K'ómoks, the government of B.C. and the government of Canada to learn more and to share their thoughts about the proposed treaty and hehewčis; Hayuthela la xens: Moving Forward Together. People may attend any of three in-person open houses (subject to public health regulations). No registration is required. • Saturday, Sept. 10, 11 a.m. to 2 p.m., Comox Valley Regional District Civic Room, 770 Harmston Ave. • Monday, Sept. 12, 4-7 p.m., Union Bay Community Hall, 5401 South Island Highway • Saturday, Sept. 17, 11 a.m. to 2 p.m., Kelsey Recreation Centre, 652-A H'Kusam Way, Sayward People may also attend a virtual open house. Advance registration is required. • Thursday, Sept. 29, 6-7:30 p.m.		
Bylaw adjudication program update	Announced August 17, 2022	The Province has issued a memorandum advising local governments and Islands Trust that, effective October 3, 2022, the Ministry of Attorney General's Tribunals, Transformation and Independent Offices Division (TTIOD) will assume all responsibilities for the Bylaw Adjudication Program. Previously, duties were shared with the Court Services Branch. No direct implications for Islands Trust.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Engagement: Shellfish Aquaculture Management Advisory Committee	Islands Trust’s nomination to this committee has been approved – Notified August 08, 2022. Trustee David Critchley, Denman Island, is the AMAC appointee.	The shellfish Aquaculture Management Advisory Committee (AMAC) was established by Fisheries and Oceans Canada (DFO) Pacific Region to provide advice to the Department and make recommendations related to planning, policy and operational decisions for aquaculture management in British Columbia. This process is designed to be stream-lined, representative, and cross-sectoral. Within BC, the Aquaculture Management Division manages, administers and regulates aquaculture, and governs the activities of the aquaculture industry, including finfish, shellfish and freshwater/land-based operations. The BC Aquaculture Regulatory Program relies on the expertise provided through the aquaculture advisory bodies.	Island Trust has regularly engaged in advocacy around shellfish aquaculture issues . Most recently Trust Council provided a submission to the Federal Aquaculture Act Consultation in January 2021	Should Trustee Critchley not be re-elected, there will be a need for a different trustee to be appointed. After the election, trustee Critchley will need to select an alternate.
B.C./ shíshálh Nation negotiations on a joint decision-making agreement	Announced August 2, 2022	The shíshálh Nation and the Province of British Columbia are starting negotiations on the first joint decision-making agreement to be negotiated under Section 7 of the Declaration on the Rights of Indigenous Peoples Act (Declaration Act). The agreement, when negotiated, will apply to decisions on dock tenures in the shíshálh swiya (territory/birthplace/world) and builds upon the current model for making shared decisions on dock tenures created in 2018.		
Next phase of Canada’s Oceans Protection Plan	Announced July 19, 2022	With new investment of \$2 billion over nine years, announced in Budget 2022, Canada will establish 15 new measures to expand ocean protection initiatives to more regions and better proactively combat emerging threats to marine safety, while continuing or expanding 39 existing initiatives.	Islands Trust has undertaken significant advocacy regarding the topics now addressed by the Ocean Protection Plan	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		The renewed and expanded plan will help make further progress to: • Enhance the protection and restoration of vulnerable marine ecosystems and wildlife; • Improve the efficiency, safety, and sustainability of Canada’s marine supply chains and mitigate their impacts on the environment, including by advancing research on marine pollution, ecosystems, and wildlife; • Better manage marine traffic navigation and marine incidents of all types; and • Advance partnerships and training opportunities for Indigenous and coastal communities to incorporate their expertise and experiences in various aspects of marine safety and ecosystem protection.	and has attended all Oceans Protection Plan Forums.	
<u>Stz’uminus First Nation/B.C. reconciliation agreement</u>	Effective date March 31, 2022. Announced July 19, 2022	A new reconciliation agreement between Stz’uminus First Nation and British Columbia establishes commitments to work together on community priorities and future land transfers, provides support for economic development, and establishes funding for future environmental remediation activities in Ladysmith Harbour. The Nation’s territory, which is a collective assertion with the member Nations of the Quw’utsun Nation, extends along eastern Vancouver Island, the southern Gulf Islands, and the lower Fraser River.		
<u>Engagement: Province seeks input on bylaw adjudication</u>	Closed - For information only	The provincial government developed a short survey to obtain local government and Islands Trust input regarding the maximum penalty amount for the Local Government Bylaw Adjudication Program, as well as adjudicator remuneration. Interested local government and Islands Trust representatives were originally asked to complete the survey by June 30, 2022 but that deadline was extended to July 22, 2022.	Islands Trust staff completed the survey and offered comments in engagement meetings	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
<u>Provincial ruling On James Island Development</u>	Application denied June 2022	The provincial government denied an application from J.I. Properties, , for the development of upscale vacation homes on James island, The application was denied, in part, due to the “outstanding negative impacts” the development would have on Tsawout First Nation, whose long history on the island includes village sites, food harvesting and numerous burial grounds, according to the provincial approving officer for the Ministry of Transportation and Infrastructure. B.C.’s ruling to deny the development, and the subsequent lawsuit, may have implications throughout the Gulf Islands, most of which are under First Nations land claims.	In 2021 the North Pender LTC advised the Provincial Approving Officer and Lieutenant-Governor-in-Council that it considered approval of the subdivision of James Island as not being in the public interest.	
<u>Canada’s Greenhouse Gas Offset Credit System</u>	Announced June 8, 2022	Canada’s Greenhouse Gas (GHG) Offset Credit System enables project proponents to generate federal offset credits if they register and implement projects that reduce GHGs using a published federal GHG offset protocol. Offset credits can be sold and used for compliance by facilities covered in the federal Output Based Pricing System or sold and used by others who are looking to meet voluntary climate targets or commitments. The offset system will give municipalities, foresters, farmers, Indigenous communities, and others a market-based incentive to undertake innovative projects that reduce greenhouse gases (GHGs) by preventing emissions and removing GHGs from the atmosphere.		
<u>Shared Priorities Framework to advance Treaty implementation in British Columbia</u>	Announced May 24, 2022	The Alliance of BC Modern Treaty Nations (Alliance) and the Province have co-developed a Shared Priorities Framework to advance Treaty implementation in British Columbia. The framework addresses three broad outcomes: • Appropriate fiscal arrangements to fulfil treaty rights and obligations		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		• Meaningful involvement of modern treaty nations in legislative and policy initiatives • Comprehensive organizational and policy changes in public service to advance a whole-of-government approach to treaty implementation		
New environmental measures for cruise ships	Announced April 04, 2022	For the 2022 season, cruise operators will voluntarily implement stricter environmental measures regarding greywater and blackwater. The Government of Canada plans to make these changes permanent through regulations.	In December 2021 Trust Council requested the Chair to write to Transport Canada to take action on air pollution and dumping from vessels, including stopping the use of scrubbers, mandating the fuel standard without the scrubber work around, as California has done include requiring or incentivize the use of marine gas oil, instead of HFO with scrubbers, in advocacy conversations on oil spill clean up and anchorages.	
Engagement: National Adaptation Strategy	Closed - For information only	The Government of Canada initiated a public engagement to collect ideas and comments for the purpose of developing Canada's first National Adaptation Strategy for climate change. This engagement initiative ran from May to July 15, 2022. During this time, the government engaged Canadians on specific, measurable and		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		achievable short-term actions to support long-term transformational goals and medium-term objectives identified in the adaptation priority sections listed on the website and in the discussion paper .		
Engagement: SFU -"Renovate the Public Hearing" Survey	Closed - For information only	On April 7-8, 2022, the SFU Morris J. Wosk Centre for Dialogue’s Strengthening Canadian Democracy Initiative convened a workshop titled “Renovate the Public Hearing”. The province-wide workshop convened British Columbian elected officials, local government staff, community organizations, and policy/industry experts to reflect on current public hearing practices and envision alternatives. Thirty people from diverse geographic, professional, and personal perspectives participated and offered opinions on local government land-use public hearings. This survey shared key themes generated by the workshop discussions		
Engagement: Feedback requested on provincial responses to COVID-19	Closed - For information only	On March 16, the Minister of Public Safety and Solicitor General announced an independent review of the provincial government’s responses to the COVID-19 pandemic. The review was intended to find ways for the provincial government to be better prepared for the next event, whether a pandemic or other emergency. Local governments and Islands Trust were invited to participate in virtual engagement sessions on May 31 or June 2 (morning and afternoon sessions available).		
Engagement: Consultation on changes to pesticide legislation-	Closed - For information only	The Province sought feedback on proposed regulatory changes that will ban the widespread sale and use of second-generation rodenticides.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
rodenticides		Due to their toxicity, second-generation anticoagulant rodenticides (SGARs) can pose a significant risk of secondary poisoning to other animals that eat poisoned rodents. Comments about the proposed changes were received until midnight on June 19, 2022.		
New environmental measures for cruise ships	Announced April 04, 2022	For the 2022 season, cruise operators will implement stricter environmental measures regarding greywater and blackwater. Greywater is defined as the drainage from sinks, laundry machines, bathtubs, shower-stalls, or dishwashers and blackwater is defined as the wastewater from bathroom and toilets. The measures include: • Prohibiting the discharge of greywater and treated blackwater within three nautical miles from shore where geographically possible; • Treating greywater together with blackwater before it is discharged between three and twelve nautical miles from shore to the greatest extent possible; • Strengthening the treatment of blackwater between three and twelve nautical miles from shore using an approved treatment device; and • Reporting to Transport Canada compliance with these measures as they relate to discharges made within Canadian waters.		
What we heard: The future of the Oceans Protection Plan	Available March 31, 2022	Latest information from the Winter 2022 OPP Dialogue Forum. The What We Heard Report is now also uploaded to a Google Drive folder. Access it here .		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Engagement: A new B.C. Offsets Protocol Policy	Closed - For information only	The B.C. Ministry of Environment & Climate Change Strategy was seeking feedback on a new B.C. Offsets Protocol Policy for the development and maintenance of B.C.'s Offset Protocols. B.C.'s Offset Protocols outline the eligibility requirements and methodology for generating offset units that represent real, quantifiable, verifiable, permanent, and additional emissions reductions and/or removals in B.C. The proposed document outlines government's policy on how B.C. Offset Protocols will be: • Identified and prioritized for development; • Developed; • Periodically reviewed; and • Amended or deactivated. Document: Draft Offset Protocol Policy document Submissions were received until midnight on April 17, 2022		
Engagement: Draft 2022-2026 Federal Sustainable Development Strategy	Closed - For information only	The draft 2022-2026 Federal Sustainable Development Strategy (FSDS) sets out the Government of Canada's sustainable development priorities from an environmental perspective. The FSDS explains how the Government is working towards a sustainable future while advancing the global Sustainable Development Goals (SDGs) adopted by the United Nations in 2015. The SDGs highlight the intersection of environmental, social, and economic issues such as food security in Indigenous and northern. Open March 11 to July 9, 2022communities, sustainable food		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		production, and the promotion of gender equality in the clean technology sector.		
Provincial responses to 2021 UBCM Resolutions	Announced March 09, 2022	Provincial responses to many of the resolutions from the 2021 UBCM Convention are now available. UBCM will follow up with letters to the local governments that sponsored resolutions in 2021 in order to provide the relevant provincial responses to their resolution(s). The Province has indicated that an addendum will follow with additional responses at a later date. The addendum will be posted to the UBCM website once received, and letters will be sent to the sponsor local governments.		
Islands Trust Resolutions to UBCM 2022	Submitted January 24, 2022 and June 30, 2022	• Affordable Housing Support for Rural Areas • New Legislation to Protect and Restore Biological Diversity and Ecosystem Health • Climate Risk and Vulnerability Assessment		
Land Title and Survey Authority fee increase	Effective April 01, 2022	Under the LTSA's Operating Agreement with the Province, LTSA may increase its service fees under the <i>Land Title Act</i> , <i>Land Act</i> , <i>Mineral Tenure Act</i> , and <i>Oil and Gas Activities Act</i> annually by the adjusted Consumer Price Index (CPI) amount (calculated this year to be three percent).		
Engagement: Watershed Security Strategy and Fund	Closed - For information only	On March 10, 2022, the BC Government held a webinar for local government and Islands Trust elected officials and staff as part of its engagement for a new provincial Watershed Security Strategy and Fund. The webinar introduced a discussion paper that explores broad range of watershed security related themes, including governance, data and science, reconciliation, drinking water, land	The Watershed Security Fund is the next iteration of the Watershed Sustainability Fund that the Islands Trust benefited from for the development of the Freshwater	With the Freshwater Sustainability strategy in place the Islands Trust is well positioned to receive further funding through the Watershed Security Strategy Fund.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		use planning, supply and demand, and funding. Engagement was then open until March 18, 2022	Sustainability Strategy and related Implementation projects (Hornby Watershed protection, Indigenous Youth Engagement, Indigenous perspectives on water film, Galiano Eco-Cultural mapping)	
Changes to Environmental Assessment Certificate for Trans Mountain	Announced February 24, 2022	Changes to the Environmental Assessment Certificate for the Trans Mountain Expansion Project, and recommendations to other agencies, have been made by the Minister of Environment and Climate Change Strategy, and the, Minister of Energy, Mines and Low Carbon Innovation..tThe Province is making the following changes to the provincial Environmental Assessment Certificate: • Amending Condition 35 (Fate and Behaviour of Bitumen Research), requiring Trans Mountain to provide research updates every five years, and add local coastal governments to the parties requiring consultation on the research • A new condition requiring a human health risk report that includes: ○ identifying exposure pathways in the event of a marine spill ○ identifying roles and responsibilities of local, provincial and federal authorities in the event of a marine spill ○ consulting with Indigenous Nations, local governments and relevant agencies to develop the		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		report that will provide important information as the federal government and its agencies prepare plans that address the potential impact to human health from spills • A new condition requiring Trans Mountain to develop a shoreline baseline data report, developed in consultation with various parties, that consolidates data at hypothetical incident locations along the shipping route that will strengthen restoration and recovery in the event of a ship-source marine spill • Adding Snuneymuxw First Nation to the list of Aboriginal Groups – Marine Shipping • Adding a definition for Potentially Affected Coastal Local Governments		
Roberts Bank Terminal 2 Project Engagement	Closed - For information only	The Vancouver Fraser Port Authority proposes the construction and operation of a new three-berth marine container terminal located at Roberts Bank in Delta, British Columbia, approximately 35 km south of Vancouver. The proposed project, to be located next to the existing Deltaport and Westshore Terminals, would provide an additional 2.4 million twenty-foot equivalent units of container capacity per year at Roberts Bank. On August 24, 2020, the former Minister of Environment and Climate Change requested that the Proponent provide additional information in order to inform his decisions under the Canadian Environmental Assessment Act, 2012 for the Roberts Bank Terminal 2 Project (the Project). The Proponent has provided its response to the information request to the Impact Assessment Agency of Canada (the Agency).	Islands Trust has conducted significant advocacy on shipping issues that affect the Islands Trust Area. Specifically, Islands Trust provided input to the Review Panel Secretariat, on the Roberts Bank Terminal 2 Project in April 2019.	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		The Agency is holding a public comment period as part of the environmental assessment process for the proposed Project and seeking input on the Proponent's response. In addition, the Agency has developed a draft of potential project conditions after taking into account the Panel Report and the Proponent's additional information. This document outlines the conditions that the Proponent would have to comply with if the Project is approved. The public and Indigenous groups are now invited to submit comments on both documents in either official language before March 15, 2022. UPDATE August 11, 2022: Reviews still in progress		

BRIEFING

To:	Trust Council	For the Meeting of:	September 20, 2022
From:	Executive Committee	Date Prepared:	August 24, 2022
SUBJECT:	Advocacy Summary (2018-2022 Trust Council Term)		

PURPOSE: To provide Trust Council with a summary of advocacy undertaken in the 2018-2022 term.

BACKGROUND: [Advocacy Policy 6.10.3](#), Section G(2) states: *In the last year of every Islands Trust Council term, the Executive Committee will review and evaluate the effectiveness of the advocacy work undertaken during that term, considering the general policies in Section B.*

The term “advocacy” is defined within Policy 6.10.3 as follows:

“Advocacy” is the act of influencing and/or seeking cooperation with other agencies and decision-makers about laws, regulations, policies, programs, budgets, priorities, and other decisions relevant to the Islands Trust mandate.

At its August 3, 2022 meeting, Executive Committee received a staff report summarizing advocacy undertaken during the 2018-2022 term. With regards to Policy 6.10.3’s direction to undertake an end of term review and evaluation, Executive Committee discussed the current lack of staff resources and budget for such work, as well as the recent Governance Review’s opinion that the advocacy function at the Trust does not lend itself to objective measurement of effectiveness. EC decided not to undertake a detailed end-of-term evaluation at this time, but rather to forward the summary reports prepared by staff to Trust Council for their information, as per the following resolution:

“That Executive Committee refer the report ‘Advocacy Summary (2018-2022 term) – Briefing’, with a cover memo, for inclusion in the September Trust Council agenda”.

Executive Committee noted that it believes the advocacy undertaken this term has been necessary and effective in many ways. In addition to the summary reports attached, the Trust also provided to administrative support to coordination groups (secretariat services) to regional forums this term (e.g. Baynes Sound Lambert Channel Ecosystem Forum, Howe Sound (Atl’ka7tsem) Community Forum, Southern Gulf Islands Forum) which supported stronger inter-agency coordination throughout the Trust Area. Executive Committee also noted its desire for a more strategic approach to advocacy in the future, with adequate resources to support strategic coordination work with other agencies and decision-makers, as mandated in the *Islands Trust Act*.

ATTACHMENT(S):

1. Trust Council Advocacy Summary (2018-2022)
2. Local Trust Committee Advocacy Summary (2018-2022)

FOLLOW-UP: Staff will follow up as directed.

Prepared By:	Dilani Hippola, Senior Policy Advisor, Trust Area Services
Reviewed By/Date:	Clare Frater, Director, Trust Area Services / August 25, 2022 Russ Hotsenpiller, CAO / September 1, 2022

Trust Council/Executive Committee

Advocacy Summary (2018-2022)

Islands Trust Council's [advocacy program](#) is guided by the Islands Trust Policy Statement, which currently states: *to achieve its object, the Islands Trust must be an educator, co-ordinator, and initiator guiding individuals, organizations, and other agencies in support of the object. While Islands Trust can provide the necessary leadership, responsibility for stewardship of the Islands Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations, and individuals to ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems and island communities.*

Advocacy is the act of influencing and seeking cooperation with other agencies and decision-makers. Most of Islands Trust's advocacy work is overseen and implemented by Islands Trust Council's Executive Committee and is guided by the Advocacy Policy (Policy 6.10.iii). During the 2018-2022 term, Islands Trust has advocated on a wide variety of topics including agriculture, aquaculture, anchorages, climate change, economic sustainability, forest protection, freshwater sustainability, governance, herring fishery, housing affordability, marine protection, oil spills and shipping, reconciliation, and transportation.

Islands Trust Council's advocacy methods include:

- Writing letters to decision-makers from a designated spokesperson, usually the Chair
- Meeting with ministers and other decision-makers
- Entering agreements
- Hosting forums and multi-stakeholder meetings
- Sponsoring resolutions and/or suggesting presentations at the annual conventions of the Association of Vancouver Island and Coastal Communities (AVICC) and the Union of British Columbia Municipalities (UBCM).

The following is a summary of advocacy letters and AVICC/UBCM resolutions for the 2018-2022 term. The full letters/submissions have been posted to the Islands Trust website at:

<https://islandstrust.bc.ca/programs/advocacy/>

2018/19 Advocacy

Marine shipping safety and oil spill preparedness and response

In April 2018, the Chair wrote to the Honourable George Heyman, Minister of Environment and Climate Change Strategy, regarding Phase Two Enhancements to Spills Management regarding how British Columbia plans to enhance the way the province prepares for, responds to, and recovers from environmental emergencies. The Minister responded on August 3, 2019.

In May 2018, the Chair wrote jointly with the Chair of San Juan County to the Honourable Marc Garneau, Minister of Transport, requesting that a standby tug be located in Sidney, British Columbia and available to Turn Point, off Stuart Island because there is insufficient emergency towing capacity in the Salish Sea for current and future risks. The Minister responded on June 21, 2018. The Assistant Commissioner, Western Region of the Canadian Coast Guard responded on July 10, 2018.

In May 2018, Vice-Chair Grams represented the Islands Trust at an exercise of the Canada – US Joint Marine Pollution Contingency Plan – Pacific Coast (CANUSPAC) in Port Angeles, Washington State.

In July 2018, the Chair wrote to the Honourable Marc Garneau, Minister of Transport Canada requesting a three month extension of the Interim Anchorage Protocol to ensure sufficient and reliable data is collected.

In September 2018, Islands Trust trustees wrote jointly with San Juan County Councillors to the Right Honourable Justin Trudeau, Prime Minister of Canada, expressing disappointment at the Canadian government's decision to purchase the Trans Mountain pipeline and proceed with trying to expand it. The Office of the Prime Minister responded on September 20, 2018.

In September 2018, the Chair presented on a panel at Washington State's Salish Sea Shared Waters Forum in Bellingham, Washington with a Councillor of San Juan County and the Mayor of Bellingham.

In September 2018, the Chair wrote to the Honourable Marc Garneau, Minister of Transport Canada, regarding concerns of the Interim Protocol for the Use of Southern B.C. Anchorages and the lack of community engagement and consultation processes.

In September 2018, the Chair wrote to the Right Honourable Justin Trudeau, Prime Minister of Canada; the Honourable John Horgan, Premier of British Columbia; the Honourable Marc Garneau, Minister of Transport; the Honourable Jonathan Wilkinson, Minister of Fisheries and Oceans and the Canadian Coast Guard; the Honourable Catherine McKenna, Minister of Environment and Climate Change; the Honourable Claire Trevena, BC Minister of Transportation and Infrastructure; and the Honourable George Heyman, BC Minister of Environment and Climate Change Strategy conveying Islands Trust Council's request that the federal government work towards eliminating the use of 33 commercial freighter anchorages throughout the Southern Gulf Islands, an area Transport Canada refers to as the South Coast of British Columbia.

In October 2018, the Chair wrote to Transport Canada regarding the *Strengthening Marine Environmental Protection and Response Potential Legislative Amendments Discussion Paper* supporting a focus on preventing oil spills.

In October 2018, the Chair wrote to Transport Canada regarding the *Proactive Vessel Management Discussion Paper* which addressed vessel traffic issues in local waterways and opportunities to reduce the impacts of shipping in the short and long term.

In October 2018, the Chair wrote to the National Energy Board regarding the scope of a planned Trans Mountain Pipeline Reconsideration hearing submitting a list of issues and respectfully suggesting that the National Energy Board require additional evidence about the environmental effects of the project related to marine shipping, the design of the hearing process, and suggesting government departments that could provide additional relevant information.

In November 2018, the Chair wrote to the National Energy Board's Trans Mountain Pipeline Reconsideration hearing expressing opposition to the Trans Mountain Pipeline Expansion Project and expressing concern that an oil spill resulting from the Project or an oil tanker collision or malfunction could have a negative impact on the Island Trust Area's unique amenities and environment, directly affecting the advancement of the Islands Trust's provincial object.

In December 2018, the Chair wrote to Transport Canada regarding its *Port Modernization Review Discussion Paper* expressing hope that Transport Canada will promote the changes that lead to greener, low carbon transportations systems and world class response and monitoring systems that are inclusive of community and Indigenous knowledge.

In March 2019, the Chair wrote to the Honourable Marc Garneau, Minister of Transport Canada thanking him to take the time to meet on short notice to discuss their shared interest in the islands and waters between the British Columbia mainland, the southern Vancouver Island, and the Anchorage Initiative in the Ocean Protections Plan.

Marine contamination

In July 2018, the Chair wrote to the Honourable Catherine McKenna, Minister of Environment and Climate Change, and the Honourable Dominic LeBlanc, Minister of Fisheries and Oceans Canada requesting the House of Commons support Parliamentary Motion M-151 made by MP Gord Johns, that Environment Canada and Fisheries and Ocean Canada take positive actions to reduce the influx of plastics and micro plastics into Canadian Waters.

In October 2018, the Chair wrote to Capt. Hardeep Grewal Marine Superintendent, North Coast Fleet Operations, requesting that BC Ferries reminds its subcontractors to adhere to Transport Canada regulations with respects to sewage dumping.

In November 2018, the Chair wrote to the Tanker Safety Panel Secretariat regarding improving how Canada prepares for and responds to releases of hazardous and noxious substances from ships.

Geoduck aquaculture

In September 2019, the Union of British Columbia Municipalities (UBCM) endorsed an Islands Trust resolution requesting that the DFO conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased monitoring and enforcement.

Agriculture

In April 2018, the Chair wrote to the Chair of the Agricultural Land Commission supporting the preservation of the Agricultural Land Reserve and its management by an independent and adequately funded Agricultural Land Commission.

In May 2018, the Chair congratulated Jennifer Dyson on her appointment as Chair of the Agricultural Land Commission and shared that the Islands Trust Council is working with other governments and agencies to protect farm land and enhance sustainable agricultural activity on the islands.

Sustainable communities

In March 2018, the Chair wrote to Western Economic Development Canada, supporting the Salt Spring Island Economic Development Commission's Rural Islands Economic Summit project.

In July 2018, the Chair wrote to the Honourable Navdeep Bains, Minister of Innovation, Science and Economic Development, requesting that the Minister designate all islands in the Islands Trust Area as eligible for Community Futures funding and other granting programs for rural communities.

In July 2018, the Chair wrote to the Honourable John Horgan, Premier of British Columbia requesting that the Province designate all islands in the Islands Trust Area as permanently eligible for Rural Dividend Program funding and other granting programs for rural communities, including the Island Coastal Economic Trust. The Assistant Deputy Minister responded on August 9, 2018.

In July 2018, the Chair wrote to the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, regarding Housing Needs Assessment reports completed for the northern islands and are underway for the southern islands. The reports are publicly available on the Islands Trust website.

In October 2018, the Chair wrote to BC Hydro regarding their Net Metering Program which is curbing the amount of energy net-metered customers can sell to BC Hydro.

BC Hydro responded on October, 11, 2018.

Islands Trust Act amendments

In December 2018, the Chair wrote to the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, requesting potential legislative changes to the *Islands Trust Act* and other relevant legislation. The proposed legislative changes are grouped into three broad themes: Enforcement and Administration, Modernization, and Advancing the Mission of the Islands Trust.

The Minister responded on February 6, 2019.

In June 2018, the Chair wrote to the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, thanking her for introducing amendments to the *Islands Trust Act* that changed the name of the Islands Trust Fund to the Islands Conservancy.

2019/20 Advocacy

Land Stewardship

In July 2019, the Chair wrote to The Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development, in response to the call for comments on the Private Managed Forest Lands Act, to request that amendments be made to require forest practice standards equivalent to Crown forest lands, and allow local governments to regulate some forestry related activities. (The PMFLA Review Team responded on November 5, 2019.)

Marine Shipping Safety and Oil Spill Preparedness and Response

In April 2019, the Chair wrote to the Review Panel Secretariat for the Roberts Bank Terminal 2 Project to provide comments on the marine shipping components of the proposed project and later spoke at the public hearing in Victoria.

In June 2019, the Chair wrote to the Oceans Protection Plan, led by the Canadian Coast Guard, with detailed feedback on the draft West Coast Emergency Towing Needs Assessment Report.

In July 2019, the Chair wrote to The Honourable Marc Garneau, Minister of Transport Canada, reiterating the need for an Anchorages Initiative regarding vessels continuing to anchor in the Trust Area and the need to address residents' concerns regarding environmental and health impacts.

In July 2019, the Chair wrote to Transport Canada in response to its request for feedback on extending the Interim Protocol for the Use of Southern B.C. Anchorages (Interim Protocol). Islands Trust expressed concern at Transport Canada's request for a further extension, and called upon them to work towards eliminating the use of 33 commercial freighter anchorages throughout the Southern Gulf Islands, to prohibit any dumping of potential contaminants overboard, and to stop conducting maintenance that generates bright lights and loud

and constant noise throughout the day and night. (Transport Canada responded on July 10, 2019.)

In September 2019, the Chair wrote to Transport Canada expressing support for the collaborative approach that Transport Canada is proposing to address vessel traffic issues in local waterways to reduce the impacts of shipping and expressing expectations and matters for consideration. A \$1,350 Ocean Protection Plan grant was applied for and received to support this work.

Marine Ecosystems Protection

In May 2019, the Union of BC Municipalities (UBCM) endorsed an Islands Trust resolution requesting the provincial government to prioritize the approval of key marine cumulative effects values for long-term monitoring and cumulative effects assessments in coastal regions. (The resolution and provincial response are included in this report –Section B155.)

In July 2019, the Chair wrote to Islands Trust Area First Nations with an invitation to be a joint signatory on the Chair's letter to the Minister of Fisheries and Oceans calling for a moratorium on the Pacific herring fishery in the Salish Sea until an ecosystem-based management plan was in place. In Aug 2019, the Chair wrote to all regional districts in the Trust Area and municipalities in the Salish Sea Area calling for regional cooperation on the call for a moratorium. In October 2019, the Chair wrote to the Honourable Jonathan Wilkinson, Minister of Fisheries, Oceans, and the Canadian Coast Guard, a letter sent jointly with the Mayor of Bowen Island Municipality requesting that the federal government place "a moratorium on the herring fishery in the Salish Sea until an ecosystem-based management plan is in place that considers the current and future effects of climate change and the potential impacts of the fishery on predator species, in particular, Chinook Salmon and Southern Resident Killer Whales."

In December 2019, the Chair wrote to the Honourable Bernadette Jordan, Minister of Fisheries and Oceans, and the Canadian Coast Guard, requesting that more resources be dedicated to enforcement of aquaculture regulations with the aim of reducing the amount of aquaculture refuse in the marine environment and clearly marking tenure boundaries. (Minister Jordan responded on January 28, 2020.) In December 2019, the Chair also wrote to the Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development, requesting that more resources be allocated to ensuring that aquaculture tenure requirements can be enforced effectively.

In December 2019, the Chair wrote to the Chair of the Howe Sound Biosphere Region Initiative in support of AtI'ka7tsem/Howe Sound becoming a United Nations Educational, Scientific and Cultural Organization (UNESCO) Biosphere Reserve.

In February 2020, the Chair wrote to the Department of Fisheries and Oceans Canada, supporting the Dead Boats Disposal Society's application for funding to locate and remove ghost gear from sensitive marine environments within the Trust Area, underscoring the importance of these efforts to the conservation, protection and restoration of fish stocks and ecosystems, as well as species-at-risk, in the Salish Sea.

In February 2020, Islands Trust submitted a resolution to the Association of Vancouver Island and Coastal Communities (AVICC) and Union of British Columbia Municipalities (UBCM), requesting that the Province of British Columbia work with First Nations, and federal, provincial, and local government stakeholders, to develop a coordinated strategy to study and address the environmental and social impacts associated with liveaboards on the British Columbia coastline.

Climate Change

In May 2019, the Chair wrote to First Nations and Regional Districts in the Islands Trust Area, highlighting the Islands Trust Climate Change Emergency Declaration announced in March 2019 and requesting collaboration on climate change efforts in the Trust Area. (The First Nations Leadership Council responded on June 27, 2019.)

In May 2019, the Chair wrote to The Honourable Catherine McKenna, Minister of Environment and Climate Change, expressing Islands Trust's support for the National Determined Contributions Target (reduction in greenhouse gas emissions) made by Canada under the UNFCCC Paris Agreement and requesting federal government support for local governments to accomplish the important work of combatting climate change.

In May 2019, the Chair wrote to The Honourable George Heyman, Minister of Environment and Climate Change Strategy, expressing Islands Trust's support of the development of a new strategy that will better prepare B.C. communities for the impacts of climate change. In January 2020, the Chair wrote again with more detailed feedback to be considered in the development of this provincial strategy.

In September 2019, the Chair wrote to regional districts in the Islands Trust Area inviting them to co-sign a letter to the Minister of Energy, Mines and Petroleum Resources requesting greater support for solar energy in rural and remote communities. In November 2019, the Chair then wrote to the Honourable Michelle Mungall, Minister of Energy, Mines and Petroleum Resources, requesting a financial incentive program for hybrid solar photovoltaic systems with batteries for community buildings in rural and remote communities.

In August 2019, the Chair wrote to The Honourable Claire Trevena, Minister of Transportation and Infrastructure, to urgently request that current upgrades to roads on Gabriola Island be reconsidered to include active transportation lanes and that the Official Community Plan and 1992 Letter of Agreement be consulted. (Minister Trevena responded on October 10, 2019). In January 2020, the Chair wrote to the Honourable Claire Trevena, Minister of Transportation and Infrastructure, to request that the Province integrate British Columbia's Active Transportation Strategy and ferry electrification in its planning for BC Ferries.

Community and Communication

In September 2019, the Chair wrote to The Honourable Jinny Sims, Minister of Citizens' Services, and The Honourable Navdeep Bains, Minister of Innovation, Science and Economic Development Canada, requesting funding and support for the Islands Trust Area communities that have not been included in the Connect to Innovate and Connected Coast initiatives, namely Denman Island, Hornby Island, Gabriola Island, Thetis Island, Galiano Island, Mayne Island, South Pender Island, and Keats Island. (The Ministry of Citizens' Services responded on December 3, 2019.)

Reconciliation & Engagement

In July 2019, the Chair wrote to The Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation, seeking funding and guidance from the Ministry to assist in the implementation of the Islands Trust Reconciliation Action Plan 2019-2022 to foster dialogue, work collaboratively, and to meaningfully engage with First Nations and community within the Islands Trust Area. In December 2019, following a meeting with Minister Fraser and his staff, the Chair wrote again to the Honourable Scott Fraser, Minister of Indigenous Relations and Reconciliation, requesting his Ministry's support in fostering meaningful engagement with First Nations governments on the Policy Statement review currently underway.

Governance

In May 2019, the Union of BC Municipalities endorsed an Islands Trust resolution requesting the provincial government to improve the enforceability of development permit area requirements by enabling local governments to enforce violations by way of prosecution, ticket or bylaw notices. (The resolution and provincial response are included in this report –Section B53.)

In October 2019, the Chair wrote to the Honourable Selina Robinson, Minister of Municipal Affairs and Housing, advising that Trust Council passed a motion “to add the Islands Trust to the Auditor General Act, allowing for review of the Trust by the Auditor General for Local Government.” (Minister Robinson responded on January 17, 2020, and the Chair followed up on February 18, 2020).

2020/21 Advocacy

Aquaculture

In January 2021, the Islands Trust Chair wrote in response to the request for input on the new Federal Aquaculture Act and DFO Discussion Paper: A Canadian Aquaculture Act, the Trust Council Chair wrote to the Aquaculture Management Directorate of Fisheries and Oceans Canada (DFO). The letter from the Chair highlighted some priority areas of concern with regards to reconciliation, environmental protection and enforcement.

Anchorage

In January 2021, the Trust Council Chair wrote a letter to the Honourable Omar Alghabara, Minister of Transport, expressing dismay over the lack of federal government action to address the serious issue of freighter anchorages in the Southern Gulf Islands and to request leadership on the issue.

In April 2020, the Trust Council Chair wrote a letter to the Honourable Marc Garneau, Minister of Transport, calling for a Transportation Safety Board investigation into the March 30, 2020 freighter collision in Plumper Sound. The letter reiterated Islands Trust’s longstanding request that the federal government take all measures possible to reduce, and ultimately eliminate, the use of the 33 commercial freighter anchorage sites throughout the Southern Gulf Islands. The Islands Trust also worked to draw media attention to the incident. The Transportation Safety Board report was released in February 2021.

Forest Protection

In November 2020, the Trust Council Chair wrote to request the Province enhance the Trust’s jurisdiction over tree-cutting bylaws to make Islands Trust’s jurisdiction equal to that of municipalities under section 8 of the Community Charter.

In July 2020, the Trust Council Chair wrote a letter to The Honourable Doug Donaldson, B.C. Minister of Forests, Lands, Natural Resource Operations and Rural Development; The Honourable Selina Robinson, Minister of Municipal Affairs and Housing; and The Honourable Scott Fraser Minister of Indigenous Relations and Reconciliation following up on a meeting at Union of B.C. Municipalities. The letter reiterated concerns that the current provincial Private Managed Forest Land Act is restricting Islands Trust from fulfilling its legislative mandate to preserve and protect the environment of the Trust Area. The letter included a legal opinion from

Young Anderson regarding possible amendments to the PMFLA. The Ministry of Forests, Lands, Natural Resource Operations and Rural Development responded on October 19, 2020 and responded again on April 23, 2021.

Governance

In February 2021, the Islands Trust Corporate Secretary wrote to the Association of Vancouver Island and Coastal Communities to provide notice that a resolution and backgrounder was being submitted for consideration at the 2021 Association of Vancouver Island and Coastal Communities (AVICC) and Union of B.C. Municipalities (UBCM) convention.

The resolution requests the Ministry of Municipal Affairs update the Local Government Act to allow temporary use permits and public hearing notifications to be provided electronically.

Marine Protection

In November 2020, the Trust Council Chair wrote to The Honourable John Horgan Premier of British Columbia; The Honourable Katrine Conroy Minister of Forests, Lands, Natural Resource Operations and Rural Development; The Honourable George Heyman Minister of Environment and Climate Change Strategy; The Honourable Rob Fleming Minister of Transportation and Infrastructure; and The Honourable Josie Osborne Minister of Municipal Affairs to request that the B.C. Government develop and enact a Coastal Strategy and law. The intent would be to leverage and coordinate the work of provincial ministries, First Nations, local communities, and stakeholder groups to:

- Preserve coastal and ocean health
- Halt coastal habitat loss
- Accelerate the completion of a network of marine protected areas to benefit fisheries, biodiversity and the economy
- Set marine environmental quality objectives from upland activities, and help communities adopt ecosystem-based approaches to manage risks from flooding due to extreme weather events, sea-level rise, climate change, and ocean acidification

In March 2021, the Trust Council Chair wrote to the B.C. Environmental Assessment Office via an online portal to communicate opposition to the Trans Mountain Pipeline Expansion Project. In the letter, the Chair explained that Islands Trust believes the plan to transform the waters of the Salish Sea into an export corridor for nearly a million barrels of toxic bitumen per day for the next 50 or more years exposes the Trust Area to unacceptable levels of risk. The Chair also requested that Islands Trust be added to the list of groups consulted and or involved in developing and reporting research regarding diluted bitumen.

Reconciliation

In November 2021, the Trust Council Chair wrote to the Union of British Columbia Municipalities Executive Board about six resolutions adopted by the Islands Trust Executive Committee that help integrate the National Inquiry into Murdered and Missing Indigenous Women and Girls Calls for Justice into the work of Islands Trust. The Chair also reaffirmed Trust's continued commitment to reconciliation and relationship building.

Transportation

In January 2021, the Trust Council Chair wrote to the Prime Minister of Canada to communicate Islands Trust support for the BC Ferries Island Class Electrification Project. The Chair urged the federal government to provide financial funding for this critical project, which would enable the conversion of Island-class ferries from hybrid-powered to all-electric vessels by allowing them to seamlessly recharge their batteries during the embarkation and disembarkation of passengers.

In October 2020, the Trust Council Chair wrote a letter to The Honourable Claire Trevena, B.C. Minister of Transportation and Infrastructure and The Honourable Federal Minister of Transport, Marc Garneau, requesting that the Province of B.C. or Transport Canada acquire the New Brighton Dock from the Squamish Nation and or assist in the acquisition of the dock by a public entity. The letter stressed that the dock be preserved as a critical public port facility for the Gambier Island community. The Deputy Minister of the B.C. Ministry of Transportation and Infrastructure responded.

In July 2020, the Trust Council Chair wrote to The Honourable Claire Trevena Minister of Transportation and Infrastructure to urge the Province to put in place measures that ensure current service levels are maintained or improved to continue to meet local demand, irrespective of the financial uncertainties of BC Ferries. The Chair also requested that priority be placed on the involvement of Ferry Advisory Committees in all aspects of decision-making to ensure that the needs of communities are well understood and protected. The Honourable Claire Trevena Minister of Transportation and Infrastructure, responded.

2021/22 Advocacy

Agriculture

In April 2021, the Trust Council Chair wrote a letter to the Institute for Sustainable Food Systems endorsing the Kwantlen Polytechnic University's Institute for Sustainable Food Systems' development and implementation of an organic agriculture and food system extension service in British Columbia.

Climate Change

In January 2022, Islands Trust submitted a resolution to the Association of Vancouver Island and Coastal Communities (AVICC) and Union of British Columbia Municipalities (UBCM), requesting that the Province fund and support the development and integration of climate risk and vulnerability assessments into Official Community Plan review processes.

Freshwater Sustainability

In March 2022, the Trust Council Chair wrote a letter to the Water Protection and Sustainability Branch Ministry of Environment and Climate Change Strategy, providing support and feedback regarding the Watershed Security Strategy and Fund Discussion Paper. The letter requested that the Province consider early collaboration with Trust Council and Islands Trust staff in the development of the strategy to facilitate harmonization with the Islands Trust Freshwater Sustainability Strategy and the Islands Trust Object.

Housing

In January 2022, Islands Trust submitted a resolution with backgrounder for consideration at the 2022 Association of Vancouver Island and Coastal Communities (AVICC) and Union of BC Municipalities (UBCM) conventions, requesting that the Province provide funding and support to local governments (and Islands Trust) to facilitate affordable housing projects in rural areas in British Columbia.

Marine Protection

In January 2022, Islands Trust and San Juan County co-wrote a letter to the federal Minister of Fisheries, Oceans, and the Canadian Coast Guard, and the Minister of Transport, to request an Emergency Towing Vessel in Sidney.

The letter highlighted that recent studies by Canadian interests, San Juan County, and the Washington Department of Ecology demonstrate the need for and feasibility of an Emergency Towing Vessel for oil spill prevention in the Southern Strait of Georgia, Boundary Pass, Turn Point off of Stuart Island, Haro Strait, and the Strait of Juan de Fuca.

In February 2022, the Trust Council Chair wrote a letter to the federal Minister of Fisheries, Oceans, and the Canadian Coast Guard, expressing thanks for the December 2021 announcement that, for most commercial fisheries, the herring quota would be reduced to a 10% harvest rate. In 2018 and 2019, Islands Trust had advocated to the Minister and ministry staff on the topic of herring protection. The reduction in the harvest rate will contribute positively to preserving and protecting marine ecosystems and species at risk in the Trust Area.

In March 2022, the Trust Council Chair wrote to the federal Minister of Transport to request that Transport Canada take further action on air pollution and dumping from marine vessels, including stopping the use of exhaust gas cleaning systems (scrubbers) and mandating a stricter fuel standard in Canadian waters. This would prevent ships from using the current workaround of using scrubbers on marine exhaust systems, which result in large discharges of acidic waste and toxic pollutants into the water column instead of the atmosphere.

Forest Protection

In March 2022, the Trust Council Chair wrote to the Minister of Forests and the Minister of Land, Water, and Resource Stewardship and submitted a resolution for consideration at the 2022 Union of BC Municipalities (UBCM) meeting to request that the Province of British Columbia, in partnership with Indigenous leadership, develop and communicate in a timely way the process and timelines through which they plan to develop new legislation to protect and restore biological diversity and ecosystem health, in a manner consistent with the Declaration on the Rights of Indigenous Peoples Act, and with the involvement of Islands Trust, local governments, civil society groups, Indigenous Knowledge Holders, scientists, and members of the public.

Other

In April 2021, in response to a delegation to Trust Council by Rodenticide Free BC, the Trust Council Chair wrote to the Minister of Environment and Climate Change, to request that the Province of British Columbia introduce a Province-wide ban on the use of rodenticides which are known to move through the food chain endangering wildlife. In April 2021, the Minister replied, expressing the same concerns and reporting that he has directed ministry staff to develop options for improvements to how rodenticides are regulated in B.C., including consideration of bans.

2022/23 Advocacy

Agriculture

In June 2022, the Trust Council Chair wrote a letter to the Minister of Agriculture and Food requesting provincial action to address invasive fallow deer in the Southern Gulf Islands. The letter highlighted that the issues began due to deer escaping from a fallow deer farm on Mayne Island in the 1980s and 1990s, a farm that was under the jurisdiction of the Ministry of Agriculture.

Governance

In July 2022, the Trust Council Chair wrote a letter to the Minister of Municipal Affairs to request that the

Province of British Columbia conduct a review of Islands Trust's mandate, governance, and structure, and that this request be brought to the attention of the Lieutenant-Governor-in-Council (Cabinet).

Forest Protection

In June 2022, the Trust Council Chair wrote a letter to the Minister of Municipal Affairs, following up on their in-person meeting, to underscore Trust Council's concerns and interests relating to forest management, private logging, and tree-cutting in the Islands Trust Area, and the impacts of these activities on the Islands Trust Object.

Other

In June 2022, in response to a delegation to Trust Council, the Trust Council Chair wrote to the Prime Minister, Minister of Mental Health and Addictions, Minister of Health, and Minister of Justice and Attorney General of Canada, supporting Bill C-216 "An Act to Amend the Controlled Drugs and Substances Act and to Enact the Expungement of Certain Drugs-related Convictions Act and the National Strategy on Substance Use Act."

Local Trust Committee Advocacy Summary (2018-2022)¹

Islands Trust Council's Advocacy Policy includes policies specific to local trust committee advocacy which include the following:

- Local trust committees conduct advocacy based on the Islands Trust Object, the Islands Trust Policy Statement and their Official Community Plan(s).
- Local trust committees may, by resolution, undertake advocacy on land use issues specific to their local trust area and consistent with the official community plan after considering whether the position may fetter their discretion on current or future land use planning decisions.
- Where the Islands Trust Council has adopted a bylaw, pursuant to Section 10 of the Islands Trust Act, that delegates powers under Section 8(2)(b),(c), (d) or (e) of the Islands Trust Act to a local trust committee, the local trust committee may, by resolution, undertake related advocacy, subject to any restrictions or conditions specified in the bylaw.
- The duties of elected office to make unbiased decisions about land use planning will take precedence when an advocacy topic overlaps with those duties.
- When a local trust committee adopts an advocacy position, it will inform the Executive Committee, and will consider how the item relates to the staff work program.
- If a local trust committee wishes to advocate on an issue not related to land use planning or not consistent with its Official Community Plan, the local trust committee chair will seek approval from the Executive Committee to allocate staff time to the project.
- If a local trust committee wishes to advocate on an issue overlapping with the jurisdiction of another Islands Trust body or island municipality, it will consult with the affected body. After considering the advice from that body, it may take an independent position that is consistent with the object of the Islands Trust and the Islands Trust Policy Statement, and will inform that body of the position.

Local trust committee advocacy work is undertaken by Trust Area Services staff, approved by the local trust committee chair, and issued by Local Planning Services administrative staff. Letters are posted to the Advocacy Letters page on the website and at the request of local trust committee may be posted to the relevant local trustee corner page and may be featured in a "What's New" blog on the local trust area landing page.

Letters sent:

Denman

1. Minister of Health - Feasibility study regarding creation of housing service for Denman Island
2. Fisheries and Oceans Canada - Shellfish Aquaculture in Baynes Sound
3. Ministers of Citizen Services & Municipal Affairs, SRD, CVRD - Support for Connected Coast project
4. Minister of Health - Support for BC Farmers Market Nutrition Coupon Program

¹ Does not include non-advocacy correspondence such as letters of support for community initiatives.

Gabriola

5. Regional District of Nanaimo - Nanaimo Regional Growth Strategy - Nanaimo Airport Lands
6. Baylinks Network - Support for Connected Coast project
7. Minister of Health - Support for BC Farmers Market Nutrition Coupon Program

Galiano

8. Access Networks BC - Cellular service enhancement
9. Ministry of Forests, Lands and Natural Resource Operations and Rural Development - Private Managed Forest Land Act (PMFLA) Consultation Feedback from Galiano Island Local Trust Committee
Dept. of Mines - Regarding : Application for Mines Act Permit
10. Rogers Communications Inc. - Cell Tower

Gambier

11. Sunshine Coast Regional District - New Brighton Dock
12. Prov. & Fed Ministers of Transportation - New Brighton Dock
13. Sunshine Coast Regional District - New Brighton Dock
14. Ministry of Transportation and Infrastructure - Reconciliation regarding a subdivision
15. Vancouver Coastal Health - Request for more Marine water testing in the Sunshine Coast Regional District islands
16. Sunshine Coast Regional District - Grant-in-Aid policy: Fire Suppression and life or Emergency Safety Equipment
17. Vancouver Coastal Health - Marine water testing in the Sunshine Coast Regional District Islands
18. Sunshine Coast Regional District - Renaming Halkett Bay Dock - emergency response issue

Hornby

19. Ministers of Citizen Services & Municipal Affairs, SRD, CVRD - Support for Connected Coast project

Mayne

20. Capital Regional District - Mayne Island – St. John Point
21. Capital Regional District - Garbage Services
22. Capital Regional District - Mayne Island – St. John Point (2)
23. Capital Regional District - Mayne Island – Anson Road Dock
24. Capital Regional District - St. John Point (3)
25. Capital Regional District - Request for an Electric Vehicle (EV) Charging Station
26. Islands Trust Conservancy – Mayne Island Fallow Deer

North Pender

27. Capital Regional District - Halting work on modifying Gardom Pond
28. Capital Regional District - Halting work on modifying Gardom Pond (2)
29. Capital Regional District - Mayne Island – Pathways from Miners Bay to Village Bay
30. Federal Minister of Transport - Aeronautical navigation in the Islands Trust Area

31. Magic Lake Estates Sewer and Water Committee – Education Initiative, potential impacts of development and other activities on riparian areas
32. Capital Regional District - Pender Island Cycling and Pedestrian Infrastructure
33. Ministry of Transportation and Infrastructure - Pender Island Cycling and Pedestrian Infrastructure

Salt Spring

34. Ministry of Transportation and Infrastructure- Ferry Terminal Road Congestion; 2) Salish Sea Trail Network and; 3) South Island Transportation Strategy

Thetis

35. Ministers of Citizen Services & Municipal Affairs, CVRD - Support for Connected Coast project

BRIEFING

To:	Trust Council	For the Meeting of:	September 20, 2022
From:	Trust Programs Committee	Date Prepared:	August 26, 2022
SUBJECT:	Correspondence from Ministry of Municipal Affairs staff on Policy Statement Content and Structure		

PURPOSE: To provide Trust Council with recent correspondence received from staff at the Ministry of Municipal Affairs in response to Trust Program Committee's request for feedback on required or desired content or structure for the Policy Statement.

BACKGROUND:

On February 11, 2022 during discussion about potential next steps to amend the Policy Statement, Trust Programs Committee passed the following motion:

That Trust Programs Committee request staff to seek provincial staff feedback on required or desired content or structure for the Policy Statement. (TPC 2022-003)

While Section 15 of the *Islands Trust Act* states that the Policy Statement "must be a general statement of the policies of Trust Council to carry out the object of the Trust", it does not stipulate more specific details on what types of policies should be included. Some TPC members questioned whether Trust Council is obliged to include specific directive policies to local trust committees and island municipalities, or whether there is flexibility to restructure the document and types of policies included (Commitments of Trust Council, Directive Policies to Local Trust Committees and Island Municipalities, and Recommendations / Advocacy / Coordination Policies).

As the Policy Statement must be approved by the Ministry of Municipal Affairs prior to adoption, Trust Area Services (TAS) staff conveyed TPC's request to staff at the Ministry of Municipal Affairs to inquire whether they had any feedback on required or desired content or structure for the Policy Statement. Following receipt of an initial response from ministry staff, TAS staff sought further clarification to ensure correct interpretation. A follow-up response was provided by ministry staff on August 25. (See Attachment 1)

Ministry staff has advised that Islands Trust has considerable flexibility as to what could be included in the Policy Statement and how it could be structured, and has provided some further observations for the committee's consideration. It notes that its observations do not constitute legal advice and that Islands Trust is encouraged to seek advice from its own legal counsel on the questions posed. With this in mind, TPC members may wish to revisit the [publicly released legal opinion](#) received from Young Anderson in October 2020.

ATTACHMENT(S):

1. Correspondence from Ministry of Municipal Affairs staff regarding Policy Statement content and structure.

FOLLOW-UP: Trust Programs Committee did not request any follow-up. Staff will consider the comments in the letter as they undertake the next steps for the Policy Statement Amendment Project.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services
Reviewed By/Date: Clare Frater, Director, Trust Area Services / August 26, 2022

From: Burleson, Ron MUNI:EX <Ron.Burleson@gov.bc.ca>
Sent: Thursday, August 25, 2022 2:05 PM
To: Dilani Hippola
Cc: Brooks, Jessica MUNI:EX; Shortly, Anna MUNI:EX; Woodward, Kara M MUNI:EX; Clare Frater; Russ Hotsenpiller
Subject: RE: Requested Direction re Policy Statement Content/Structure

Dilani,

Although there is no expressed authority for the Trust Council to proactively require a local trust committee or island municipality to adopt certain policies contained in the Policy Statement or address certain matters within their own existing policies, we do not take any issue with the interpretation of the Islands Trust Act authorities discussed in the October 27, 2020 Young Anderson opinion (the YA Opinion) – namely that the Trust Council may require a local trust committee or island municipality to include certain substantive content in their proposed bylaws – this substantive content could presumably include a requirement to include specific policies and statements in their OCP and other bylaws. The YA opinion bases this conclusion primarily on the combined effect of s.3 and section s.15(4) of the Islands Trust Act that states that bylaws from local trust committees or island municipality must not be approved by Executive Committee or Trust Council if they are contrary to, or at variance with, the Policy Statement. MUNI cannot provide the Islands Trust with legal advice, so if you still have concerns about the applicability of the YA opinion to this specific question, you will want to follow up with your legal counsel.

I hope this provides the clarification you were seeking. Please let me know if you have any additional questions.

Thank you

Ron

Ron Burleson, M.A., PMP
Director, Planning and Land Use
Planning and Land Use Management | Local Government Division
Ministry of Municipal Affairs

Ph: 778-698-3328 Cell: 250-208-3981



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From: Burleson, Ron MUNI:EX <Ron.Burleson@gov.bc.ca>
Sent: Monday, June 20, 2022 3:57 PM
To: Clare Frater <cfrater@islandstrust.bc.ca>
Cc: Brooks, Jessica MUNI:EX <Jessica.Brooks@gov.bc.ca>; Shortly, Anna MUNI:EX <Anna.Shortly@gov.bc.ca>
Subject: Requested Direction re Policy Statement Content/Structure

Dear Clare Frater,

Thank you for your emails requesting feedback from the Ministry of Municipal Affairs (MUNI) about the draft Policy Statement. Thank you for sharing a copy of the Council report on engagement and for offering to provide an update on Council's next steps following its consideration of the document on June 22.

As I understand from your emails, the Trust Programs Committee passed a motion on February 11 during discussion about potential next steps to amend the Policy Statement: "that the Trust Programs Committee request staff to seek provincial staff feedback on required or desired content or structure for the Policy Statement."

Section 15 of the *Islands Trust Act (ITA)* requires that Islands Trust Council adopt a Policy Statement that applies to the entire Trust Area. The Policy Statement "must be a general statement of the policies of the Trust Council to carry out the Object of the Trust." The Object is to "preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia."

We understand that members of Trust Programs Committee are interested in understanding whether there is an obligation to include specific directive policies to local trust committees and island municipalities or whether there is flexibility to restructure the document and types of policies included. The *ITA* contains no Policy Statement requirements for content, structure, or certain policies, **nor does it appear to authorize the Islands Trust to require that a local trust committee or island municipality adopt the directive policies contained in the Policy Statement within their own policies.** The Islands Trust has considerable flexibility as to what could be included in the Policy Statement and how it could be structured. With respect to these observations on the Policy Statement, we would like to note that this does not constitute legal advice, and the Islands Trust is encouraged to seek advice from its legal counsel on the questions that it has posed.

In terms of provincial considerations, once it has been approved by the Trust Council, MUNI staff will review the Policy Statement to determine 1) whether there are any conflicts with significant provincial interests and 2) whether the obligations of the provincial Duty to Consult have been met. MUNI is pleased that the Islands Trust is focussing on policy amendments related to reconciliation, climate change and affordable housing.

MUNI generally expects local authorities, including the Islands Trust Council and its local trust committees, to address certain matters of provincial interest in their plans, policies, and procedures.

MUNI recognizes that the Trust's mandate to "preserve and protect" must be balanced with the various stakeholder interests within the Trust area, including regional districts and private landowners, as well as with different provincial interests such as those related to affordable housing, agriculture, and forestry. In support of this, the Islands Trust is encouraged to engage with all key agencies whose interests may be affected by the Policy Statement.

We understand that the Islands Trust has undertaken significant consultation and engagement on the Policy Statement with provincial agencies, some of whom have raised concerns with certain aspects. MUNI encourages the Islands Trust to address any concerns or objections raised by provincial agencies, and to provide a detailed analysis stating how the concerns were considered before submitting the Policy Statement for Ministerial approval.

On March 30, 2022, the Province released its [Action Plan](#) for implementing the *Declaration of the Rights of Indigenous People Act* Action Plan (*Declaration Act*). While provincial laws will be brought into alignment over time, the *Declaration Act* does not have an immediate impact on the *ITA*. The *Declaration Act* is enabling legislation and does not explicitly make changes to regulatory frameworks, operational decision-making, or consultation requirements. Future changes will take time and will be done in collaboration with Indigenous peoples, local authorities, and key stakeholder groups.

MUNI is pleased to see the Islands Trust adopt a Reconciliation Declaration, commit to aligning policies and processes with the *Declaration Act*, and continuously seeking to improve its relationships with First Nations. We ask that you please ensure that you continue to keep a detailed record of your First Nations engagement efforts, including a record of how feedback from First Nations has been considered and incorporated into the Policy Statement, and any unresolved issues or concerns. In carrying out the Provincial Duty to Consult before making an approval decision, MUNI will review the Islands Trust's engagement record and determine whether further consultation is required.

MUNI is also pleased that the Islands Trust has adopted a priority theme of addressing climate change in the Policy Statement. As you may know, the Province recently launched the [CleanBC Roadmap to 2030](#). Building on actions in our 2018 CleanBC strategy, the *Roadmap to 2030* is a more ambitious climate plan to reach our 2030 emissions reductions targets and build a strong, low-carbon economy. The *Roadmap to 2030* includes actions across eight pathways including: Low-Carbon Energy; Transportation; Buildings; Communities; Industry; Agriculture, Aquaculture and Fisheries; Forest Bioeconomy; and Negative Emissions Technologies. The Communities pathway notes that local authorities have the capacity to influence approximately 50% of B.C.'s GHG emissions through land use and transportation decisions, and commits to, among other things, providing better supports, tools and guidance, making data available to help inform decisions and assess progress and using a climate lens to review provisions in land use plans and policies. We encourage the Islands Trust to continue to apply a climate lens to their Policy Statement, and land use planning decisions generally.

Finally, MUNI is pleased to see the recent release of the [Southern Gulf Islands Housing Strategy](#), which provides an in-depth analysis of housing needs in the region. We encourage the Islands Trust to continue to consider how they can facilitate land use planning and development in support of providing affordable housing in communities and protecting the key ecosystems in the Trust area that contribute to the area's and Province's climate resiliency.

Thank you again for the opportunity to provide feedback on the draft Policy Statement. Should you have any further questions or comments, please feel free to contact me at Ron.Burleson@gov.bc.ca or by phone at (778) 698-3328. MUNI staff are always happy to meet and discuss our feedback.

Yours truly,

Ron Burleson

Ron Burleson, M.A., PMP

Director, Planning and Land Use
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Ministry of Municipal Affairs

Ph: 778-698-3328 Cell: 250-208-3981



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TRUST AREA SERVICES 2022-2023 Second Quarter Report

Date: August 29, 2022

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. GENERAL	
- Prepared budget requests for 2023/24 - Completed staff performance reviews - Procedure review commenced	- Implement plan for reconciliation program support - Prepare orientation materials for next term - Develop budget requests - Staff performance management and development plans - Continue procedure updating
2. TRUST COUNCIL / TRUST PROGRAMS COMMITTEE	
- Supported Trust Programs Committee's August meeting - Completed legislative monitoring report for September (TC) - Drafted new policy re sponsorship of Natural Area Protection Tax Exemption Program (NAPTEP) applications (TC)	
3. POLICY STATEMENT AMENDMENT	
Developed RFD for TPC to provide to Trust Council re Policy Statement Amendment Project	- As directed by Trust Council - Develop staff procedure on delivering Trust Area-wide engagements using lessons learned
4. RECONCILIATION	
- Considered reconciliation program needs - Reviewed LTC/staff correspondence to First Nations	- Implement further actions to operationalize reconciliation (e.g. database, procedures) - Develop staff procedures re honoraria - Investigate options for policies or policy updates for opportunities for First Nations presentations and engagement at Trust Council meetings (TC)

5. INTERGOVERNMENTAL COLLABORATION AND ADVOCACY

• Drafted and sent Chair correspondence to: ○ Minister of Forests and Minister of Land, Water, and Resource Stewardship to request for new legislation to protect and restore biological diversity and ecosystem health ○ Prime Minister and Premier urging federal and provincial governments to support the Global Initiative for a Fossil Fuel Non-Proliferation Treaty ○ Minister of Land, Water, and Resource Stewardship requesting “cradle to grave strategy” to address the entire life cycle and proper disposal of derelict docks • Drafted and sent LTC Chair correspondence to: ○ Minister of Health re Farmer's Market Nutrition Coupon Project (Denman, Gabriola) ○ Islands Trust Conservancy re Crown land (Denman) ○ Nanaimo Airport Commission re noise (Gabriola) ○ Ministry of Transportation and Infrastructure re subdivision and First Nations (Gabriola) ○ Snaw-naw-as Nation re meeting request (Lasqueti) ○ Howe Sound Biosphere Region Initiative Society re revisions to Forum Principles for Cooperation (Gambier) ○ Islands Trust Conservancy re fallow deer (Mayne) • Briefing on 2018-2022 advocacy	• Continue to negotiate amendments to agreements with the Ministry of Forests, Lands and Natural Resource Operations in partnership with Bowen Island Municipality. (TC) • 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 (as requested by BIM) (EC) • Support Thetis LTC with coordinating a multi-agency meeting to discuss ferry access/parking, wharf entrance congestion and pedestrian/cycling safety (THLTC) • Assist TC/EC and LTC Chairs with advocacy letters as requested

6. COMMUNICATIONS

• Implemented communications for Community Stewardship Awards program • Drafted Year of the Salish Sea communications plan • Coordinated copy and graphic design of draft 2021-2022 Annual Report • Issued five news releases:	• Implement elections communications • Implement Year of the Salish Sea communications plan (TC) • Develop plan and contract for Census data consolidation/infographics • Issue news release re eelgrass/kelp mapping • Develop Islands Trust communications strategy (EC)

○ Announcement of Community Stewardship Award recipients ○ Request for provincial review of <i>Islands Trust Act</i> ○ Islands Trust 2050 results ○ Proactive enforcement on unlawful STVRS on Salt Spring Islands Trust ○ Announcement of new Director, Planning Services • Managed media enquiries: ○ Short term vacation rentals on Salt Spring Island ○ New planning director and planning staff changes on Salt Spring • Graphic design and submission of 2021-2022 Annual Report • Drafted key messages re model fees bylaw • Twitter: ~20 tweets, 41 new (1219 total) followers • Facebook: ~20 posts, 27 new (739 total) followers • Media clippings provided twice a week • Submitted Islands Trust 101 PowerPoint (HOLTC) • Continued updates to draft corporate identity guide	• Develop public engagement strategy (TC) • Finalize and release internal corporate identity guide • Research and support for website improvements • Continue social media posts • Provide media clippings twice a week

7. PROGRAMS	
- Planned and implemented Community Stewardship Awards program - Grant in aid: Sent letters/funding to one recipient - Secretariat services: Completed three contracts - Completed Living in the Trust Area Mailing program for August (100 packages sent out) (next one planned for October 2022) - Drafted amendments to Grants in Aid policy for intake dates, maximum amounts and other updates (EC)	- Support delivery of Dust n Bones screening events on Gabriola and Salt Spring Islands (EC) - Draft amendments to Secretariat Services policy to adjust criteria (TPC) - Develop staff procedures for program delivery - Plan and implement October 2022 Living in the Trust mailout
8. GRANTS	
Phases 1 and 2 of the Denman Farm Plan Implementation project is now complete and the Final Report to the Investment Agriculture Foundation is currently being completed for submission on or before Sept 30, 2022.	- Researched and responded to six grant enquiries from Trustees and staff. - Ongoing monitoring for grant opportunities and monitoring of grant funded projects. - Current grant projects being monitored: Local Government Development Approvals Program (\$367,795).

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 20, 2022
From: Trust Programs Committee **Date Prepared:** August 26, 2022
SUBJECT: Policy Statement Amendment Project: Revisions & Next Steps (Fall/Winter 2022-23)

RECOMMENDATIONS:

Part 1 - Structural Revisions:

1. That Trust Council request staff to make the following changes to the structure of the draft new Islands Trust Policy Statement Bylaw No. 183, for Trust Programs Committee and Executive Committee review:

1.1 – remove detailed coordination policies from each subsection and instead develop more general coordination principles in accordance with the object of the Trust.

1.2 – remove detailed “commitments of Trust Council” from each subsection and instead develop more general guiding principles in accordance with the object of the Trust.

1.3 – add a new category of “recommendation policies” for local trust committees and island municipalities (not mandatory, but encouraged) in addition to the existing category of “directive policies” (mandatory to include in local official community plans and regulatory bylaws).

1.4 – draft a companion handbook that includes greater detail on the rationale for policies and how local trust committees and island municipalities are expected to implement each policy.

1.5 – separate out introductory/history sections from the official bylaw and place them in the companion handbook.

1.6 – explore updating and integrating Trust Council’s Policy Statement Amendment Policy [1.2.1](#) and Policy Statement Implementation Policy [1.3.1](#) into the draft Policy Statement bylaw.

(...in addition to the following resolutions already passed by Trust Council in June 2022):

- reformat the draft Trust Policy Statement to simplify the structure and shorten the length to improve readability and understanding, for example, separate the mandatory directive policies from the remainder of the text

- develop a Glossary of Terms used in the Trust Policy Statement to be an appendix to that document

Part 2 - Revisions to Existing Content:

2. That Trust Council request staff to make the following changes to the existing content of the draft new Islands Trust Policy Statement Bylaw No. 183, for Trust Programs Committee and Executive Committee review:

2.1 – refine the draft directive policy prohibiting new private docks to highlight areas of concern, for example prohibiting or limiting new private docks in areas that have been identified as culturally significant for First Nations or in locations that provide critical habitat for species at risk, and/or requiring cumulative effects assessments prior to approval of applications.

2.2 – refine the draft agricultural policies to highlight the value of sustainable agriculture in the Trust Area, while also suggesting preferred approaches that are aligned with the object of the Trust, and First Nations’ rights and interests.

2.3 – refine the draft directive policy prohibiting new seawalls or hard shoreline armouring to instead direct local trust committees and island municipalities to stipulate certain requirements for new seawalls in their local area, such as setback or height limitations, while encouraging soft shoreline approaches.

2.4 – remove the draft commitment/coordination policies advocating for authority to regulate tree cutting, acknowledging that Trust Council may continue to advocate for this irrespective of the topic’s inclusion in the Policy Statement.

2.5 – explore the inclusion of general guiding principles, recommendation policies, and/or directive policies that aim to ground all decision-making in the ‘Precautionary Principle’, with a clear definition of this term in the Glossary and related implementation guidelines in the companion handbook.

(...in addition to the following resolutions already passed by Trust Council in June 2022):

- remove the draft directive policy to prohibit new desalination plants
- change the term “Indigenous ways of knowing” to “[*Indigenous Knowledge*](#)”
- reword “seven generations” language to better reflect relationships to past, present, and future generations

Part 3 - Development of Additional Content:

3. That Trust Council request staff to develop and add the following additional content to the draft new Islands Trust Policy Statement Bylaw No. 183, for Trust Programs Committee and Executive Committee review:

3.1 – provide more explanatory context on First Nations rights and responsibilities, and implications of the Declaration on the Rights of Indigenous Peoples Act, with corresponding “recommendation policies” to guide First Nations engagement and reconciliation work.

3.2 – add greater detail on First Nations’ co-governance interests and the need for collaborative frameworks to work together at all stages of policy development and implementation, and in all decision-making.

3.3 – strengthen policy language around First Nations’ constitutional rights to access culturally significant areas and healthy ecosystems for their cultural, spiritual, and economic uses.

3.4 – strengthen policy language around preservation and protection of the coastal and marine environment to support First Nations’ food security in Indigenous marine harvesting areas.

3.5 – strengthen policy language around engaging with First Nations and cultural monitors to better protect known and unknown cultural heritage sites, through clearly defined collaborative frameworks.

(...in addition to the following resolutions already passed by Trust Council in June 2022):

- provide options for draft policy language for the draft Policy Statement to encourage preservation of forest cover in the Trust Area, this will include reference to sustainable forest management practices

- reaffirm Trust Council’s Reconciliation Declaration of March 2019 and its inherent commitment to be responsive to First Nations engagement on the Trust Policy Statement as dictated by the Declaration on the Rights of Indigenous Peoples.

Part 4 – Coordination with Referral Agency Partners:

4. That Trust Council request staff to explore and, where possible, integrate input received from the following referral agency partners on the draft new Islands Trust Policy Statement Bylaw No. 183, for Trust Programs Committee and Executive Committee review:

4.1 – work with Bowen Island Municipality staff and Islands Trust Conservancy staff to integrate their specific amendment requests.

4.2 – work with Ministry of Agriculture & Food, and Agricultural Land Commission staff to refine the wording of the draft agricultural policies.

4.3 – address regional district staff recommendations for revisions to policies relating to active recreation, active transportation, trails, and climate emergency preparedness, as appropriate.

4.4 – address improvement district recommendations around water management, including rainwater harvesting, septic filtering, and water conservation, as appropriate.

4.5 – postpone the deferred referrals to local trust committees until the next draft of the document has been received by the incoming Trust Council and its committees.

Part 5 – Engagement, Reviews, and Next Steps:

5.1 – That Trust Council request staff to continue to build staff-to-staff relationships with First Nations who provided input to the Policy Statement Amendment Project in Phases 1 and 2 of early and meaningful engagement, and provide additional capacity funding to support continued First Nations engagement on this project.

5.2 – That Trust Council request staff to coordinate the provision of expert advice and training to the incoming Trust Council, early in the new term, on the theme of public engagement and consultation, building on lessons learned from the first three phases of Islands 2050 public engagement from 2019 – 2022.

5.3 – That Trust Council request staff to procure legal review, graphic design, and plain language editorial services for the next draft of the Policy Statement prior to its public release.

5.4 – That Trust Council request staff to prepare a new Policy Statement Amendment Project Charter for the consideration of the incoming Executive Committee and Trust Council in early 2023.

5.5 – That Trust Council request staff to prepare a Policy Statement Amendment Project Communications Strategy for the consideration of the incoming Executive Committee and Trust Council in early 2023.

(NOTE: Budgetary requests/forecasts related to 5.1 – 5.3 will be included in the relevant Policy Statement Amendment Project business cases.)

CHIEF ADMINISTRATOR OFFICER COMMENTS: As this Trust Council term comes to a close and the Policy Statement Amendment Project transitions into a new term, the enclosed list of recommended resolutions provide a helpful synthesis of Trust Programs Committee’s suggested next steps for the project. These recommendations are a culmination of three years of intensive analysis, engagement, and discussion, and aim to assist the next Trust Council in carrying forward this important policy renewal work in an efficient and informed manner.

1 PURPOSE: To seek Trust Council’s approval of recommendations regarding revisions and next steps for the Policy Statement Amendment Project.

2 BACKGROUND:

In June 2022, following receipt of three Islands 2050 [engagement summary reports](#) from the latest phases of engagement with First Nations, referral agencies, and the public, Trust Council discussed next steps for the Policy Statement Amendment Project and passed a series of resolutions, including the following request of Trust Programs Committee:

- ***That Trust Council request Trust Programs Committee to review recent engagement feedback from First Nations, referral agencies, and the public, and resolutions passed by June 2022 Trust Council and work with staff to develop recommendations for further amendments to the draft new Islands Trust Policy Statement Bylaw No. 183, and forward recommendations to Executive Committee for inclusion in the September 2022 Trust Council package.***

On July 8, 2022, Trust Programs Committee (TPC) held a productive in-person meeting in Nanaimo to consider the engagement input and develop recommendations for further amendments to the draft new Policy Statement for the consideration of Executive Committee and Trust Council in September 2022. TPC’s recommendations to Trust Council have been summarized on Pages 1-4 of this Request for Decision. Once endorsed by Trust Council, this suite of recommendations would provide the necessary political direction to staff to revise the draft Policy Statement bylaw over the coming months.

Recommendation Policies: Most of TPC’s recommendations build on suggestions previously presented to Trust Council in the June 2022 Trust Council agenda package. One new recommendation which arose during the July 8 TPC meeting was Recommendation 1.3 – to add a new category of “recommendation policies”. The committee noted that there were a number of areas where Trust Council cannot or does not want to *require* that certain policies be included in local official community plans (OCPs) and bylaws, but would like to *guide* local trust committees and island municipalities to conduct their daily decision-making in ways that are aligned with the Islands Trust Object and Trust Council’s reconciliation commitments. These policies would be similar to the current “Commitments of Trust Council,” but take a more active approach. Directive policies, on the other hand, would require local trust committees and island municipalities to include certain types of policies in their OCPs and regulatory bylaws. This category of “recommendation policies” may be particularly suitable to reconciliation-related policy guidance in the Policy Statement, as current legislative structures and processes are not yet fully aligned with principles set out in the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA) and other reconciliation-related guidelines. (For example, Trust Council could choose to include a recommendation policy encouraging local trust committees and island municipalities to seek consent from First Nations on all decisions related to zoning for new private docks, as per the principles outlined in DRIPA.)

Forest Stewardship Policies: Another item which may benefit from further explanation is Recommendation 2.4 – to remove the draft commitment/coordination policies advocating for authority to regulate tree cutting in the Trust Area. This recommendation does not suggest that Trust Council should stop advocating to the Province for this authority to be granted to local trust committees. Rather, it acknowledges that the draft Policy Statement policies related to this topic are simply aspirational commitments/coordination policies that would be removed from the next draft as part of the implementation of Recommendations 1.1 and 1.2. Trust Council may continue to advocate for this authority irrespective of the topic’s inclusion in the Policy Statement. TPC recommends that Trust Council members revisit the [Islands 2050 fact sheet on forest stewardship](#) for more information on this topic and its implications at the local level. As the fact sheet explains, if the Province were to eventually change its legislation to give local trust committees this authority, it would then be up to local trust committees to decide whether they wish to develop a tree protection bylaw locally or not. Any tree protection bylaw would involve local public and First Nations engagement before consideration of adoption, and would consider residents’ abilities to remove danger trees, collect firewood, or perform regular land maintenance on their properties.

In June 2022, Trust Council also passed a resolution requesting staff to “*provide options for draft policy language for the draft Policy Statement to encourage preservation of forest cover in the Trust Area, this will include reference to sustainable forest management practices.*” At its July 8, 2022 meeting, TPC discussed that the current draft Policy Statement already contains many policies encouraging preservation of forest cover and sustainable forest management practices which would be carried over into the next draft.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Revising the structure and content of the draft new Policy Statement, and coordinating with other agencies and Islands Trust staff, will be a priority for Trust Area Services (TAS) and will occupy a significant portion of the Senior Policy Advisor’s time over Fall/Winter 2022-23. TAS’ ability to take on new additional work will be limited.

FINANCIAL: Anticipated costs relating to this next round of revisions to the draft Policy Statement bylaw include capacity funding for continued First Nations engagement, legal review, graphic design, and plain language editorial services. These will be brought forward for Trust Council’s approval through budgetary business cases relating to the Policy Statement Amendment Project.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Following Trust Council’s directions in September 2022, staff will advise e-mail subscribers of Trust Council’s next steps for the Policy Statement Amendment Project, and will update the Islands 2050 webpage accordingly. Following revision of the draft Policy Statement bylaw, staff will present the revised draft and a new draft project charter to the incoming Executive Committee and Trust Council in early 2023.

Staff consider it unlikely that first reading of the revised draft Policy Statement will be achieved prior to June 2023. Following first reading, the revised draft would need to be referred to First Nations, regional districts and other agencies/bodies requested by Trust Council prior to second and third readings. After third reading, the proposed new Policy Statement bylaw would be sent to the Minister of Municipal Affairs for final approval and would then return to Trust Council for fourth reading and final adoption.

FIRST NATIONS: During this next round of revisions, staff hope to continue to collaborate with First Nations staff who contributed feedback to the Policy Statement amendments in Phases 1

and 2 of early and meaningful engagement (2019 – 2022), using additional capacity funding. Some Nations have expressed concern that the document will change significantly in its next iteration and would like to be engaged prior to its next release. Engaging First Nations and other experts on the development of a glossary, for instance, would help to ensure that any new language is aligned with the Truth & Reconciliation Commission Calls to Action, the *Declaration on the Rights of Indigenous Peoples*, and other foundational reconciliation principles and guidelines.

OTHER: None.

4 RELEVANT POLICY(S): [Policy Statement Amendment Policy 1.2.1](#)

5 ATTACHMENT(S): None.

RESPONSE OPTIONS

Recommendations: As outlined on pages 1-4 of this Request for Decision.

Alternatives: As determined by Trust Council.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services

Reviewed By/Date: Clare Frater, Director, Trust Area Services / August 26, 2022
Stefan Cermak, Director, Local Planning Services / August 19, 2022
David Marlor, Legislative Services Manager / August 19, 2022
Trust Programs Committee / August 26, 2022
Russ Hotsenpiller, CAO / Sept 1, 2022
Executive Committee / September 7, 2022

COMPLETED SINCE LAST REPORT (July – Sept)	PLANNED FOR NEXT QUARTER (Oct – Dec)
1. STRATEGIC PLANNING/ADMINISTRATION	
Extended ITC Co-op Student to December 2022 Provided ITC information for elections materials Sent out internal referrals of ITC Plan Attended Baynes Sound / Lambert Channel Eco Forum and Coastal Marine Strategy meeting Initial meetings for UVic bull kelp mapping project Updated display of protected areas, ecosystems and kelp information publicly available on MapIT and shared kelp data with local/regional organizations to assist conservation efforts Submitted Priority Places Contribution Agreement amendment to Environment Canada and Climate Change for three year extension (2023-2026) Updated internal Species at Risk data Updated administrative processes for storage of financial information	Complete First Nations referrals for ITC Plan Offer bull kelp mapping to First Nations Begin developing ITC Reconciliation Action Plan Field and office testing data management tool for applications and property management Participation in UVic bull kelp mapping project Finalize Memorandum of Understanding for Mapping/Data Analysis with UBC Finalize classification of job descriptions for Strategic Fund Development Specialist (new) and Communications Specialist; recruit permanent staff Begin “Project Discovery, Species at Risk in the Salish Sea” to identify existing resources and gaps Complete ITC budget and business case submission Deliver species at risk training to staff
2. COVENANT AND PROPERTY ACQUISITIONS	
Responded to conservation enquiries (Mayne, Lasqueti, Thetis, Salt Spring, S. Pender, N. Pender, Galiano, Saturna) Completed one Ecological Gift process Registered Livingstone NAPTEP covenant (Lasqueti)	Continue negotiations on 88 ha of land Continue participation on the Coastal Douglas-fir & Associated Ecosystems Conservation Partnership Steering and Securement Committees and new Coastal Oak and Prairie Working Group Register Sandy Beach Nature Reserve covenant
3. COVENANT AND PROPERTY MANAGEMENT	
Ongoing surveys and eDNA sampling for Sharp-tailed Snakes in five conservation areas (N. Pender, Salt Spring, Galiano, Thetis) Completed 2022 monitoring of conservation covenants and 31 nature reserves Approved Lisa Baile Nature Reserve Management Plan (North Pender)	Complete monitoring of final two nature reserves Continue Western Screech Owl surveys and wildlife tree inventory (Link Island) Continue to refresh signage as needed Prepare for prairie oak ecosystem restoration in one covenant, trialing fence options (Sidney Island)

As of September 2022 the Islands Trust Conservancy protects 113 conservation properties, 34 nature reserves and 79 covenants (of which 27 have NAPTEP certificates)

3. COVENANT AND PROPERTY MANAGEMENT (Cont.)	
Ongoing surveys and eDNA sampling for Sharp-tailed Snakes in five conservation areas (N. Pender, Salt Spring, Galiano, Thetis) Nature reserve management: Restoration planting and maintenance (Lasqueti, Mayne); invasive plant management (Denman, Gabriola) Continue prairie oak ecosystem restoration on one covenant on Salt Spring, including bat, pollinator, and species at risk monitoring Resumed American bullfrog control (Sidney Island) Introduced iNaturalist trial for ITC covenants Conducted site visit with Cultural Knowledge Holder to covenant property (Salt Spring) Coordinated with Geocaching HQ to ensure no geocaches installed on Nature Reserves Created signage for five protected areas (N. Pender, Link island, Salt Spring) Supported Coastal-tailed Frog eDNA surveys with Gambier Conservancy, Howe Sound Biosphere Region Initiative, and Squamish Nation (Gambier)	Complete climate change impacts and management adaptations assessment for pilot Nature Reserve (N. Pender) Complete procurement process for two management plans (Link and Saturnina Islands) Invasive plant management/tree planting in two covenants (Bowen, Gabriola) Evaluate Species at Risk information on ITC properties for management strategy Finalize species at risk and property management service contracts for the 2022-23 fiscal year Continue partnership with Capilano University on Biodiversity Study Project on Gambier Island. Work with partners to finalize one management plan (Salt Spring) Continue participation in the Sidney Island Ecological Restoration Project and the Capital Region Invasive Species Partnership Support covenant landholders with iNaturalist trial project for ITC covenants
4. COMMUNICATIONS AND OUTREACH	
Issued Covenant Landholder Newsletter (Summer) Facilitated Communications Strategy workshop Issued one news release for the Opportunity Fund Released the Summer edition of the Heron (Sept) Co-hosted Coastal Douglas-fir/species at risk Walk & Talk with Gabriola Land & Trails Trust (Gabriola) Co-hosted Sandy Beach Nature Reserve celebration with Howe Sound Biosphere Region Initiative (Keats) (September)	Release an additional two videos: on covenant announcement and the value of nature reserves Update website information and investigate opportunities for blog/stories on website Draft a communications & social media strategy Begin coordinating a species at risk speaker's series Contribute to revised edition of 'Greening Your Title' guide to conservation covenant best practices
5. FUNDRAISING AND CONSERVANCY SUPPORT	
Completed fall intake for Opportunity Fund Launched WillPower ad campaign for Legacy Giving	Estate administration for a new bequest Evaluate Opportunity Fund applications (fall intake)

As of September 2022 the Islands Trust Conservancy protects 113 conservation properties, 34 nature reserves and 79 covenants (of which 27 have NAPTEP certificates)



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 20, 2022

From: Clare Frater, Director, Trust Area services **Date Prepared:** September 1, 2022

SUBJECT: Executive Committee Sponsorship of NAPTEP Fees

RECOMMENDATION:

1. That Trust Council Bylaw No. 190, cited as “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006, Amendment Bylaw No. 1, 2022”, be read a first time.
2. That Trust Council Bylaw No. 190, cited as “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006, Amendment Bylaw No. 1, 2022”, be read a second time.
3. That Trust Council Bylaw No. 190, cited as “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006, Amendment Bylaw No. 1, 2022”, be read a third time.
4. That Trust Council approve new Policy 2.1.16 “Guidelines for Executive Committee Sponsored or Islands Trust Conservancy Initiated NAPTEP Applications”.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Natural Area Protection Tax Exemption Program (NAPTEP) covenants protect natural features on the landscape and contribute to meeting the “preserve and protect” mandate of the Islands Trust. Due to the cost of the program, some landowners may be discouraged from applying. Trust Council’s direction to staff to provide policy guidance for sponsorship of NAPTEP applications will help address this program barrier.

-
- 1 **PURPOSE:** To provide a mechanism for Executive Committee sponsorship of Natural Area Protection Tax Exemption Program (NAPTEP) fees according to approved guidelines.

- 2 **BACKGROUND:**

Trust Council Bylaw No. 115 regulates NAPTEP fees. Under the bylaw there are no provisions for waiver of fees. By contrast, local trust committee fees bylaws do provide a mechanism for the Executive Committee to sponsor development applications that meet specified criteria. To provide assistance to the Executive Committee in its decisions for sponsorship of development applications, Trust Council has guidelines. See [Trust Council policy 4.1.13 Guidelines for Executive Committee Sponsored or LTC Initiated Development Applications](#).

At its March 2021 meeting, the Islands Trust Conservancy (ITC) Board asked Trust Council to sponsor NAPTEP applications in a similar manner to its sponsorship of development applications by passing the following resolution:

ITC-2021-010

It was MOVED and SECONDED, that the ITC Board request that Trust Council develop policy guidance for sponsorship of Natural Area Protection Tax Exemption Program (NAPTEP) applications.

Trust Council considered the ITC Board request at its September 2021 meetings and passed the following resolution:

TC-2021-083

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

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.

Staff have proceeded as directed and are recommending amendment of “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006” to provide a sponsorship mechanism and approval of guidelines to provide direction to Executive Committee regarding application sponsorship.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Staff time will be required to create an application form for the process and to evaluate applications and provide advice to Executive Committee regarding consideration of sponsorship. To minimize disturbance to workflows, staff intend to have one to two intake windows for sponsorship applications similar to the application process for the Opportunity Fund. This will provide for administrative efficiency for processing applications and communications about sponsorship opportunities. It will also allow the Executive Committee to assess several applications at the same time if many are submitted. Staff time will also be required to review ITC policies for required changes and to implement any needed changes.

FINANCIAL: NAPTEP fees are \$450 per application and are paid in two phases: Phase 1 (\$275) and Phase 2 (\$175). Fees go into general revenue and Trust Council will lose all or part of this revenue source if fees are sponsored. In the 2022/23 budget Trust Council allocated up to \$1,000 for NAPTEP fee sponsorship, capping any loss of fees to \$1,000 for the year. Trust Council can continue to manage fee loss through budget allocation on an annual basis. Financial implications of sponsoring NAPTEP applications will be recognized in Trust Council budgets.

POLICY: New guidelines will be added to the Trust Council Policy Manual. The ITC Board will consider amendments to ITC Policy 2.5: Natural Area Protection Tax Exemption Covenants should Trust Council approve bylaw amendments and guidelines for NAPTEP fee sponsorship.

IMPLEMENTATION/COMMUNICATIONS: Staff will create an application form for the process and will provide information via the Islands Trust website. A first intake will likely occur early in 2023. Staff will also consider whether to announce the sponsorship opportunities via a news release.

FIRST NATIONS: NAPTEP Covenants have the potential to provide added protection to cultural features of the landscape. Under proposed guidelines, applications that protect important Indigenous cultural features will for Executive Committee sponsorship.

OTHER: None.

4 RELEVANT POLICY(S):

[Islands Trust Act, Part 7.1](#)

[Islands Trust Natural Area Protection Tax Exemption Regulation \(B.C. Reg. 41/2002\)](#)

[TC Policy 2.1.10: Administration of Natural Area Protection Tax Exemption Program](#)
[ITC Policy 2.5: Natural Area Protection Tax Exemption Covenants](#)
[Trust Council Bylaw No. 115: A bylaw to prescribe fees for issuing Natural Area Exemption Certificates](#)

5 ATTACHMENT(S):

1. Bylaw No.190 A Bylaw to Amend the Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115 (Draft)
2. Policy 2.1.16 Guidelines for Executive Committee Sponsored or Islands Trust Conservancy Initiated NAPTEP Applications (Draft)

RESPONSE OPTIONS

Recommendations:

1. That Trust Council Bylaw No. 190, cited as “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006, Amendment Bylaw No. 1, 2022”, be read a first time.
2. That Trust Council Bylaw No. 190, cited as “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006, Amendment Bylaw No. 1, 2022”, be read a second time.
3. That Trust Council Bylaw No. 190, cited as “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006, Amendment Bylaw No. 1, 2022”, be read a third time.
4. That Trust Council approve the “Guidelines for Executive Committee Sponsored or Islands Trust Conservancy Initiated NAPTEP Applications”.

Alternatives:

1. That Trust Council decline to approve the bylaw amendment and guidelines.
2. That Trust Council request revisions to the bylaw amendment and guidelines.
3. That Trust Council consider elimination of NAPTEP fees in their entirety and direct staff to return to Trust Council with a recommendation of the impacts of fee elimination.

Prepared By: Kate Emmings, Manager, Islands Trust Conservancy

Reviewed By/Date: Clare Frater, Director of Trust Area Services / September 1, 2022
David Marlor, Director, Legislative Services / September 1, 2022
Russ Hotsenpiller, CAO / August 31, 2022
Executive Committee / September 7, 2022

ISLANDS TRUST COUNCIL

BYLAW NO. 190

A BYLAW TO AMEND THE ISLANDS TRUST COUNCIL NATURAL AREA EXEMPTION CERTIFICATES FEES
BYLAW NO. 115

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

1. Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006 is amended as follows:
 - a. by renumbering section “3.3 Extraordinary Costs” to “4.0 Extraordinary Costs”.
 - b. by adding the following section after “4.0 Extraordinary Costs” and by renumbering section “3.4 Severability” to “6.0 Severability”:

“5.0 Application Fee Sponsorship

 - (a) Pursuant to Islands Trust Policy 2.1.16, Guidelines for Executive Committee Sponsored or Islands Trust Conservancy Initiated Natural Area Protection Tax Exemption Program Applications, an applicant may apply to the Islands Trust Executive Committee for Application Fee sponsorship.”
2. This Bylaw may be cited for all purposes as “Islands Trust Council Natural Area Exemption Certificate Fees Bylaw No. 115, 2006, Amendment Bylaw No. 1, 2022”.

READ A FIRST TIME THIS	DAY OF	September, 2022
READ A SECOND TIME THIS	DAY OF	September, 2022
READ A THIRD TIME THIS	DAY OF	September, 2022
ADOPTED THIS	DAY OF	November, 2022

SECRETARY

CHAIR



Policy:	2.1.16
Approved By:	Trust Council
Approval Date:	September XX, 2022
Amendment Date(s):	None
Policy Holder:	Director of Trust Area Services

GUIDELINES FOR EXECUTIVE COMMITTEE SPONSORED OR ISLANDS TRUST CONSERVANCY INITIATED NAPTEP APPLICATIONS

Purpose

To clarify the circumstances when it is appropriate for the Executive Committee (EC) or Islands Trust Conservancy Board (ITC) to sponsor or initiate a Natural Area Protection Tax Exemption Program (NAPTEP) application.

A. Definitions

Executive Committee Sponsored Application – means when the EC assumes sponsorship of a NAPTEP application for a specific property or properties and pays the appropriate fee on behalf of an applicant.

Islands Trust Conservancy Initiated Application – means when the ITC, through a resolution of the ITC Board, initiates a NAPTEP application for a specific property or properties without fee on its own behalf or on behalf of a property owner.

B. Policy

1. A NAPTEP Application includes any NAPTEP application received according to Trust Council policy.
2. Conditions appropriate for Executive Committee sponsorship of a NAPTEP application are:
 - 2.1 When the application is initiated by the ITC.
 - 2.2 When the applicant is a non-profit agency or organization seeking to apply to NAPTEP for the benefit of the community at large and consistent with goals in the ITC Regional Conservation Plan (RCP) as determined by the ITC Manager.
 - 2.2 When the applicant submits a voluntary proposal and seeks to protect over eight hectares of land or seeks to protect land that has significant habitat for endangered or threatened species under the federal *Species at Risk Act* and where the conservation proposal is consistent with goals in the ITC Regional Conservation Plan (RCP) as determined by the ITC Manager.
 - 2.3 When the applicant submits a voluntary proposal and seeks to protect important Indigenous cultural sites such as archaeological sites or other culturally significant places.
 - 2.4 When the applicant submits a voluntary proposal and seeks to protect areas that mitigate climate change impacts or provide for significant carbon storage and sequestration opportunities as determined by the ITC Manager.
 - 2.5 When the ITC Board, through resolution, requests sponsorship of the NAPTEP application.

3. Conditions appropriate for an ITC initiated NAPTEP application include:
 - 3.1 Where an error has been made (e.g., as part of a covenant registration) in a NAPTEP application process and an additional application process is required to correct the error.
 - 3.2 Where the ITC Board wishes to expand or modify the extent of a NAPTEP covenant or modify the terms of a NAPTEP covenant and a NAPTEP application process is required.
 - 3.3 Where the ITC Board deems a NAPTEP application is significant for meeting ITC goals and objectives under the Regional Conservation Plan or the Trust Fund Plan (described in the *Islands Trust Act*) and where a landowner authorizes the ITC Board to act on their behalf.
4. Conditions not appropriate for Executive Committee sponsorship or ITC initiation of a NAPTEP application include:
 - 4.1 When the application is deemed a development application under ITC policies or is subject to an application process with a local trust committee or island municipality.
 - 4.2 When an applicant claims that he or she cannot afford the cost of the application and the application would not otherwise qualify for sponsorship or initiation.
5. Where the Executive Committee wishes to sponsor a NAPTEP application, the costs of the relevant application fees will be charged to the budget line for the sponsorship of NAPTEP applications by resolution.
6. Initiation of a NAPTEP application by the Islands Trust Conservancy does not fetter the discretion of the Islands Trust Conservancy or the Trust Council when they make decisions about the outcome of a NAPTEP application. Islands Trust Conservancy, Trust Council, and Executive Committee members and staff must ensure that applicants and members of the public are fully aware of the distinction between sponsorship or initiation of an application and Trust Council and Islands Trust Conservancy roles in decision-making regarding that application.

C. Legislated References

1. [Local Government Act, Section 397](#)
2. [Islands Trust Act, Part 7.1](#)
3. [Islands Trust Natural Area Protection Tax Exemption Regulation \(B.C. Reg. 41/2002\)](#)
4. [Trust Council Bylaw No. 115: A bylaw to prescribe fees for issuing Natural Area Exemption Certificates](#)

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

1. [TC Policy 2.1.10: Administration of Natural Area Protection Tax Exemption Program](#)
2. [ITC Policy 2.5: Natural Area Protection Tax Exemption Covenants](#)



BRIEFING

To: Trust Council **For the Meeting of:** September 20, 2022
From: ITC Staff **Date Prepared:** August 22, 2022
SUBJECT: Referral for Comment, Islands Trust Conservancy (ITC) Plan

PURPOSE: The Islands Trust Conservancy (ITC) has completed a draft Three-Year Plan, and is providing it to Trust Council for information. Trust Council may choose to provide comments for consideration of the ITC Board.

BACKGROUND: The *Islands Trust Act* requires that the ITC prepare and submit to the Minister, at least once every five years, a Trust Fund Plan (ITC Plan), including policies on acquisition, management, and disposal of property, investment of money, goals for major acquisitions, and other matters as required. More recently, it has also summarized the goals of the draft Regional Conservation Plan¹. The current ITC Plan runs until the end of 2022 and the ITC Board is developing its next ITC Plan, which will be a three-year plan, 2023-2026.

ITC policy requires referral of the ITC Plan to every local trust committee (LTC) and island municipality as well as to Trust Council for comment. Local trust committees will receive the draft ITC Plan on various meeting dates, all prior to Oct 31, 2022. All LTCs and Bowen Island Municipal Council will receive the referral prior to the end of October.

ATTACHMENT(S): Draft ITC Three-Year Plan

FOLLOW-UP: The Islands Trust Conservancy Plan has been referred to all local trust committees, Bowen Island Municipal Council, and Trust Council. It will also be referred to First Nations with interests in the Trust Area. All comments will be considered by the ITC Board at its November 22, 2022 meeting. The ITC Board intends to submit a final plan to the Minister of Municipal Affairs in December 2022 with a request for approval.

Following adoption of the ITC Plan, the ITC Board will consider a strategy for a multi-year engagement of First Nations to better inform a five year ITC Plan for 2026-2030.

Prepared By: Kate Emmings, Manager, Islands Trust Conservancy
Reviewed By/Date: Clare Frater, Director of Trust Area Services / August 22, 2022
Russ Hotsenpiller, CAO / August 31, 2022
Executive Committee / Sept 7, 2022

¹ It is important to distinguish between the Trust Fund Plan, which requires Ministerial approval under the *Islands Trust Act*, and the Regional Conservation Plan, which is approved by the ITC Board and provides science-based operational direction to the Islands Trust Conservancy Board and its staff. The documents are complementary, but serve different functions.



ISLANDS TRUST CONSERVANCY THREE-YEAR PLAN 2023-2025



ISLANDS TRUST CONSERVANCY

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I. INTRODUCTION

Islands Trust Conservancy¹ manages over 1,350 hectares of diverse island ecosystems in 112 protected areas, in collaboration with private landholders, land trusts and other conservation partners. The Islands Trust Conservancy recognizes that the ability to protect these island ecosystems is possible because of the thousands of years of stewardship by the First Nations with interests in the lands and waters in the Trust Area, which has created a lasting natural legacy throughout the islands.

Islands Trust Conservancy was created by the Province of British Columbia in 1990 as a regional land trust and conservation arm of the Islands Trust to protect in perpetuity some of the most ecologically and culturally significant places in the Islands Trust Area. To do so, the Islands Trust Conservancy works closely with partners to protect sites through land donation, conservation covenants, land purchase and public education.

Islands Trust Conservancy plays an important role in preserving and protecting the unique and fragile ecosystems found in the Strait of Georgia and Howe Sound. The area is among the most biologically diverse regions in the Province of British Columbia and is globally significant with respect to the at-risk Coastal Douglas-fir biogeoclimatic zone. The Islands Trust Area holds 25% of British Columbia's Coastal Douglas-fir zone, the largest percentage of any local government jurisdiction in the province. Within regional districts and biogeoclimatic zones found within the Islands Trust Area, there are a total of 197 red-listed (extirpated, endangered, or threatened) species (25% of the provincial total) and 158 blue-listed (special concern) species (14% of the provincial total) (BC Conservation Data Centre, 2022).²

There are also a high proportion of the province's red and blue-listed ecological communities. The Islands Trust Area supports some of Canada's last remaining Garry Oak ecosystems and the associated rare plants, mosses, butterflies and reptiles. Island coastlines support eelgrass meadows, forage fish habitat, glass sponge reefs and other extraordinary marine environments. These numerous rare and endangered species and ecosystems will not survive unless sufficient habitat is protected and carefully managed for its ecological integrity. The Islands Trust Conservancy's work encouraging and assisting private landholders to protect ecologically valuable land in this region is vital to the provincial government's efforts to protect these important and imperiled ecosystems.

Since the adoption of the previous Islands Trust Conservancy Plan in 2017, Islands Trust Conservancy has deepened its learning about the connection of Indigenous Peoples to the land and waters of the islands. Typically, Islands Trust Conservancy adopts Five-Year Plans to guide its work; however, Islands Trust Conservancy has not had sufficient time to engage with First Nations regarding its strategic directions to be able to submit a 2023-2027 Plan. Consequently, Islands Trust Conservancy Board has elected to create a short Three-Year Plan that is substantively an update of the 2017-2022 Plan. The Three-Year Plan will guide the work of Islands Trust Conservancy while it conducts early and meaningful First Nations engagement prior to adoption of a 2026-2030 Plan. By meaningfully engaging First Nations in the development of the 2026-2030 plan, Islands Trust Conservancy hopes to

¹ Previously known as the Islands Trust Fund Board. Name change effective May 31, 2018

² B.C. Conservation Data Centre. 2022. BC Species and Ecosystems Explorer. B.C. Minist. of Environ. Victoria, B.C. Available: <https://a100.gov.bc.ca/pub/eswp/> (accessed May 7, 2022).

create a Five-Year Plan that advances the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and the supports the outcomes in the provincial Declaration on the Rights of Indigenous Peoples Action Plan 2022-2027.

2. THE ISLANDS TRUST CONSERVANCY MANDATE, MISSION AND VISION

The Legislated Mandate of the Islands Trust Conservancy

In 1974, the Province of British Columbia recognized the islands between Vancouver Island and the mainland as a special place within the province where the unique beauty, rural character and rare ecosystems should be protected from overdevelopment. Through the *Islands Trust Act*, the province established the Islands Trust, with the following mandate (known as the Object of Islands Trust):

*To preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.*³

In 1990, through the enactment of a section of *Islands Trust Act*, the Islands Trust Conservancy (at that time, the Islands Trust Fund) was established as a conservation land trust to assist in carrying out the “preserve and protect” mandate. Part 6 of the *Islands Trust Act* establishes the corporate status, responsibilities, and governance structure of the Islands Trust Conservancy.

The Islands Trust Conservancy is one of 16 corporate entities⁴ charged to uphold the Object of the Islands Trust. It carries out the preserve and protect mandate through the conservation of land as nature reserves, nature sanctuaries, conservation covenants and other interests in land, and public education.

Under the *Islands Trust Act* (Section 44)

1. The Islands Trust Conservancy must prepare and submit to the Minister, at least once every five years, a plan for the trust fund respecting
 - a) policies on acquisition, management and disposal of property of the trust fund,
 - b) policies on investment of money of the trust fund,
 - c) goals for major acquisitions of property by the trust fund, and
 - d) other matters as required by the Minister
2. The Islands Trust Conservancy must not, without the prior approval of the Minister, acquire, hold or dispose of land except in accordance with a trust fund plan under subsection (1) that has been approved by the Minister.

³ In November 2021, the Province of BC passed the Municipal Affairs Statutes Amendment Act (No. 2), 2021 (Bill 26), which included specific reference to First Nations in the Islands Trust’s Object.

⁴ The Corporate entities charged to uphold the Object of the Islands Trust include the Trust Council, the Executive Committee, thirteen local trust committees and the Islands Trust Conservancy.

The Mission and Vision of the Islands Trust Conservancy

The **mission of the Islands Trust Conservancy** is to protect special places by encouraging, undertaking, and assisting in voluntary conservation initiatives within the Islands Trust Area.

The **vision of the Islands Trust Conservancy** is for a network of protected areas that preserve in perpetuity the natural systems of the islands in the Salish Sea.

Reconciliation Declaration

In July 2019, the Islands Trust Conservancy approved a Reconciliation Declaration:

The **Islands Trust Conservancy acknowledges** that the islands and waters that encompass the Salish Sea have been home to Indigenous Peoples since time immemorial. We recognize that we are all intertwined in the ecosystems that are the lands, waters, culture, and ecology that embody this place.

The **Islands Trust Conservancy will strive** to create opportunities for knowledge-sharing, understanding and collaboration as people come together to preserve and protect the special nature of the islands within the Salish Sea.

The **Islands Trust Conservancy is committed** to the protection and preservation of this place through processes that respect and honour reconciliation and mutually respectful relationships with Coast Salish Indigenous Peoples. We express our recognition for the past, present, and future stewardship and knowledge that has been shared by Indigenous Peoples and are humbled and grateful.

3. GOALS AND OBJECTIVES OF THE ISLANDS TRUST CONSERVANCY

Building on Achievements

Protected Lands

Since its inception in 1990, the Islands Trust Conservancy has protected 1,365 hectares (3,370 acres) of ecologically-significant natural area on the islands. As of November 2022, the Islands Trust Conservancy manages 34 Nature Reserves, and works with island landholders to steward 78 conservation covenants for a total of 112 protected areas. Twenty-seven of these protected places are certified as Ecological Gifts by Environment and Climate Change Canada.

In the next three years: The Islands Trust Conservancy will continue to refine the knowledge used for its decision making by developing a renewed 10-year Regional Conservation Plan to ensure that the organization's time and resources are directed towards high-priority land protection projects.

The Islands Trust Conservancy will continue to pursue new and innovative sources of funding to ensure that it can seize time-sensitive land securement opportunities and prevent further loss of the rare and fragile ecosystems of the Islands Trust Area. The Islands Trust Conservancy also intends to increase funding available for property management and restoration of its protected lands.

See Appendix A for a list of properties protected by the Islands Trust Conservancy.

Collaboration

The Islands Trust Conservancy works in partnership with land trusts, conservation groups, First Nations, parks agencies and others focused on conservation in the region. Islands Trust Conservancy staff participate in the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership, the Land Trust Alliance of British Columbia, and the Species and Ecosystems at Risk Local Government Working Group to further the organization's conservation mandate.

The Islands Trust Conservancy supports and enhances the capacity of the local island-based land trusts by providing grants from its Opportunity Fund, working collaboratively on projects, and facilitating education and networking opportunities. The Islands Trust Conservancy's Opportunity Fund is funded by private donations and has provided more than \$105,000 in grants to local land trusts, helping protect more than 525 additional hectares of land, since it was developed in 2005.

In the next three years: The Islands Trust Conservancy will seek to establish and deepen relationships with First Nations and will work towards building trust by finding opportunities to collaborate with First Nations to integrate Traditional Ecological Knowledge into management planning, reconnect youth with island ecosystems and other mutually beneficial initiatives. Islands Trust Conservancy will also meaningfully engage First Nations in the development of the 2026-2030 plan to create a Five-Year Plan that advances the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) and the supports the outcomes in the provincial Declaration on the Rights of Indigenous Peoples Action Plan 2022-2027.

Financial Sustainability

The administration of the Islands Trust Conservancy is funded by the Islands Trust Council, through property taxes collected from the residents and landholders of the Islands Trust Area.

Land securement and any other projects outside of core operations must be funded through external sources, including grants and private donations.

Grants: Because of the density of rare species found in the Islands Trust Area, Islands Trust Conservancy has been successful in negotiating over \$600,000 in federal funding between April 2020 and March 2023 to support land protection and management for species at risk. Islands Trust Conservancy intends to work with the Government of Canada to continue conservation for species at risk.

Private Donations: To augment its ability to protect and manage land, the Islands Trust Conservancy approved a Fund Development Strategy in early 2020. To support the Strategy, a part-time Strategic Fund Development Specialist position was created in 2022. In 2022, the Islands Trust Conservancy was successful in raising over \$100,000 in donations, including being the recipient of two bequests.

Current Funds: Islands Trust Conservancy holds three geographically-restricted funds dedicated to land acquisition – the Lasqueti Island Acquisition Fund, the Gambier Island Acquisition Fund, and the Thetis Island Acquisition Fund – and has guidelines to assist with the future development of other geographically restricted funds. Additionally, Islands Trust Conservancy has a Covenant Management and Defense Fund, and Property Management Fund and two property-specific land management endowments.

In the next three years: The board will continue to promote legacy gifts as a way to fund the protection and stewardship of ecologically significant lands in the region.

Encouraging Private Land Stewardship

Islands Trust Conservancy's innovative tax incentive program for private landholders to place conservation covenants on their properties, the Natural Area Protection Tax Exemption Program (NAPTEP), provides a permanent 65% reduction on property taxes on the portion of an eligible property protected by a conservation covenant.

In the next three years: Islands Trust Conservancy will continue to promote its programs to island landholders, focusing its outreach efforts on the highest priority landscapes. Islands Trust Conservancy Board will welcome conversations with the provincial and federal governments about new or innovative tools that might motivate increased land stewardship in this region and will look to these governments to partner on such programs.

Planning for Regional Conservation

In January 2018, Islands Trust Conservancy Board approved a 10-Year Regional Conservation Plan. The Regional Conservation Plan is the tool used by Islands Trust Conservancy to focus its resources on areas with the highest biodiversity values and greatest need for conservation. Islands Trust Conservancy has designed the Regional Conservation Plan as an information resource for citizens and organizations working towards conservation of biodiversity within the Islands Trust Area.

Based on scientific information and other forms of knowledge, the Regional Conservation Plan identifies areas of interest for conservation within the Islands Trust Area and strategies for achieving better levels of land conservation. Some of the strategies involve land acquisition and conservation covenants with willing landholders. Other strategies involve working with First Nations, partner agencies, local trust committees and Bowen Island Municipality to increase our knowledge base, encouraging protection of ecologically significant land within the Islands Trust Area and managing existing conservation lands effectively.

Goals of the 2018-2027 Regional Conservation Plan

The 2018-2027 Regional Conservation Plan sets out four high level long-term goals that reflect the enduring ambitions of Islands Trust Conservancy to work with island landholders and conservation partners to protect the rich biodiversity of the Islands Trust Area:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities

In order to contribute to effective conservation of biodiversity and ecological integrity in the Islands Trust Area, Islands Trust Conservancy needs an understanding of the status of ecosystems and species in the region. Additionally, Islands Trust Conservancy manages over 1,350 hectares of land and can use data to improve and inform its land stewardship. Islands Trust Conservancy will continue to invest in research and data acquisition that supports the conservation of island ecosystems.

2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals

The Islands Trust Area is in the traditional territories of many First Nations. As part of its current practice, Islands Trust Conservancy invites comment from First Nations in management planning processes and refers public conservation proposals to First Nations where archaeological sites are identified. Islands Trust Conservancy seeks to establish and deepen relationships with First Nations and will work towards building trust and finding opportunities to collaborate with First Nations on projects and policy development where there are opportunities for shared benefits.

3. Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity

The core work of Islands Trust Conservancy is to maintain and contribute to protected area networks which preserve ecological function and high levels of biodiversity in the Islands Trust Area. Islands Trust Conservancy will continue to acquire new nature reserves and conservation covenants as well as use other tools for conserving nature while ensuring that it cares for the lands that it is trusted to manage. Securing adequate funding to pursue new acquisitions as well as manage all protected lands responsibly will be an area of considerable focus for Islands Trust Conservancy.

4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

Islands Trust Conservancy was established in 1990. It has been a consistent presence in conservation of species and ecosystems in the Islands Trust area for almost thirty years. As it moves into the fourth decade of its work, Islands Trust Conservancy will ensure that it can responsibly care for its management responsibilities and participate effectively in partnership opportunities into the future. It will also work to be resilient enough to gracefully navigate change, both on the landscape and as an organization.

The 2018-2027 Regional Conservation Plan is posted on Islands Trust website:

islandstrust.bc.ca/conservancy/conservation-planning/

4. ISLANDS TRUST CONSERVANCY POLICIES

Below is a summary of key Islands Trust Conservancy policies affecting the public interest. A full list of policies, hyperlinked to the Islands Trust website, can be found in Appendix B.

Section 1: Fundraising, Investment and Financial Accountability

General Accounting

The financial transactions of Islands Trust Conservancy are managed using standard accounting procedures and are subject to an annual independent audit. The Audited Financial Statements of Islands Trust Conservancy are available on the Islands Trust website.

To ensure financial accountability, Islands Trust Conservancy will:

- follow the procurement policy established by Islands Trust Council;
- require prior approval of the board for expenditures in excess of \$10,000 unless a prior resolution from the board approves a plan, project or policy authorizing such an expenditure;
- require all financial transactions related to approved projects to be authorized by the Islands Trust Conservancy Manager;
- direct the Islands Trust Conservancy Manager to act on behalf of the board to oversee the management of the bank accounts and investments of the board; and,
- review an updated financial report at each regular board meeting.

Islands Trust Conservancy will not incur any liabilities without the prior approval of the Minister responsible for the Islands Trust.

Fundraising and Investment of Funds

Islands Trust Council approves an annual budget for the administrative operations of Islands Trust Conservancy. This funding covers operating expenses including, but not limited to, board meetings and training, staff salaries and benefits, conservation planning, land and covenant negotiations, communications, fundraising, legal counsel and property management costs. However, the operating budget is not used for direct acquisition of properties (i.e. purchase costs). Accordingly, to purchase land or contribute to acquisitions by other agencies, Islands Trust Conservancy must raise additional funds. The *Islands Trust Act* provides Islands Trust Conservancy with the ability to raise funds in a variety of ways.

The board and staff will solicit funds for the purposes outlined in existing Fund Guidelines⁵ and Fund Agreements⁶. Islands Trust Conservancy will not solicit funds for purposes outside of those approved in Fund Guidelines or Fund Agreements unless it has first reviewed and approved the additional fundraising activity. Islands Trust Conservancy currently manages ten funds.

⁵ As of November 2022, Islands Trust Conservancy has Fund Guidelines for the following funds: Opportunity Fund, Geographically Restricted Funds, Property Management Fund and Covenant Management and Defense Fund.

⁶ Fund Agreements are negotiated agreements with donors regarding the specific use of a restricted donation

Islands Trust Conservancy will not engage in commission-based fundraising, and will not employ contractors utilizing this method for fundraising activities. Islands Trust Conservancy will reserve the right to decline to accept a donation at its discretion.

Islands Trust Conservancy routinely requests cash endowments with land conservation projects associated with development applications. Islands Trust Conservancy invests these endowments only in accordance with the requirements of the *Trustee Act* for the investment of trust property by a trustee. The board ensures that it invests only in forms of property or security in which a prudent investor might invest, and which enable retrieval of the full investment if required.

Islands Trust Conservancy is a corporation that is, for all purposes, an agent of the provincial government, and accordingly is a qualified donee and can issue receipts for income tax purposes for donations. Islands Trust Conservancy is exempt from paying property taxes on its lands.

Section 2: Acquisition, Management and Disposition of Property

General

Under the *Islands Trust Act*, Islands Trust Conservancy can accept donations and grants of land, conservation covenants, other interests in land, cash, securities and other real property in support of the protection of the Islands Trust Area. Islands Trust Conservancy is an approved recipient of gifts of land and interests in land through Environment and Climate Change Canada's Ecological Gifts Program.

When considering proposals, the board will give priority to those proposals that protect larger areas of land, and may defer or decline smaller proposals. The board will only consider accepting covenants and land acquisitions of less than two hectares (4.9 acres) if specific significant features are present.

The board will assess the need for the ongoing management and future legal defense of conservation properties and may, as part of an approval, request or require an endowment or donation to cover management and defense costs associated with the land or covenant.

Land Acquisition

Islands Trust Conservancy will normally only consider the acquisition of lands that meet the Board's definition of Nature Reserve: *an area that has been set aside because it has regionally significant natural ecosystems (landscape units with little or no human development) and may contain nationally and provincially identified ecosystems and species that are considered endangered, threatened or of special concern. The primary purpose of a Nature Reserve is the preservation and protection of the natural ecosystem. The size of a Nature Reserve should be sufficient to ensure that these ecosystems remain viable over the long term. Activities permitted on a nature reserve will have minimal impact on the land and in general will only include hiking and only in areas that are considered not sensitive to this activity. The location and extent of hiking trails will be determined through the management plan process.*

With every land acquisition proposal, Islands Trust Conservancy will evaluate any risks that may hamper the organization's ability to protect the land's natural values in perpetuity. Islands Trust Conservancy will only consider accepting land that needs extensive ecological restoration or substantial management if:

- a) Islands Trust Conservancy has adequate staff resources to manage the on-going requirements;
- b) a substantial cash donation that is adequate to cover on-going restoration and/or management costs is provided; or,
- c) Islands Trust Conservancy has adequate funds available to undertake immediate restoration and/or management requirements.

Islands Trust Conservancy will not accept or acquire any lands where there is an obligation to maintain buildings or structures. The Conservancy may accept and acquire lands that have buildings on-site that can be removed or maintained at the board's discretion.

As a further measure of protection, Islands Trust Conservancy may develop and register a conservation covenant on each of its nature reserves if an appropriate conservation agency can be found to hold the covenant and if the values on the land warrant the investment of staff time and legal fees.

Conservation Covenants

Islands Trust Conservancy will encourage landholders within ecologically significant areas or with significant characteristics or values to protect their land using binding conservation covenants and will work with interested landholders to achieve protection of significant areas.

Islands Trust Conservancy will continue to work with Trust Council to promote and administer the Natural Area Protection Tax Exemption Program (NAPTEP). The program provides a property tax incentive for landholders who register conservation covenants on their lands to protect the natural features and values of their properties.

Islands Trust Conservancy may refuse to acquire properties with existing conservation covenants or other charges on title that include rent charges⁶. Rent charges will not be included in covenants to be registered on Islands Trust Conservancy owned properties as the Conservancy cannot incur liabilities without ministerial approval.

Management of Property and Covenants

The acquisition of land or registration of conservation covenants does not by itself guarantee the long-term protection of significant features and values. Active management of protected areas is also necessary. Islands Trust Conservancy's primary objectives in managing its properties are to protect public safety and ecological values. Lands held by Islands Trust Conservancy are not parks but are nature reserves and nature sanctuaries, and this concept is considered in acquisition discussions, management planning, insurance and land use zoning.

³ "Rent charge" is similar to a fine and is a charge registered against the land to enable enforcement of a breach of a covenant agreement.

To effectively manage ecologically significant areas, Islands Trust Conservancy works cooperatively with First Nations, landholders, contractors, partner conservation groups and other government agencies. Qualified staff, partners and contractors develop management plans for all lands held by Islands Trust Conservancy. Management plans provide long-term direction regarding allowable public use, the reduction of risk to public safety, and the reduction of risk to ecological values and other significant features.

When Islands Trust Conservancy receives donations of land, it consults with the donor(s) regarding any specific wishes they might have for the property and considers these wishes in the management planning process.

Generally, management plans will address the following matters:

- purpose and objectives for the site;
- background information including the site history;
- First Nations input and engagement;
- environmental inventory;
- management issues such as the extent and nature of protection required, appropriate uses and level of use, research guidelines, risk management, signage, and special needs at the site;
- strategies and actions to achieve the purpose and objectives for the site and to address management issues and needs; and
- traditional use and protection of cultural/archaeological sites.

Islands Trust Conservancy will seek assistance from partners to implement management plans and, where appropriate, will request partners to enter into contracts with Islands Trust Conservancy regarding management operations and responsibilities.

Islands Trust Conservancy monitors all of its lands and covenanted areas regularly to assess the character and key features of the sites, evaluate the effectiveness of the management program, identify any new issues that need to be addressed, and identify and respond to any breaches to the terms of a covenant or trespasses on protected lands.

Islands Trust Conservancy will request, where necessary, that local trust committees or island municipalities rezone Nature Reserves and Nature Sanctuaries to the most appropriate designation and zone for nature protection when it is reviewing Official Community Plans and/or Land Use Bylaws and will work with local trust committees or island municipalities to determine the most appropriate designation and zone.

Disposition of Property

Islands Trust Conservancy intends to maintain its protected areas in perpetuity. However, there are circumstances where Islands Trust Conservancy will consider transferring property (or interests in a property, such as a conservation covenant) it has acquired to another agency.

If Islands Trust Conservancy receives an unrestricted donation of land with little or no ecological value, and if no other barriers to disposition exist, Islands Trust Conservancy may sell the land and place the proceeds in a fund of Islands Trust Conservancy to be decided by the board.

If Islands Trust Conservancy receives a proposal to transfer an ecologically significant property (or an interest in land) to another conservation agency, and determines that there is no legal barrier to transfer and that the proposal is worthy of consideration, Islands Trust Conservancy will direct staff to conduct and prepare a thorough assessment of the proposal for consideration by the board.

Islands Trust Conservancy will only dispose of a fee simple title or an interest in ecologically significant land if it can be determined that the recipient agency has the expertise and long-term financial resources to manage the property or interest as well as, or better than, the board. If the land, or interest in land, was acquired as an Ecological Gift, Islands Trust Conservancy will notify Environment and Climate Change Canada of the disposition.

The board will consider the following tools to ensure that any transferred land and associated values will be protected in perpetuity for the residents of the Trust Area and the people of British Columbia:

- a) Islands Trust Conservancy may transfer land on condition that it be used for conservation purposes, or transfer land as determinable fee simple providing that the land will revert to Islands Trust Conservancy if the land is no longer being used for the specified purposes.
- b) Islands Trust Conservancy may register a conservation covenant on title to land before a transfer, to ensure the protection of the land's ecological values, provided an appropriate agency can be found to hold the covenant, and the recipient agency has the legal authority to accept the encumbrance.

Section 3: Communication, Cooperation and Liaison

Communication

Islands Trust Conservancy board members and staff conduct activities in a manner that enhances Islands Trust Conservancy's reputation as an organization that works proactively, constructively and collaboratively to advance Islands Trust Conservancy Three-Year Plan.

Islands Trust Conservancy's land conservation negotiations are confidential and will be treated as such by all board members and staff of the Islands Trust Conservancy. Generally, information about on-going covenant and land donation projects will not be discussed or announced publicly until the project is complete, unless the project is associated with a development application, or the applicant has specified that the project may be discussed publically.

Collaboration

Islands Trust Conservancy works collaboratively with other agencies, First Nations and individuals to promote conservation in the Islands Trust Area. Staff and Board members participate regularly in partnerships with various levels of government, non-profit organizations, community groups and other agencies to further preservation of nature in the Islands Trust Area. Islands Trust Conservancy wishes to maintain good communications with First Nations and other agencies working in the region. The approach to First Nations engagement will be consistent with Islands Trust First Nations Engagement Principles Policy 6.1.1.

Advocacy

Islands Trust Conservancy will ensure that its advocacy positions are consistent with Islands Trust Conservancy Three-Year Plan and Islands Trust Advocacy Policy 6.10.3 and are supported by a resolution of the board. Advocacy letters from Islands Trust Conservancy to elected officials will be signed by a board member.

5. CONCLUSION

Guided by the Regional Conservation Plan, Islands Trust Conservancy will continue to pursue its mandate in accordance with its policies and in partnership with individuals, island communities and First Nations, as well as local, regional, provincial and national conservation and government agencies.

Islands Trust Conservancy will continue to strive for organizational excellence, and to eliminate barriers to its continued success. With excellent working relationships with the island-based and regional land trusts and strong connections to local and regional governments, the Islands Trust Conservancy is well positioned to take a lead role in the protection of the ecologically significant areas found in Canada's islands in the Salish Sea.

Islands Trust Conservancy looks forward to the next three years of conservation successes, inspired by the generosity and perseverance of our partners, collaborators and supporters, and the endless beauty of fragile island ecosystems.

APPENDIX A: List of Islands Trust Conservancy protected areas, by fiscal year

FISCAL YEAR	PROPERTY NAME	HECTARES PROTECTED	ISLAND
1992-1993			
Nov. 1992	Scott Covenant Lands	1.00	Salt Spring
Dec. 1992	Inner Island Nature Reserve	9.40	Denman
Dec. 1992	Deep Ridge Nature Reserve	14.20	Salt Spring
			Hectares Protected: 24.60
1993-1994			
Jun. 1993	Enchanted Forest Regional Park Covenant	4.20	South Pender
Dec. 1993	Coats Millstone Nature Reserve	0.25	Gabriola
Feb. 1994	Cunningham Covenant	12.17	Salt Spring
Feb. 1994	Cyril Cunningham Nature Reserve	3.95	Salt Spring
			Hectares Protected: 20.57
1995-1996			
Jun. 1995	Medicine Beach Nature Sanctuary	8.00	North Pender
			Hectares Protected: 8.00
1996-1997			
Jun. 1996	Lower Mt. Erskine Nature Reserve	22.00	Salt Spring
Mar. 1997	Tate Covenant	72.20	Salt Spring
			Hectares Protected: 94.20
1997-1998			
Jan. 1998	Cable Bay Covenant	61.51	Galiano
Jan. 1998	Kwel Nature Sanctuary	21.00	Lasqueti
			Hectares Protected: 82.51
1998-1999			
Jun. 1998	South Winchelsea Island Covenant	10.28	South Winchelsea
Mar. 1999	Reid Chapman Covenant	0.54	Gabriola
Mar. 1999	Ledingham Covenant	1.10	North Pender
			Hectares Protected: 11.92
1999-2000			
Jun. 1999	Retreat Island Covenant	1.60	Galiano
Jul. 1999	McIntyre Covenant	1.20	Bowen
Nov. 1999	Dennis Covenant	0.40	North Pender
Dec. 1999	Singing Woods Nature Reserve	9.00	Bowen
Dec. 1999	Terminal Creek Covenant North	0.30	Bowen
Dec. 1999	Terminal Creek Covenant South	0.85	Bowen
Jan. 2000	Brooks Point Regional Park Covenant	4.00	South Pender
			Hectares Protected: 17.35

2000-2001

Dec. 2000	Floating Cattails Marsh Covenant	1.92	Saturna	
Dec. 2000	Strand-Dohan Covenant	0.52	Saturna	
Feb. 2001	Trincomali Nature Sanctuary	12.00	Galiano	
			Hectares Protected:	14.44

2001-2002

Jun. 2001	Lindsay Dickson Nature Reserve	52.40	Denman	
Jul. 2001	Green Frog Farm Covenant	24.30	Galiano	
Jul. 2001	Longini Covenant	8.00	Galiano	
Aug. 2001	Burnt Snag Covenant	6.60	Sidney	
Aug. 2001	Dragonfly Pond Covenant	4.40	Sidney	
Aug. 2001	Kingfisher Pond Covenant	1.40	Sidney	
Aug. 2001	Sandbanks Covenant	3.01	Sidney	
Aug. 2001	Sunrise Covenant	0.47	Sidney	
Aug. 2001	Windthrow Covenant	26.60	Sidney	
Aug. 2001	Woodpecker Pond Covenant	0.94	Sidney	
Oct. 2001	Lot 31 Covenant	67.43	Salt Spring	
Jan. 2002	Ruffed Grouse Covenant	11.5	Salt Spring	
Feb. 2002	Ruby Alton Nature Reserve	1.60	Salt Spring	
Feb. 2002	Horton Bayviary Nature Reserve	0.52	Mayne	
			Hectares Protected:	209.17

2002-2003

Aug. 2002	Keough Covenant	0.66	Salt Spring	
Sept. 2002	Where 'Ere You Walk Covenant	0.34	Salt Spring	
Dec. 2002	Winter Wren Wood Covenant	2.50	Denman	
Jan. 2003	Loretta's Wood Nature Reserve**	40.00	North Pender	-40.00
Mar. 2003	Manzanita Ridge Covenant	20.00	Salt Spring	
			Hectares Protected:	63.50

2003-2004

Dec. 2003	Cottonwood Creek Covenant	4.31	North Pender	
Dec. 2003	Treetop Covenant	10.22	Sidney	
Feb. 2004	Old Point Farm Covenant	8.89	Saturna	
			Hectares Protected:	23.42

2004-2005

May 2004	Laughlin Lake Covenant	11.00	Galiano	
May 2004	Sharp-tailed Snake Covenant	0.03	North Pender	
Jan. 2005	Brigade Bay Bluffs Nature Reserve	5.14	Gambier	
Jan. 2006	Long Bay Wetland Nature Reserve	38.00	Gambier	
			Hectares Protected:	54.17

**transfer of Loretta's Wood to Parks Canada, March 2005

2005-2006

Mar. 2005	Meadow Valley Covenant	1.40	Thetis
Nov. 2005	Bachmann Covenant	2.07	Gabriola
Oct. 2005	Shacum Covenant	4.00	Salt Spring
Oct. 2005	Walter Bay NAPTEP Covenant	2.38	Salt Spring
Oct. 2005	Owls Call NAPTEP Covenant	3.31	Salt Spring
Oct. 2005	Leader NAPTEP Covenant	1.80	Salt Spring
Oct. 2005	Arthur Lineham NAPTEP Covenant	23.69	Salt Spring
Dec. 2005	Mount Trematon Nature Reserve	57.87	Lasqueti
Jan. 2006	Morrison Marsh Nature Reserve	51.73	Denman
			Hectares Protected: 148.25

2006-2007

May 2006	Vogt Covenant	29.74	Salt Spring
May 2006	Elder Cedar (S'ul-hween X'pey) Nature Reserve	64.67	Gabriola
Jul. 2006	Little D'Arcy NAPTEP Covenant	8.15	North Pender LTA
Oct. 2006	Barrineau NAPTEP Covenant	1.76	Galiano
Nov. 2006	David Otter Nature Reserve	3.04	Bowen
			Hectares Protected: 107.36

2007-2008

Aug. 2007	Oscar's Landing Covenant	0.69	North Pender
Aug. 2007	Richardson NAPTEP Covenant	1.75	Salt Spring
Oct. 2007	My Whim NAPTEP Covenant	2.20	Salt Spring
Oct. 2007	Polden NAPTEP Covenant	3.39	Salt Spring
			Hectares Protected: 8.03

2008-2009

May. 2008	Mount Artaban Nature Reserve	107.00	Gambier
Oct. 2008	Wennanec NAPTEP Covenant	1.64	Salt Spring
Oct. 2008	Frog Haven NAPTEP Covenant	3.60	Salt Spring
Oct. 2008	Woodwinds NAPTEP Covenant	0.76	North Pender
Oct. 2008	Lot 16 NAPTEP Covenant	0.31	North Pender
Oct. 2008	Lot A NAPTEP Covenant	0.95	North Pender
			Hectares Protected: 114.26

2009-2010

Oct. 2009	Steil's Woods NAPTEP Covenant	1.49	North Pender
Nov. 2009	Westbourne NAPTEP Covenant	1.69	Galiano
Mar. 2010	McRae NAPTEP Covenant	7.37	Gabriola
			Hectares Protected: 10.55

2010-2011

Jul. 2012	Fairy Fen Nature Reserve	18.10	Bowen
Oct. 2010	Frog Song Forest Covenant	1.78	North Pender
			Hectares Protected: 19.88

2011-2012

Nov. 2011	John Osland Nature Reserve	66.37	Lasqueti
Aug. 2011	Lot 44 (Ogden Road)	0.76	North Pender
Dec. 2011	Great Beaver Swamp Covenant	10.20	Galiano
Sep. 2011	Lot 45 (Ogden Road) Covenant	0.86	North Pender
Oct. 2011	Lot 16 addition NAPTEP Covenant	0.18	North Pender
Oct. 2011	Garry Oaks NAPTEP Covenant	0.50	North Pender
			Hectares Protected: 78.87

2012-2013

Oct. 2012	Nighthawk Hill NAPTEP Covenant	0.91	North Pender
Oct. 2012	Myra Powers NAPTEP Covenant	4.69	Hornby
Oct. 2012	Valens Brook Nature Reserve	3.74	Denman
Dec. 2012	Laughlin Lake Nature Reserve addition	0.50	Galiano
			Hectares Protected: 9.84

2013-2014

Apr. 2013	Mount Tuam Covenant	13.40	Salt Spring
Apr. 2013	Vanilla Leaf Land Nature Reserve	40.50	Galiano
May 2013	Burren's Acres Nature Reserve	2.03	Gabriola
Sep. 2013	Stanley Point Covenant (Lot 21)	1.31	North Pender
			Hectares Protected: 57.24

2014-2015

Sep. 2014	Old Divide NAPTEP Covenant	0.81	Salt Spring
Oct. 2014	McFadden Creek Nature Sanctuary	5.09	Salt Spring
Feb. 2015	Goldenback Fern Covenant	0.29	Salt Spring
			Hectares Protected: 6.19

2015-2016

May 2015	Finlay Lake Covenant	6.73	Galiano
Oct. 2015	Wallace Point NAPTEP Covenant	1.63	North Pender
Nov. 2015	Clam Bay Farm Covenant	8.26	North Pender
			Hectares Protected: 16.62

2016-2017

Aug. 2016	Fischer Covenant	6.12	Hornby
Feb. 2017	Moore Hill Nature Reserve	21.04	Thetis
Mar. 2017	Isabella Point Covenant	2.15	Salt Spring
			Hectares Protected: 29.31

2017-2018

Sep. 2017	Settlement Lands Covenant	63.25	Denman
Jan. 2018	Fairyflipper Forest Nature Reserve	16.60	Thetis
			Hectares Protected: 79.85

2018-2019

Sep. 2018	Swift Family Link Island NAPTEP Covenant	19.30	Link	
Dec. 2018	Valens Brook Nature Reserve Addition	2.55	Denman	
Hectares Protected:				21.85

2019-2020

Jul. 2019	Salish View Nature Reserve	11.47	Lasqueti	
Hectares Protected:				11.47

2020-2021

Dec. 2020	Sandy Beach Nature Reserve	3.30	Keats	
Feb. 2021	Lisa Baile Nature Reserve	4.05	North Pender	
Hectares Protected:				7.35

2021-2022

Jul. 2021	Earl Batista Covenant	0.86	Salt Spring	
Sep 2021	Saturnina Island Nature Sanctuary (Lease)	4.05	Saturnina	
Oct. 2021	Woodpecker Forest NAPTEP Covenant	3.73	North Pender	
Oct. 2021	Moss Mountain NAPTEP Covenant	45.43	Salt Spring	
Hectares Protected:				54.07

2022-2023

April 2022	Link Island Nature Sanctuary	21.45	Link	
Hectares Protected:				21.45

Total Hectares Protected: 1366.7

Notes: Properties called Nature Reserves or Nature Sanctuaries are owned or leased by Islands Trust Conservancy.

NAPTEP - Natural Area Protection Tax Exemption Program

APPENDIX B: Complete List of Islands Trust Conservancy Policies

BYLAW #2 [A Bylaw to Regulate the Meetings of the Islands Trust Conservancy Board and Committees of the Islands Trust Conservancy Board](#)

POLICIES Policies are online at islandstrust.bc.ca/about-us/accountability/policies/

SECTION 1 ORGANIZATIONAL

- 1.1 Islands Trust Conservancy Board Member Appointments, Reappointments and Elections
- 1.2 Board and Committee Elections
- 1.3 Islands Trust Conservancy Board Roles and Responsibilities
- 1.4 Board Standards of Conduct
- 1.5 Board Member Attendance and Participation and Member Removal
- 1.6 Annual Budget Submissions
- 1.7 Fundraising and Donations
- 1.9 Funds For Partnership Acquisition Projects Policy

SECTION 2 LAND TRANSACTIONS AND PROPERTY MANAGEMENT

- 2.1 Board Approval of Projects and Transactions
- 2.2 Assessing Conservation Proposals
- 2.3 Acquisition and Management of Land
- 2.4 Conservation Covenants
- 2.5 Natural Area Protection Tax Exemption Covenants
- 2.6 Heritage Forest Land Acquisition and Protection
- 2.7 Disposition of Land
- 2.8 Covenant Enforcement
- 2.9 Management Plan Costs

SECTION 3 COMMUNICATIONS, COOPERATION AND LIAISON

- 3.1 Islands Trust Conservancy and Local Planning Services Coordination
- 3.2 Communicating Information Regarding Covenant and Acquisition Projects
- 3.3 Relationships with External Groups
- 3.4 Islands Trust Conservancy Role in Partnership Acquisition Projects
- 3.5 Consulting Trust Council, Local Trust Committees, Island Municipalities, and Local Trustees on Islands Trust Conservancy Board Matters
- 3.6 Research
- 3.7 Freedom of Information and Protection of Privacy – Routinely Released Information
- 3.8 Freedom of Information and Protection of Privacy
- 3.9 Freedom of Information and Protection of Privacy – Designation of Fees



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 20, 2022

From: Executive Committee **Date Prepared:** August 23, 2022

SUBJECT: Amendments to History and Heritage Conservation Grants-in-Aid Policy 2.1.14

RECOMMENDATION: That Trust Council amend the History, Heritage, and Conservation Grants-in-Aid Policy 2.1.14 dated September 15, 2020, with the revised History and Heritage Conservation Grants-in-Aid Policy 2.1.14 dated September 20, 2022.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The proposed policy changes attempt to address administrative challenges that have arisen during recent delivery of the History and Heritage Conservation Grants-In-Aid program and include relevant definitions of terms. It should be noted that the revisions to this particular policy do not address the Fall 2021 amendments to the *Islands Trust Act* which enabled Trust Council to offer financial support to third parties for activities that preserve and protect the unique amenities and environment of the Trust Area, or that serve to gain knowledge and increase public awareness, understanding, and appreciation of the unique amenities and environment of the Trust Area. In the new term, the incoming Trust Council may wish to consider how it wishes to use that new funding tool and whether it wishes to draft a more comprehensive grants policy that consolidates all of Trust Council's outgoing grants or external support, including: History, Heritage, and Conservation Grants-in-Aid; Secretariat Services funding; and the new opportunities to fund third parties providing education about, and preservation and protection of, the unique amenities and environment of the Trust Area. At the current time, there is a more pressing need to update the History & Heritage Conservation Grants-in-Aid policy to support more efficient and effective program delivery.

1. **PURPOSE:** To provide Trust Council with recommended amendments to the History and Heritage Conservation Grants-in-Aid Policy 2.1.14.
2. **BACKGROUND:** On March 13, 2018, Trust Council approved the History, Heritage, and Conservation Grants In-Aid Policy 2.1.14 to provide grants-in-aid to organizations, agencies, or First Nations, engaging in activities to preserve, protect, and conserve history and heritage in the Islands Trust Area, including Indigenous cultural heritage. On September 15, 2020, Policy 2.1.14 was amended to align with Trust Council's Reconciliation Declaration and the *Declaration on the Rights of Indigenous Peoples Act* (DRIPA).

Further amendments to Policy 2.1.14 are now being recommended to include:

- an intake period for each fiscal year (all applications will be due by April 30 each year, with the possibility of a second application deadline in September if funds remain after the May allocation);

- a specific period when Executive Committee will review all applications and allocated grants (each year in May, with the possibility of a second review in October if funds remain after the May allocation);
- a maximum amount of financial assistance that can be requested per application (\$5,000)
- information on groups not eligible for funding
- removal of “individuals” as eligible applicants (individuals must apply through a non-profit organization or First Nation)
- a requirement that funds be spent by the end of the fiscal year;
- a requirement that a final report summarizing the outcomes of the project be submitted to Islands Trust by March 31;
- definitions of key terms: ‘heritage’, ‘heritage conservation’, and ‘Indigenous cultural heritage’; and
- editorial corrections.

Since the March 2018 Trust Council decision to begin providing grant-in-aid, the Executive Committee has approved five grants:

2022/2023:

1. \$2,000 to siyēye nii 'u tthu sut'ku'luts | siyēye tun'i 'utl sqwun'u to support ‘The Water We Call Home’ digital and physical exhibition opening on Galiano Island
2. \$2,000 to MakeWay Charitable Society – Atl’ ka7tsem/Howe Sound Marine Stewards to support ocean-based cultural research and education activities that will be conducted in partnership with the Skwxwú7mesh Úxwumixw (Squamish Nation).
3. \$2,000 to Stqeeye’ Learning Society to support the development of an Indigenous-focused land-based curriculum that will be available to Indigenous students from other school districts.

2019/2020

4. \$4,500 to Drama Camp Productions to host screenings of the movie Dust n Bones and reconciliation discussions on Salt Spring, Denman and Gabriola Islands, subject to the support of local trustees and affected local trust committees. (SSI and Gabriola ones delayed due to COVID-19 restrictions)

2018/2019

5. \$500 to the Saturnina Foundation to hold an event with First Nations on Saturna Island celebrating the new SENĆOŦEN Dictionary

3. IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: Adopting the proposed amendments to the History, Heritage, and Conservation Grants-in-Aid Policy 2.1.14 and application form will address current challenges in the administration of this grants-in-aid program and will provide greater clarity to applicants.

FINANCIAL: No financial implications.

POLICY: The recommendation will amend Trust Council’s History, Heritage, and Conservation Grants-in-Aid Policy 2.1.14.

IMPLEMENTATION/COMMUNICATIONS: The revised policy will be circulated to holders of the Islands Trust Policy Manual and placed on the Islands Trust website. It will also be reviewed with all staff who are responsible for administering the History, Heritage, and Conservation Grants-in-Aid program. Staff will complete a History, Heritage, and Conservation Grants-in-Aid staff procedure for the Operations Manual. Communication of the changes will be publicized through a

News Release no later than January 2023, highlighting the new annual application deadline of April 1. Staff will also prepare social media posts and include it in the annual social media editorial calendar.

FIRST NATIONS: Policy 2.1.14 was updated in September 2020 to align with Trust Council's Reconciliation Declaration and DRIPA. Adding in a definition of "Indigenous cultural heritage" in this round of amendments could support greater understanding of the importance of preserving and protecting Indigenous cultural heritage in the Islands Trust Area.

OTHER: None.

4. RELEVANT POLICY(S): None.

5. ATTACHMENT(S):

1. Draft amended History and Heritage Conservation Grants-in-Aid Policy 2.1.14 (track changes version)
2. Draft amended History and Heritage Conservation Grants-in-Aid Policy 2.1.14 (clean version)

RESPONSE OPTIONS

RECOMMENDATION: That Trust Council amend the History, Heritage, and Conservation Grants-in-Aid Policy 2.1.14 dated September 15, 2020, with the revised History and Heritage Conservation Grants-in-Aid Policy 2.1.14 dated September 20, 2022.

Alternatives:

1. That different revisions to the History, Heritage, and Conservation Grants-in-Aid Policy 2.1.14 be adopted.
2. That the History, Heritage, and Conservation Grants-in-Aid Policy 2.1.14 not be amended at this time.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services

Reviewed By: Clare Frater, Director, Trust Area Services / August 25, 2022
Russ Hotsenpiller, CAO / September 1, 2022
Executive Committee / September 7, 2022

Policy:	2.1.14
Approved By:	Trust Council
Approval Date:	March 13, 2018
Amendment Date(s):	~~September 15, 2020~~ <u>September 20, 2022</u>
Policy Holder:	Director of Trust Area Services

HISTORY, ~~HERITAGE AND~~ AND HERITAGE CONSERVATION GRANTS-IN-AID

Purpose

1. To provide ~~support and give~~ modest financial assistance to ~~individuals, groups, non-profit organizations, or~~ First Nations ~~communities or members, or agencies~~ engaging in activities to ~~gain knowledge about~~ increase public awareness, understanding and appreciation of the history and heritage of the Islands Trust Area, ~~and to increase public awareness, understanding and appreciation of that history and heritage including cultural heritage and/or contribute to understanding of Indigenous Peoples on the islands~~ the history and cultural heritage of Indigenous Peoples on the islands.
2. To provide ~~support and give~~ modest financial assistance to ~~individuals, groups, non-profit organizations, or~~ First Nations ~~communities or members, or agencies~~ engaging in the conservation of ~~conserving~~ heritage property, cultural heritage areas, or ~~preserve and protect~~ archaeological ~~are~~ sites in the Islands Trust Area. ~~or locations~~

Background

1. Section 8(2) of the *Islands Trust Act* establishes the discretionary powers of Trust Council. Under Section 8(2)(f) Trust Council may “engage in activities to gain knowledge about the history and heritage of the Trust Area and to increase public awareness, understanding and appreciation of that history and heritage”. Under Section 8(2)(g) Trust Council may conserve heritage property.
2. Section 8(2)(h) of the *Islands Trust Act* allows Council to support and give financial assistance to activities referred to under Section 8(2)(f) and 8(2)(g) that are undertaken by others in the Islands Trust Area.

A. Definitions

~~N/A~~

“Heritage”: a place, feature or event of historical, cultural, aesthetic, educational, or scientific significance.

“Heritage Conservation”: includes any activity undertaken to protect, preserve, or enhance the heritage value of heritage property.

“Indigenous Cultural Heritage”: Indigenous Peoples understand and describe “heritage” according to their own perspectives, traditions and languages. A general definition for Indigenous heritage would include ideas, experiences, worldviews, objects, forms of expressions, practices, knowledge,

spirituality, kinship ties and places valued by Indigenous Peoples. Indigenous heritage is intrinsic to Indigenous well-being and held for all generations.

B. Policy

1. Granting Funds to Others

- 1.1 Funding applications for history and heritage conservation grants-in aid will have an application deadline of April 30 and will be considered by Executive Committee once a year in May- on request by individuals, groups, organizations, First Nations communities or members, or agencies. Approved grants will be considered at the next available Executive Committee meeting taking place a minimum of three weeks after receipt of the application.
- 1.2 If there are remaining funds in the budget after the May allocation, Executive Committee may initiate a second round of applications with an application deadline of September 30, to be considered by Executive Committee in October.
- 1.23 Any non-profit individual, group, organization or First Nation, community or member, or agency excepting those listed in section 1.3 of this policy, is is eligible to receive up to \$5,000 of funding (most grants expected to be in the \$1,000 to \$2,000 range) - to:
 - 1.3.1 undertake activities to gain knowledge about the history and heritage of the Trust Area, including undertaking activities that increase the understanding of Indigenous Peoples on the islands; and/or
 - 1.2.2 undertake activities that increase public awareness, understanding and appreciation of the history and heritage of the Islands Trust Area; and/or
 - 1.3.32 conserve heritage property, including conserving cultural heritage areas, or and preserve and protect archaeological areassites in the Islands Trust Area or locations.
- 1.4 The following individuals/groups are not eligible to apply for funding:
 - 1.4.1 Islands Trust trustees, staff, or contractors
 - 1.4.2 organizations subject to an open bylaw enforcement action with a confirmed land use bylaw violation for which Islands Trust is seeking compliance
- 1.35 To receive funding, non-profit individual, group, organization or First Nations communities or members, or agencies must make their requests for funding to the Islands Trust Executive Committee on the prescribed form (Attachment 1) no later than April 30 each year. The request must include the following:
 - 1.35.1 the name of the non-profit individual, group, organization or First Nation membership or self-identity, or agency making the request;
 - 1.35.2 the dollar amount of ~~the~~ funding being requested;
 - 1.35.3 specifics about the nature of the activities as they relates to 2.2 of this policy;
 - 1.35.4 for research activities, an outline of the methodology, and/or description of the cultural knowledge or traditional ecological knowledge framework; and,
 - 1.35.5 for publications, an outline of the messaging, medium of the publication and intended audience.

1.46 The Executive Committee will review ~~each application~~ applications at the earliest opportunity in May of each year. In undertaking this work, the Executive Committee will consider the merits of the activities in the funding request and how they align with:

1.46.1 the ~~Object of the Islands Trust~~ Islands Trust Object;

1.6.2 the Islands Trust Policy Statement;

1.46.23 Trust Council's Strategic Plan;

1.6.4 the ~~Islands Trust~~ Islands Trust Reconciliation Declaration; and

1.46.35 available funds.

2. Conditions of Funding Approval

2.1 For research projects, Islands Trust staff review and approve the methodology.

2.2 For publications, Islands Trust staff review and ensure that the publication meets Islands Trust visual identity guidelines.

2.3 The ~~non-profit individuals, groups, organizations, or First Nations~~ who receive funding communities or members, or agencies must acknowledge support of Islands Trust in all printed and publication material related to the project, event or program.

2.4 The non-profit organizations or First Nations must spend all funds and submit a final report summarizing the project outcomes by the end of the fiscal year.

2.45 In the event a project is not complete by the end of the fiscal year, the ~~non-profit individuals, groups, organizations, or First Nations~~ community or members, or agencies must notify the Islands Trust as soon as practical and refund any ~~remaining~~ grant funds provided for project work that has not been done or completed.

2.56 ~~With the approval of Staff will provide the relevant affected local trust committees or island municipality~~ local trustees an opportunity to provide feedback on each funding application prior to Executive Committee's review.

2.67 ~~All a~~ Applications must comply with and must not incur adverse ~~have no~~ impacts to registered archaeological sites or potential sites.

3. Funding Source

3.1 For each fiscal year, Trust Council will establish a History and Heritage Conservation Grant-in-~~aid~~ Aid budget.

C. Legislated References

Islands Trust Act – Section 8(2)(h).

Islands Trust Council Policy 6.5.3 Procurement Policy (B.5 Financial Assistance to Community Organizations and Other Groups or Individuals).

Policy 6.1.1 First Nations Engagement Principles.

Declaration on the Rights of Indigenous Peoples Act (DRIPA)

D. Attachment

Attachment 1 – Application Form

HISTORY, HERITAGE, AND CONSERVATION – GRANTS-IN-AID APPLICATION FORM

Name of ~~Non-Profit Person or~~ Organization <u>or First Nation</u> :	
~~Address of Person or Organization:~~	
Full Mailing Address:	
Telephone Number:	
Email ~~A~~ address:	
Contact Person:	
~~First Nation membership or self-identity~~	
Primary purpose of <u>non-profit</u> organization:	
Service ~~you~~ provided <u>d</u> to the community:	
Number of clients or people that use ~~your~~ service:	
~~Cultural Knowledge Holder or Traditional Ecological Knowledge:~~ <u>Indigenous Knowledge Holder(s) involved in project:</u>	
Amount of ~~g~~ Grant-in-aid ~~Requested~~ <u>requested</u> (up to \$5,000):	
Purpose of the ~~g~~ grant-in-aid:	~~Conservation~~ — History ☒ Heritage ☒ <u>Heritage Conservation</u>
Describe how the grant-in-aid will be used:	
Describe how the grant-in-aid will support the ~~object of the~~ Islands Trust <u>Object, the Islands Trust Policy Statement, ~~or an~~ Islands Trust Strategic Plan, ~~and/or~~ Islands Trust Reconciliation Declaration:</u> ~~item:~~	
Have ~~you~~ <u>s the organization</u> received a previous grant-in-aid from ~~the~~ Islands Trust:	Yes ☒ ~~no~~ <u>No</u> (if yes, please list grants received)
<u>Does the organization agree to use all funds and submit a final report summarizing the project outcomes by the end of the fiscal year (March 31st)?:</u>	<u>Yes</u> ☒ <u>No</u> ☐
Applicant Signature:	

Date of Signature:

Internal Use Only:

Date of EC Resolution:

Amount Approved:

Collection Notice: *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 purposes associated with the 2017 Community Stewardship Awards program. Enquiries about the collection or use of information in this form can be directed to Carmen Thiel, Legislative Services Manager at 250-405-5188.*



Policy:	2.1.14
Approved By:	Trust Council
Approval Date:	March 13, 2018
Amendment Date(s):	September 20, 2022
Policy Holder:	Director of Trust Area Services

HISTORY AND HERITAGE CONSERVATION GRANTS-IN-AID

Purpose

1. To provide modest financial assistance to non-profit organizations or First Nations engaging in activities to increase public awareness, understanding and appreciation of the history and heritage of the Islands Trust Area, including the history and cultural heritage of Indigenous Peoples on the islands.
2. To provide modest financial assistance to non-profit organizations or First Nations engaging in the conservation of heritage property, cultural heritage areas, or archaeological sites in the Islands Trust Area.

Background

1. Section 8(2) of the *Islands Trust Act* establishes the discretionary powers of Trust Council. Under Section 8(2)(f) Trust Council may “engage in activities to gain knowledge about the history and heritage of the Trust Area and to increase public awareness, understanding and appreciation of that history and heritage”. Under Section 8(2)(g) Trust Council may conserve heritage property.
2. Section 8(2)(h) of the *Islands Trust Act* allows Council to support and give financial assistance to activities referred to under Section 8(2)(f) and 8(2)(g) that are undertaken by others in the Islands Trust Area.

A. Definitions

“Heritage”: a place, feature or event of historical, cultural, aesthetic, educational, or scientific significance.

“Heritage Conservation”: includes any activity undertaken to protect, preserve, or enhance the heritage value of heritage property.

“Indigenous Cultural Heritage”: Indigenous Peoples understand and describe “heritage” according to their own perspectives, traditions and languages. A general definition for Indigenous heritage would include ideas, experiences, worldviews, objects, forms of expressions, practices, knowledge, spirituality, kinship ties and places valued by Indigenous Peoples. Indigenous heritage is intrinsic to Indigenous well-being and held for all generations.

B. Policy

1. Granting Funds to Others

- 1.1 Funding applications for history and heritage conservation grants-in aid will have an application deadline of April 30 and will be considered by Executive Committee once a year in May.
- 1.2 If there are remaining funds in the budget after the May allocation, Executive Committee may initiate a second round of applications with an application deadline of September 30, to be considered by Executive Committee in October.
- 1.3 Any non-profit organization or First Nation, excepting those listed in section 1.3 of this policy, is eligible to receive up to \$5,000 of funding (most grants expected to be in the \$1,000 to \$2,000 range) to:
 - 1.3.1 undertake activities that increase public awareness, understanding and appreciation of the history and heritage of the Islands Trust Area; and/or
 - 1.3.2 conserve heritage property, including cultural heritage areas and archaeological sites in the Islands Trust Area.
- 1.4 The following individuals/groups are not eligible to apply for funding:
 - 1.4.1 Islands Trust trustees, staff, or contractors
 - 1.4.2 organizations subject to an open bylaw enforcement action with a confirmed land use bylaw violation for which Islands Trust is seeking compliance
- 1.5 To receive funding, non-profit organizations or First Nations must make their requests for funding to the Islands Trust Executive Committee on the prescribed form (Attachment 1) no later than April 30 each year. The request must include the following:
 - 1.5.1 the name of the non-profit organization or First Nation making the request;
 - 1.5.2 the dollar amount of funding being requested;
 - 1.5.3 specifics about the nature of the activities as they relate to 2.2 of this policy;
 - 1.5.4 for research activities, an outline of the methodology, and/or description of the cultural knowledge or traditional ecological knowledge framework; and,
 - 1.5.5 for publications, an outline of the messaging, medium of the publication and intended audience.
- 1.6 The Executive Committee will review applications in May of each year. In undertaking this work, the Executive Committee will consider the merits of the activities in the funding request and how they align with:
 - 1.6.1 the Islands Trust Object;
 - 1.6.2 the Islands Trust Policy Statement;
 - 1.6.3 Trust Council's Strategic Plan;
 - 1.6.4 the Islands Trust Reconciliation Declaration; and
 - 1.6.5 available funds.

2. Conditions of Funding Approval

- 2.1 For research projects, Islands Trust staff review and approve the methodology.
- 2.2 For publications, Islands Trust staff review and ensure that the publication meets Islands Trust visual identity guidelines.
- 2.3 The non-profit organizations or First Nations who receive funding must acknowledge support of Islands Trust in all printed and publication material related to the project, event or program.
- 2.4 The non-profit organizations or First Nations must spend all funds and submit a final report summarizing the project outcomes by the end of the fiscal year.
- 2.5 In the event a project is not complete by the end of the fiscal year, the non-profit organizations or First Nations must notify Islands Trust as soon as practical and refund any grant funds provided for project work that has not been completed.
- 2.6 Staff will provide the relevant local trustees an opportunity to provide feedback on each funding application prior to Executive Committee's review.
- 2.7 Applications must not incur adverse impacts to registered archaeological sites or potential sites.

3. Funding Source

- 3.1 For each fiscal year, Trust Council will establish a History and Heritage Conservation Grant-in-Aid budget.

C. Legislated References

Islands Trust Act – Section 8(2)(h).

Islands Trust Council Policy 6.5.3 Procurement Policy (B.5 Financial Assistance to Community Organizations and Other Groups or Individuals).

Policy 6.1.1 First Nations Engagement Principles.

Declaration on the Rights of Indigenous Peoples Act (DRIPA)

D. Attachment

Attachment 1 – Application Form



ATTACHMENT 1

ISLANDS TRUST

HISTORY, HERITAGE, AND CONSERVATION – GRANTS-IN-AID APPLICATION FORM

Name of Non-Profit Organization or First Nation:	
Full Mailing Address:	
Telephone Number:	
Email Address:	
Contact Person:	
Primary purpose of non-profit organization:	
Service provided to the community:	
Number of clients or people that use service:	
Indigenous Knowledge Holder(s) involved in project:	
Amount of grant-in-aid requested (up to \$5,000):	
Purpose of the grant-in-aid:	History / Heritage / Heritage Conservation
Describe how the grant-in-aid will be used:	
Describe how the grant-in-aid will support the Islands Trust Object, Policy Statement, Strategic Plan, and/or Reconciliation Declaration:	
Has the organization received a previous grant-in-aid from Islands Trust:	Yes No (if yes, please list grants received)
Does the organization agree to use all funds and submit a final report summarizing the project outcomes by the end of the fiscal year (March 31 st)?:	Yes No
Applicant Signature:	
Date of Signature:	

Internal Use Only:

Date of EC Resolution:

Amount Approved:

Collection Notice: 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 purposes associated with the 2017 Community Stewardship Awards program. Enquiries about the collection or use of information in this form can be directed to Carmen Thiel, Legislative Services Manager at 250-405-5188.

Top Priorities Report

Regional Planning Committee

1. *Manage Trust Council Strategic Plan Action Items 1.2., 2.2., 2.3., 2.4., 2.5., 4.4iii., 4.4 iv., and 4.8*

Strategic Plan item #2.5 - Groundwater Mapping - continuing mapping project

David Marlor
Narrisa Chadwick

Rec'd: 29-Jul-2020
Target: 31-Mar-2022

Strategic Plan item #4.4 iv- housing - planner forum - not started - budgeted for 2022/23

William Shulba

Strategic Plan item #4.8- develop heritage conservation overlay mapping - Phase 1 completed, Phase 2 budgeted for 2022/23 but not yet started.

Projects Report

Regional Planning Committee

1. *Shoreline Marine Planning*

Responsible

Date Received

Trust Council - 2015-2018 Strategic Plan Item

09-Nov-2017

Conduct a working group session to brainstorm possible directions.

2. *Preserve, protect and advocate for forest and terrestrial ecosystems*

Responsible

Date Received

1. Map contiguous tracts of the Coastal Douglas-fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems (underway by contractor for completion March 31, 2020) (2018-2022 Strategic Plan item 1.1).

12-Feb-2020

2. Create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area (2018-2022 Strategic Plan item 1.2).

3. *Preserve and protect marine ecosystems*

Responsible

Date Received

1. Map the extent of eelgrass and kelp beds throughout the Trust Area (2018-2022 Strategic Plan item 2.2).

12-Feb-2020

2. Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore (2018-2022 Strategic Plan item 2.3).

4. *Protect quality and quantity of fresh water resources of the Trust Area*

Responsible

Date Received

Projects Report

Regional Planning Committee

1. Map and develop water budgets for groundwater aquifers in the Trust Area (2018-2022 Strategic Plan item 2.5)
2. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (2018-2022 Strategic Plan item 2.6).
3. -Develop an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy
4. - Develop an Islands Trust Freshwater Sustainability Strategy policy document and recommendations for implementation of the Freshwater Sustainability Strategy

12-Feb-2020

5. *Strengthen housing affordability throughout the Islands Trust Area*

Responsible

Date Received

Implement the high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council:

12-Feb-2020

1. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 4.4 iii).
2. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 4.4 iv).
3. Develop model bylaws to address the use of building stratas as a tool for affordable housing (2018-2022 Strategic Plan item 4.4 v).

6. *Mitigate and adapt to climate change impacts*

Responsible

Date Received

1. Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater. (2018-2022 Strategic Plan item 3.2).

12-Feb-2020

Projects Report

Regional Planning Committee

7. *Update the model strategy for antennae systems*

Responsible

Date Received

09-Feb-2022



Planning Services REPORT September 2022 Trust Council

Date: 24/08/2022

General Comments

New Staff

On August 15, 2022 Stefan Cermak started his role as Director of Planning Services. The new position changes the title of the role to Director of Planning Services, losing the “Local” Planning Services title. Staff expect a slow rollout in the various areas where the older naming convention applies.

Model Administrative Bylaws

Administrative bylaws such as model fees bylaws and delegated authority bylaws, described below, are the most successful type of model bylaws that are likely to be considered and adopted by a local trust committee (LTC).

Fees Bylaws

Following Trust Council adoption of the new Application Services Policies, local trust committees have been considering amendments to their fees bylaw. As of the date of this report, the status of fees bylaws are as follows:

Table 1 Tracking new Fees Bylaws

LTC	NOTES	Waiting for LTC	Adopted
Ballenas-Winchelsea	Dec 15, 2021		✓
Denman	July 19, 2022		✓
Gabriola	May 16, 2022		✓
Galiano	Apr 4, 2022		✓
Gambier	May 26, 2022		✓
Hornby	June 10, 2022		✓
Lasqueti	August 29, 2022		✓
Mayne	September 26 - on agenda for consideration	✓	
North Pender	May 26 - Deferred	✓	
Saturna	May 19, 2022 – Deferred to October meeting	✓	
Salt Spring	Mar 22, 2022		✓
South Pender	May 6, 2022		✓
Thetis	May 3, 2022		✓

Delegation of Permits

The Province has amended the Islands Trust Regulation (BC Reg 119/90) to permit local trust committees, by bylaw, to delegate issuance of development permits to planning staff, and amended the *Local Government Act* to allow local governments (including local trust committees) to delegate minor development variance permits. Trust Council endorsed a delegation policy and a model development permit delegation bylaw at the June Council. Based on the Trust Council policy, staff are proceeding with delegation bylaws for local trust committees. Delegation of development variance permits will be brought back as an amendment at a future Trust Council meeting.

Policy Planning

Regional Planning Committee

Policy planning includes all of the proactive planning work being undertaken by local trust committees (LTC) and the Regional Planning Committee (RPC). The RPC has had much success completing the Freshwater Sustainability Strategy and is seeking actions to implement it primarily through LTCs exploring freshwater based bylaws and initiatives. The RPC has advanced a few other strategic items as well. In brief:

Freshwater Sustainability Strategy:

- **Item 2.4 – Freshwater Sustainability Strategy** - Regional Planning Committee has implementation policy on its list of work items.
- **Item 2.5 – Groundwater Recharge Mapping Project** – Contracted GW solutions and work is under way.
- **Item 2.6 – Model Land Use Regulations for Freshwater Sustainability** – To be informed by the Groundwater Implementation projects currently in process on Galiano and North Pender (NP). Freshwater Sustainability Development Permit Area (DPA) for Galiano – to be presented for first reading at LTC meeting end of September, Freshwater Sustainability DPA for NP – in progress. Options for land use bylaw (LUB) amendments for Galiano and NP to be identified.

Other:

- **Item 1.2 – Model development permit to protect CDF** – During this term, the Salt Spring Local Trust Committee advanced local discussions to preserve and protect the Coast Douglas Fir (CDF) and Associated Ecosystems and had development of a draft development permit to protect the CDF as a likely deliverable which then might have served as a model bylaw. The discussions led to studying the CDF zone in relation to wildfire protection. Thus, no work to develop a model permit to protect the CDF was advanced. However; for clarity, the discussions on Salt Spring have been in consideration of how keeping the CDF and associated ecosystems in a healthy and protected state enhance protection against wildfire.
- **Item 4.8 – Heritage preservation Overlay Mapping** – Phase 1 completed, phase 2 is funded for fiscal year (FY) 2022/23 but work has not yet started. The principle issue for delay has been the loss of the Senior Intergovernmental Policy Advisor and the contractors that were supportive of interacting with that role.

Local Trust Committees

Throughout the 13 local trust committees, there are 37 top priorities identified. There are 39 LTC projects currently being actively worked on by local planning services (LPS) staff, some of which are not identified as Top Priorities. These include projects such as the model fees bylaw update. These are listed in detail on the Top Priorities Chart in the Trust Council Agenda.

Current Planning

Current planning includes processing of all of the applications and referrals received by local trust committees and referrals reviewed by staff. Since January 1, 2022, to August 26, 2022, we have received:

- 396 new applications, 305 of which are building permit reviews, siting and use permits, or crown land or other such referrals.
- 34 development variance permit applications,
- 21 development permit applications,
- 12 Temporary Use Permit applications,
- 10 subdivision applications,
- six rezoning applications,
- three Agricultural Land Reserve applications,
- three soil deposit and removal applications, and
- two Board of Variance applications.

In total, including applications opened prior to January 1, 2022, there are 133 open applications. In addition to normal seasonal application volumes, staff vacancies continue to result in some backlogs.



BRIEFING

To:	Trust Council	For the Meeting of:	September 21, 2022
From:	Warren Dingman, Bylaw Compliance and Enforcement Manager	Date Prepared:	August 31, 2022
SUBJECT:	Bylaw Enforcement Statistical Reports		

PURPOSE:

This report summarizes the number and type of bylaw enforcement files, and the number of bylaw violation notices issued for the 2022 reporting period until August 31st.

BACKGROUND:

There were 585 open files at the end of the reporting period, with 162 files for short-term vacation rentals, and the greatest number (112) being on Salt Spring as proactive enforcement has remained a priority for bylaw staff. Staff were able to close 131 files of all types during the first three quarters, but there has been a higher than average number of complaints during the summer months.

During the report period, 23 Bylaw Violation Notices (BVNs) were issued for 9 files in the Northern Local Trust Areas (LTA), and four compliance agreements were signed; 56 BVNs for 16 files in the Southern LTAs, with two compliance agreements signed; and for Salt Spring, 38 BVNs were written for 11 files, and four compliance agreements signed. Total penalty amounts collected as of June 30 is \$5,912, and notices on title were registered for six properties that have a total outstanding debt of \$8575.

There were two adjudication hearings held during the reporting period, involving four separate files. We were successful in one, another was decided in the disputant's favour, another was postponed, and one was adjourned in order for the disputant to obtain a survey to support their defence. Currently, there are 12 files that are waiting for an adjudication hearing and there are two adjudication hearing dates scheduled: October 7 and December 2. However, not all the disputes will be heard this fall and the remainder will need to be scheduled into 2023.

ATTACHMENT(S):

1. Bylaw Enforcement Tables and Charts:
 - a. New files
 - b. Closed files
 - c. File volume
 - d. Violation type
 - e. Length of time

Prepared By:	Warren Dingman, Bylaw Compliance and Enforcement Manager

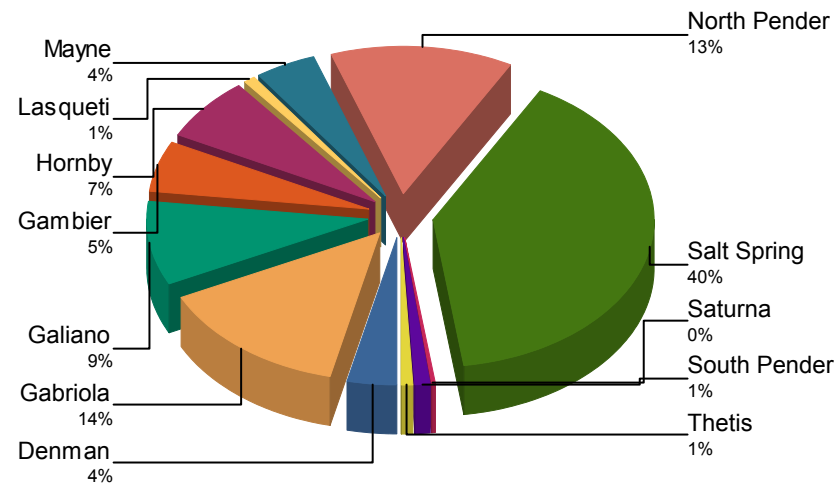
Reviewed By/Date:	Stefan Cermak, Director Local Planning Services

Bylaw Enforcement - Open Files as of August 31, 2022

Local Trust Area	2019		2020		2021		2022		2021 Q4		2022 Q1		2022 Q2		2022 Q3*	
	Open	%	Open	%	Open	%	Open	%	Open	%	Open	%	Open	%	Open	%
Denman	15	4%	21	5%	22	4%	21	4%	22	4%	22	4%	22	4%	21	4%
Gabriola	32	9%	49	11%	84	15%	83	14%	84	15%	87	15%	82	15%	83	14%
Galiano	51	15%	51	12%	48	9%	54	9%	48	9%	51	9%	51	9%	54	9%
Gambier	20	6%	24	5%	23	4%	32	5%	23	4%	31	5%	32	6%	32	5%
Hornby	20	6%	32	7%	37	7%	40	7%	37	7%	38	7%	40	7%	40	7%
Lasqueti	6	2%	7	2%	7	1%	6	1%	7	1%	7	1%	6	1%	6	1%
Mayne	14	4%	20	5%	20	4%	25	4%	20	4%	20	3%	23	4%	25	4%
North Pender	41	12%	62	14%	70	13%	78	13%	70	13%	76	13%	72	13%	78	13%
Saturna	6	2%	4	1%	3	1%	2	0%	3	1%	4	1%	4	1%	2	0%
South Pender	1	0%	5	1%	6	1%	6	1%	6	1%	6	1%	6	1%	6	1%
Salt Spring	124	37%	158	36%	217	40%	232	40%	217	40%	226	39%	208	38%	233	40%
Thetis	7	2%	5	1%	6	1%	5	1%	6	1%	6	1%	6	1%	5	1%
TOTAL	337	100%	438	100%	543	100%	584	100%	543	100%	574	100%	552	100%	585	100%

*2022 Q3 refers to the time that passed between the beginning of Q3 and August 31, 2022

Open Files in 2022

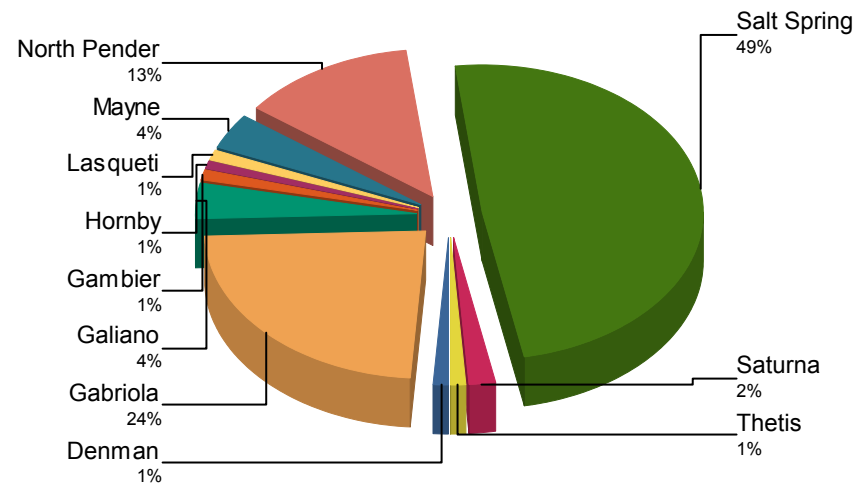


Bylaw Enforcement - Closed Files as of August 31, 2022

Local Trust Area	2019		2020		2021		2022		2021 Q4		2022 Q1		2022 Q2		2022 Q3*	
	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%
Denman	13	6%	6	4%	10	5%	1	1%	0	0%	0	0%	1	1%	0	0%
Gabriola	46	21%	29	20%	27	12%	24	24%	2	25%	12	22%	22	33%	3	30%
Galiano	24	11%	14	9%	26	12%	4	4%	1	13%	2	4%	3	4%	0	0%
Gambier	1	0%	6	4%	9	4%	1	1%	0	0%	1	2%	0	0%	0	0%
Hornby	9	4%	11	7%	7	3%	1	1%	2	25%	0	0%	0	0%	1	10%
Lasqueti	0	0%	0	0%	1	0%	1	1%	0	0%	1	2%	0	0%	0	0%
Mayne	20	9%	4	3%	10	5%	4	4%	0	0%	3	6%	2	3%	0	0%
North Pender	34	16%	17	11%	12	5%	13	13%	0	0%	6	11%	5	7%	2	20%
Saturna	3	1%	5	3%	2	1%	2	2%	0	0%	0	0%	2	3%	0	0%
South Pender	3	1%	3	2%	2	1%	0	0%	0	0%	0	0%	0	0%	0	0%
Salt Spring	62	29%	50	34%	115	52%	50	49%	3	38%	29	54%	31	46%	3	30%
Thetis	1	0%	3	2%	1	0%	1	1%	0	0%	0	0%	1	1%	1	10%
TOTAL	216	100%	148	100%	222	100%	102	100%	8	100%	54	100%	67	100%	10	100%

*2022 Q3 refers to the time that passed between the beginning of Q3 and August 31, 2022

Closed Files in 2022

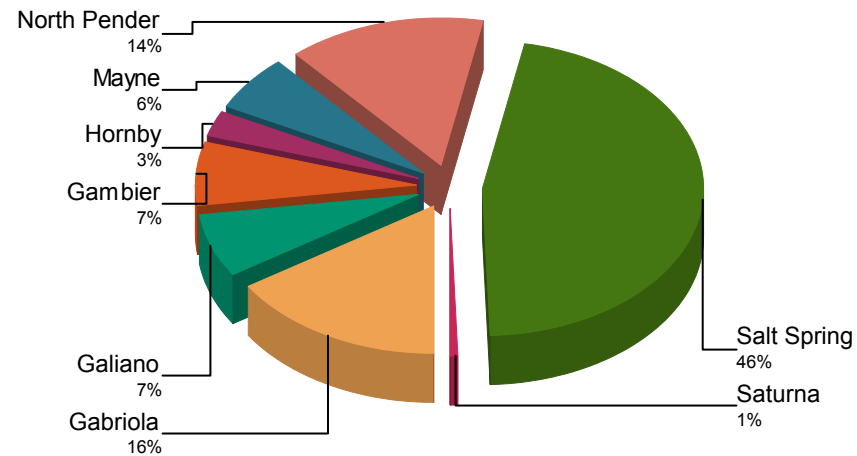


Bylaw Enforcement - New Files as of August 31, 2022

Local Trust Area	2019		2020		2021		2022		2021 Q4		2022 Q1		2022 Q2		2022 Q3*	
	New	%	New	%	New	%	New	%	New	%	New	%	New	%	New	%
Denman	6	2%	12	5%	11	3%	0	0%	0	0%	0	0%	0	0%	0	0%
Gabriola	52	20%	46	18%	62	19%	23	16%	15	28%	7	11%	16	21%	9	24%
Galiano	45	17%	14	6%	23	7%	10	7%	9	17%	6	10%	4	5%	1	3%
Gambier	6	2%	10	4%	8	2%	10	7%	1	2%	9	15%	1	1%	0	0%
Hornby	9	3%	23	9%	12	4%	4	3%	2	4%	2	3%	3	4%	1	3%
Lasqueti	4	2%	1	0%	1	0%	0	0%	1	2%	0	0%	0	0%	0	0%
Mayne	13	5%	10	4%	10	3%	9	6%	3	6%	6	10%	4	5%	1	3%
North Pender	42	16%	38	15%	20	6%	21	14%	3	6%	9	15%	10	13%	7	19%
Saturna	3	1%	3	1%	1	0%	1	1%	1	2%	1	2%	0	0%	0	0%
South Pender	2	1%	7	3%	3	1%	0	0%	0	0%	0	0%	0	0%	0	0%
Salt Spring	81	30%	84	34%	176	53%	67	46%	18	34%	22	35%	38	50%	18	49%
Thetis	3	1%	1	0%	2	1%	0	0%	0	0%	0	0%	0	0%	0	0%
TOTAL	266	100%	249	100%	329	100%	145	100%	53	100%	62	100%	76	100%	37	100%

*2022 Q3 refers to the time that passed between the beginning of Q3 and August 31, 2022

New Files in 2022

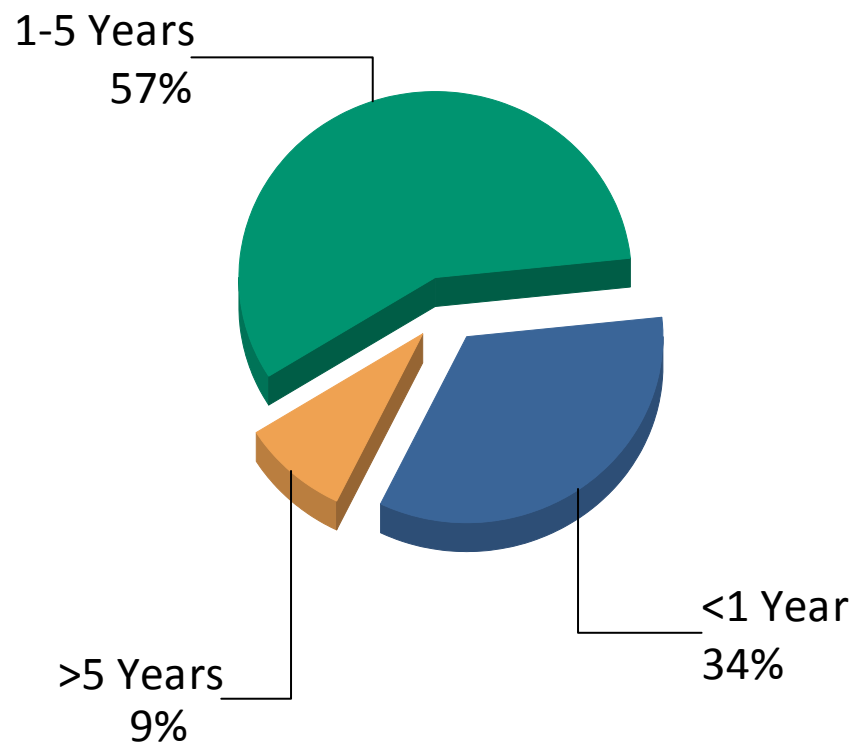


Bylaw Enforcement Open Files by Violation Type as of August 31, 2022

	Violation Type											
	LTC	Development Permit	Foreshore	Home Occupation	Siting	Soil Bylaw	STVR	Unenclosed Vehicle	Unlawful Dwelling	Density	Other Land Use	TOTALS
Denman	4	0	0	3		6	1	5	0	2	21	4%
Ballenas-Winchelsea	0	0	0	0		0	0	0	0	0	0	0%
Gabriola	4	3	3	14		11	15	18	1	14	83	14%
Galiano	13	2	2	12		10	0	10	1	4	54	9%
Gambier	3	11	2	14		0	0	1	0	1	32	5%
Hornby	1	0	3	7		11	0	11	1	6	40	7%
Lasqueti		0	0	0		0		1	0	5	6	1%
Mayne	1	2	1	3		4		4	1	8	25	4%
North Pender	13	2	4	3		7	18	21	1	9	78	13%
Salt Spring	23	3	5	18	9	112	2	35	2	23	232	40%
Saturna	1	0	0	0		0	0	1	0	0	2	0%
South Pender	0	0	1	0		0	3	1	0	1	6	1%
Thetis		1	0	1		1	0	1	0	1	5	1%
TOTAL	63	24	21	75	9	162	40	109	7	74	584	100%
Percentage	11%	4%	4%	13%	2%	28%	7%	19%	1%	13%	100%	

Local Trust Area	<1 Year	1-5 Years	>5 Years	Total
Denman	0	17	4	21
Ballenas-Winchelsea	0	0	0	0
Gabriola	50	30	3	83
Galiano	16	31	7	54
Gambier	9	17	6	32
Hornby	6	23	11	40
Lasqueti	0	4	2	6
Mayne	12	12	1	25
North Pender	22	53	3	78
Salt Spring	83	136	14	233
Saturna	0	2	0	2
South Pender	0	6	0	6
Thetis	1	3	1	5
TOTAL	199	334	52	585
Percentage %	34%	57%	9%	

Age of File





REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 20, 2022
From: Heather Kauer **Date Prepared:** August 16, 2022
Regional Planning Manager
SUBJECT: Amendments to Trust Council Policies 6.2.1 and 6.7.1

RECOMMENDATION:

That Trust Council approve amended Trust Council policies 6.2.1, “Priority Setting / Review Guidelines” and 6.7.1, “Work Program, Follow-Up Action Lists, and Priority Charts” as presented in Attachments 3 and 4.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The recommended amendments are consequential amendments that will support the recently adopted Policy 5.9.1 Best practices in Delivery of Local Planning Services, and support the renewal of the way we provide local planning services.

1 PURPOSE: To update two existing Islands Trust policies regarding management of projects and work programs of Trust Council Committees and Local Trust Committees.

2 BACKGROUND:

As indicated in an August 3, 2022 staff briefing to the Executive Committee (attachment 1), Trust Council adopted amendments to Trust Council Policy 5.9.1 at their June, 2022 meeting as a first step in updating policies to implement changes anticipated by the LPS Renewal project. At their August meeting, the Executive Committee considered amendments to two additional Trust Council policies that would further implement operational changes anticipated by LPS Renewal.

At that meeting the Executive Committee considered endorsing the amendments and forwarding them to Trust Council for consideration. The rationale included a consideration that if the current Trust Council adopted these amendments, the policies would set the stage for a clear understanding for the new Trust Council regarding long-range work programs. However, a motion of this nature received a split vote and was therefore defeated. The rationale for defeating the motion was that these policies started with the RPC and affect their work so should be considered by the Committee before going to Trust Council.

The Executive Committee consequently passed the following resolution unanimously:

That the Executive Committee refer the staff briefing regarding 6.2.1 and 6.7.1 to RPC for consideration.

The RPC considered the amendments at their August 24, 2022 meeting and endorsed the recommended policies without amendment.

Staff are recommending that Trust Council approve the recommended amendments to policies 6.2.1 and 6.7.1 consistent with rationale provided in the August 3, 2022 briefing to the Executive Committee. The key elements of the changes are:

- a. Removal of a specific number of projects for EC/Council Committees. The number of these projects would be determined by i) Trust Council direction and/or budget and ii) resources, both financial and staff, under the control of the Committee.*
- b. For LTCs, a change from 3 projects each to:*
 - i. up to one minor project per Local Trust Committee at a time; and*
 - ii. a list of major and extraordinary projects identified through the Trust Council budget process. This list would generally reflect rotational OCP amendment projects for LTCs so that the Islands Trust can begin to update all of its long range planning documents.*
 - iii. It is recommended that the Salt Spring LTC be allotted up to 3 projects, as an ongoing exception, in support of its large population base and more complex planning environment. This change is not reflected in the amended policies at this time, but would be included if supported by Executive Committee.*

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Amendments would clarify the purpose of “Projects” lists by renaming them to “Future Projects.” Additionally, elimination of a specific number of projects assigned to each committee would be more reflective of the reality of allocation of staffing resources and a move toward more inter-committee cooperation with regards to project management.

FINANCIAL: None.

POLICY: Amendments to Trust Council Policies.

IMPLEMENTATION/COMMUNICATIONS: An implementation and communication plan would be required to implement changes to these policies.

FIRST NATIONS: An organizational movement towards a cooperative model of project management would allow for a more coordinated system regarding early and meaningful engagement with First Nations.

OTHER:

4 RELEVANT POLICY(S):

5 ATTACHMENT(S):

1. August 3, 2022 Briefing to EC
2. August 24, 2022 Briefing to RPC
3. Recommended amended Trust Council Policy 6.2.1

4. Recommended amended Trust Council Policy 6.7.1

RESPONSE OPTIONS

Recommendation: That Trust Council approve amended Trust Council policies 6.2.1, “Priority Setting / Review Guidelines” and 6.7.1, “Work Program, Follow-Up Action Lists, and Priority Charts” as presented in Attachments 3 and 4.

Alternative: That Trust Council refer Trust Council Policies 6.2.1 and 6.7.1 to the work program of the incoming Regional Planning Committee for consideration of amendments.

Prepared By: Heather Kauer, Regional Planning Manager

Reviewed By/Date: David Marlor, Director, Legislative Services/August 18, 2022

Reviewed By/Date: Stefan Cermak, Director, Planning Services/Aug. 31, 2022



BRIEFING

To: Executive Committee **For the Meeting of:** August 3, 2022

From: Heather Kauer,
Regional Planning Manager **Date Prepared:** July 27, 2022

SUBJECT: Amendments to Trust Council Policies 6.2.1 and 6.7.1

PURPOSE: *For the Executive Committee to consider staff recommendations for additional changes to Trust Council policies 6.2.1 and 6.7.1 to implement changes to how project work is identified and to reduce the gap between planning resources and LTC/Committee project requests.*

BACKGROUND:

1. Trust Council adopted amendments to Trust Council Policy 5.9.1 at their June, 2022 meeting. These amendments had the effect of:
 - a. Establishing Minor, Major, and Extraordinary project categories;
 - b. Establishing a Regional Planning Team dedicated to Major and Extraordinary Project work;
 - c. Establishing that Local Planning Teams will resource Minor projects and process development applications.

2. Staff have noted additional amendments to Trust Council policies are needed to further manage the work done by the Regional and Local planning teams. The list of policies include:

Policy	Amendment Needed / Reason
a. 6.2.1 Priority Setting / Review Guidelines	Reduce the number of projects allocated to each committee to move towards a project model that prioritizes regional and LTC project cooperation and overlap; rename the “projects” list
b. 6.7.1 Work Program, Follow Up Action Lists, and Priority Charts	
c. 6.3.1 Budget Process Policy	Amendments needed to recognize the role of the RPC in the annual budget process recommending a list of planning projects to be prioritized for the next fiscal as well as the need for business cases for projects over \$5,000
d. 6.3.2 Special Tax Requisition	
e. 6.5.1 Reserves and Surplus	
f. 6.5.2 Budget Controls and Adjustment	
g. 6.5.3 Procurement	

3. Amendments to Budget related policies (c through g) are recommended but are not time sensitive in the short term to implement the Regional Planning Team. In addition, staff recognize that the Administrative Services Director may want to make additional amendments to these policies upon her return to leave so recommend that amendments be postponed until all of them can be done at once.
4. Staff are recommending consideration of amendments to policies 6.2.1 and 6.7.1 in the short term to ensure that in-coming Trustees are clear on resourcing around planning work programs starting in the new term.
5. The key elements of the changes are these:
 - a. Removal of a specific number of projects for EC/Council Committees. The number of these projects would be determined by i) Trust Council direction and/or budget and ii) resources, both financial and staff, under the control of the Committee.
 - b. For LTCs, a change from 3 projects each to:
 - i. up to one minor project per Local Trust Committee at a time; and
 - ii. a list of major and extraordinary projects identified through the Trust Council budget process. This list would generally reflect rotational OCP amendment projects for LTCs so that the Islands Trust can begin to update all of its long range planning documents.
 - iii. It is recommended that the Salt Spring LTC be allotted up to 3 projects, as an ongoing exception, in support of its large population base and more complex planning environment. This change is not reflected in the amended policies at this time, but would be included if supported by Executive Committee.

ATTACHMENT(S):

1. **Track Changes version of staff recommended changes to TC Policy 6.2.1**
2. **Track Changes version of staff recommended changes to TC Policy 6.7.1**

FOLLOW-UP: as requested by Executive Committee.

Prepared By: Heather Kauer, Regional Planning Manager, Northern Office

Reviewed By/Date: R Hotsenpiller, July 28, 2022



BRIEFING

To: Regional Planning Committee **For the Meeting of:** August 24, 2022
From: Heather Kauer
Regional Planning Manager **Date Prepared:** August 18, 2022
SUBJECT: Updates to Trust Council Policies 6.2.1 and 6.7.1

PURPOSE:

To brief the Regional Planning Committee (RPC) on recommended updates to Trust Council Policies 6.2.1, "Priority Setting / Review Guidelines" and 6.7.1, "Work Program, Follow-Up Action Lists, and Priority Charts."

BACKGROUND:

As detailed in an August 3, 2022 briefing to the Executive Committee (attachment 1), staff is proposing amendments to two Trust Council policies that will further the Local Planning Services (LPS) Renewal project. The Executive Committee passed the following resolution:

That the Executive Committee refer the staff briefing regarding 6.21 and 671 to RPC for consideration.

Staff is providing the proposed amendments to the Regional Planning Committee for information. Due to the pending close of the term, staff propose to present the amendments to these policies to Trust Council at their last quarterly meeting in September, 2022, for consideration of adoption. This would result in the policies being amended and ready for the new Trust Council to implement rather than delaying adoption as new Trustees get up to speed.

The RPC has the option of requesting that staff keep consideration of these policies on the RPC workplan for consideration by the next term's members of RPC prior to the policies being forwarded to Trust Council. This likely would delay the policy amendments at least another year.

ATTACHMENTS:

1. August 3, 2022 briefing to Executive Committee w/proposed amendments
2. Draft RFD to Trust Council for September, 2022 quarterly meeting

FOLLOW-UP:

Staff will forward to Trust Council for consideration, unless otherwise directed by the RPC.

Prepared By: Heather Kauer, Regional Planning Manager, Northern Team

Reviewed By/Date: David Marlor, Director, Legislative Services/August 18, 2022



Policy:	6.2.1
Approved By:	Trust Council
Approval Date:	June 6, 1992
Amendment Date(s):	June 10, 2004
Policy Holder:	Chief Administrative Officer

PRIORITY SETTING/REVIEW GUIDELINES

Purpose

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

A. Definitions

Action Plan - an outline of activities, considerations and resource requirements to implement a specific strategy.

Organizational Units - the following specific bodies of the Islands Trust which have some form of direction-setting authority including political units: Trust Council, Local Trust Committees (13), Council Committees (3), and Executive Committee; and the Management Unit: Directors and the Chief Administrative Officer.

Priorities - matters which have been assessed as being of key importance for response.

Priorities/Strategies Report - the summary document of the Islands Trust's structural units' endorsed strategies to respond to key priority areas in pursuit of the Trust's identified policy statements, policies, goals, objectives and current issues/opportunities.

Strategy - a preferred course of action among alternative responses to respond to and/or implement a priority.

Work Programs - the working document of specific organizational units of the Trust outlining their key priorities and listing of future topics to be considered.

B. Policy

1. Priorities/Strategies Report

- 1.1 The priorities/strategies report summarizes the top priorities of the Islands Trust's various structural units work programs:
 - 1.1.1 the Executive Committee;
 - 1.1.2 each of Trust Council's committees;
 - 1.1.3 the Islands Trust's 13 local trust committees as follows:
 - a. up to one minor project at a time per Local Trust Committee other than Salt Spring Island;
 - b. Salt Spring Island is allotted a minimum of three projects; and
 - c. a list of major and extraordinary projects will be identified through the Trust Council budget process. This list would generally reflect rotational OCP amendment projects for LTCs so that the Islands Trust can begin to update all of its long range planning documents.
 - 1.1.4 the Islands Trust Conservancy Board.
- 1.2 The top priorities of an organizational unit must be those of the Trust Council's top priorities that fall within their terms of reference.
- 1.3 At each quarterly Trust Council meeting, the Trust Council will review and update the report based on recommendations from the above organizational units via the Executive Committee in consideration of management's advice.
- 1.4 The Chief Administrative Officer is responsible for coordinating the priority setting/review process.
- 1.5 The Executive Committee is responsible for monitoring and reviewing the priority setting/review process.

2. Work Programs

- 2.1 Each of the Trust's organizational units is required to develop and maintain a work program to reflect:
 - 2.1.1 those items which it has identified;
 - 2.1.2 items referred to it by Trust Council;
 - 2.1.3 those of Trust Council's top priorities that fall within its terms of reference.
- 2.2 Work program priorities of each organizational unit including activities, responsibilities, targets and status must be reported to Council on a quarterly basis.

- 2.3 Work program processes are coordinated by designated staff in consultation with the appropriate chair.
- 2.4 Concerns regarding local planning team work programs are to be addressed first by the regional planning manager, the Director of Local Planning Services and then by the Regional Planning Committee, if required.
- 2.5 Concerns regarding all other work programs are to be addressed by the Chief Administrative Officer and then the Executive Committee, if required.

3. Action Plans

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

4. The Process

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

C. Legislated References

Islands Trust Policy 6.7.1 *Work Program, Follow-up Action Lists and Priorities Chart*

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

n/a



Policy:	6.7.1
Approved By:	Management Group
Approval Date:	December 17, 1992
Amendment Date(s):	
Policy Holder:	Chief Administrative Officer

WORK PROGRAM, FOLLOW-UP ACTION LIST AND PRIORITIES REPORT

Purpose

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

A. Definitions

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

B. Policy

1. Follow Up Action List

- 1.1 The Follow-up Action List (FUAL) should only include specific tasks that can be reasonably accomplished over the next three months.
- 1.2 The FUAL entry should include only the key words required to prompt recall of the item and/or a reference (i.e. report, resolution number or minutes) as to where to obtain information that is more detailed.

- 1.3 FUAL entry notations should only be completed - key words, responsibility assignment, target date and time budget estimates - upon agreement between the person responsible to complete the task, and the person(s) or entity responsible for reviewing the task to ensure it has been completed.
- 1.4 Whenever possible, FUAL entries should note the expected date to complete the task in the responsibility assignment column.
- 1.5 The FUAL should be updated on a continual basis, distributed on a regular basis as determined by the relevant organizational unit, and reviewed at regular meetings of the relevant organizational unit.
- 1.6 FUAL entries should not be archived as complete or no longer required, and/or transferred to the work program, until received by the organizational unit (not an individual).
- 1.7 FUAL entries should be separated chronologically according to the organizational unit's regular or special meetings to easily track when they were identified.

2. Work Program

- 2.1 The Work Program is comprised of two components - top priority and future projects list.
- 2.2 The future projects list may be categorized by broad topic areas for the convenient indexing of specific potential work program topics.
- 2.3 Any potential project or future discussion topic may be included in the future projects list for the purposes of maintaining a record of topics raised.
- 2.4 Action on the top priority or future projects list items is subject to the organizational unit's assignment of its available time and/or assigned resources.
- 2.5 The Work Program's top priority should be identified within the future project list and then listed on the top page of the Work Program.
- 2.6 Specific activities that are to be pursued over the next 3-6 months to complete an element of a priority should be highlighted for the top priority in the Work Program.
- 2.7 Implementation of activities for top priorities is subject to available staff resources and assigned fiscal resources through the annual budget.
- 2.8 A Work Program should be forwarded by the organizational unit's designated staff person to the administrative staff when it is updated.

3. Priorities Report

- 3.1 Each organizational unit identifies a number of priorities which it may present on a quarterly basis for Trust Council's input and endorsement.
- 3.2 The top priorities of each organizational unit are extracted from the top page of the organizational unit's current Work Program.
- 3.3 An organizational unit may update its portion of the Priorities Report at any time.
- 3.4 The Executive Committee will review the current Priorities Report prior to presentation to quarterly Trust Council meetings for its recommendations relative to the listed priorities' compatibility with available resources.

C. Legislated References

Policy and Procedures Manual: Priority Setting/Review Guidelines (6.2.1)

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

n/a

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 20, 2022
From: Regional Planning Committee **Date Prepared:** August 25, 2022
SUBJECT: Advice to Trust Council on Advocacy to the Province re Housing Affordability Supports

RECOMMENDATIONS:

1. That Trust Council request the Chair to write to the Province to:
 - outline the particular housing affordability challenges in the Trust Area and
 - request that the Province explore what can be done to create housing solutions specific to rural islands in the Trust Area, including options for stable, secure funding;
2. That Trust Council request Executive Committee to develop a communications strategy and materials to support awareness of the housing affordability advocacy request and rationale;
3. That Trust Council host a panel session about affordable housing challenges and solutions in the Islands Trust Area as part of trustee education; and
4. That Trust Council coordinate a round table on housing, to include BC Housing, key ministers, housing leaders from island communities, and others, within the first six months of the new term.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The recommendations above are significant and will require dedicated staff resourcing. Recommendations two-four would benefit from being referred a committee so they can be undertaken in the context of other work programs, have project charters developed to ensure agreement on scope, timing and costs, and be funded as appropriate.

1 PURPOSE: To provide Trust Council with recommendations from the Regional Planning Committee working group on housing equity and workforce shortage crisis.

2 BACKGROUND:

In December 2021, Trust Council tabled the following motion and referred it to Regional Planning Committee (RPC) for further consideration. Trust Council discussed that the intent of referring the tabled motion to Regional Planning Committee was to get improvements to the motion for consideration by Trust Council (in March 2022).

That Islands Trust Council:

Make the following recommendations to British Columbia's Lieutenant Governor in Council, in accordance with S. 8(2)(e) of the Islands Trust Act;

1) *That the Province of British Columbia develop the necessary mechanisms to create, fund, govern, and administer an Islands Housing Authority-type entity that will develop housing solutions across the Islands Trust area that:*

- a. Support equitable access to housing as a fundamental human right and an act of Reconciliation with First Nations and Indigenous Peoples;*
- b. recognize that there is critical need for a diversity of housing across the Islands Trust Area, and that the islands are particularly lacking in purpose-built rental housing;*
- c. fosters preservation and protection of at-risk ecosystems, cultural heritage sites, and large tracts of forests and farmland;*
- d. recognize that intensifying development of new single-user, market-valued homes poses a clear threat to the natural environment and cultural heritage sites, and is not the best use of the remaining residential land on the islands;*
- e. recognize that compact and clustered residential development can make more efficient use of land, resources and infrastructure, produce lower greenhouse gas emissions, and be more affordable than resource intensive single-user homes;*
- f. support a socially and economically diverse population and healthy communities across the Islands Trust Area;*
- g. allow for islands within the current Islands Trust area to opt into the entity.*
- h. recognize the value of island specific solutions, traditions and approaches to providing housing options.*

On May 18, 2022 RPC considered the referred tabled motion and passed two resolutions

1. *That Regional Planning Committee appoint Trustees Busheikin, Patrick, Wolverton and Colbourne to the working group on housing equity and workforce shortage crisis.*
2. *That Regional Planning Committee designate a working group of Committee members to work with staff to draft a letter to the Province for recommendation to Trust Council regarding the housing equity and workforce shortage crisis in the Trust Area.*

The working group met once and decided to recommend the above noted recommendations. The committee also developed preliminary key messages that could be included in a letter from the Chair of Trust Council (attached).

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: For recommendations 2-4 more discussion and detail is needed for staff to assess the organizational and staffing implications.

FINANCIAL: None. For recommendations 2-4 more discussion and detail is needed for staff to assess the financial implications.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS:

Any facts in a Chair letter would be checked prior to sending. The letter will be cc'd to Trust Area First Nations, MPs, MLAs, Trust Area MPs, Bowen Island Municipality and Islands Trust Council. The letter will be posted to the Islands Trust website and sent to subscribers.

For recommendations 2-4 more discussion and detail is needed for staff to assess the implementation and communications implications.

FIRST NATIONS: Any discussion of housing in the Islands Trust Area should consider the requests of First Nations for consideration of housing needs of Indigenous Peoples.

OTHER: N/A

- 4 RELEVANT POLICY(S):** Advocacy Policy 6.10.iii
- 5 ATTACHMENT(S):** Draft key messages for inclusion in a potential Chair advocacy letter to the Province

RESPONSE OPTIONS

Recommendations:

- 1. That Trust Council request the Chair to write to the Province to:**
 - **outline the particular housing affordability challenges in the Trust Area and**
 - **request that the Province explore what can be done to create housing solutions specific to rural islands in the Trust Area, including options for stable, secure funding;**
- 2. That Trust Council request Executive Committee to develop a communications strategy and materials to support awareness of the housing affordability advocacy request and rationale;**
- 3. That Trust Council host a panel session about affordable housing challenges and solutions in the Islands Trust Area as part of trustee education; and**
- 4. That Trust Council coordinate a round table on housing, to include BC Housing, key ministers, housing leaders from island communities, and others, within the first six months of the new term.**

Alternative: As directed by Trust Council

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Laura Busheikin, Regional Planning Committee Chair, August 30, 2022
Russ Hotsenpiller, CAO/August 31, 2022
Executive Committee, September 7, 2022

ATTACHMENT 1:

Potential content for Islands Trust Chair letter to the Attorney General and Minister Responsible for Housing and the Minister of Municipal Affairs regarding provincial support for housing affordability actions

Request

- Request that the Province of British Columbia explore what can be done to create a housing solution specific to the rural islands in the Trust Area, including a way to provide stable, secure ongoing funding
- Invite further dialogue on this topic

Background

- The Islands Trust has the mandate from the Province of BC to preserve and protect the Islands Trust Area in cooperation with others.
- In December 2021, the Islands Trust Council declared that a Housing Equity and Workforce Shortage Crisis exists in many of the islands within the Islands Trust Area.
- In March 2021, the Islands Trust Council voted to affirm its understanding that the object (and thus the mandate) of the Trust contained in s. 3 of the Islands Trust Act includes the concept of and protection of healthy and inclusive communities including (but not limited to) housing and transportation.
- In July 2021 the Islands Trust Council voted to affirm its understanding that preservation and protection of the natural terrestrial and marine environment is central to the mandate of the Islands Trust and that this responsibility must be given special and profound consideration in all our decisions and in all we do.
- Housing needs assessments have been completed for the Islands Trust Area. All demonstrate that more affordable housing is desperately needed on the islands, and there is a lack of rental housing stock.
- The Islands Trust Area is facing an acute shortage of affordable housing options needed to support the long-term sustainability and resilience of local communities.

Context

- Household incomes in the Islands Trust Area are generally well below the provincial median household income, and poverty rates and child vulnerability rates are high in many of the islands.
- Many islands have homelessness rates above the provincial average and many islanders are perilously close to homelessness
- The islands are particularly lacking in purpose-built rental housing, and a diverse housing stock;
- The islands have a strong market for vacation rentals.
- Most affordable housing projects are initiated by non-profit community volunteers with limited experience navigating re-zoning, finance and BC Housing requirements. These volunteers need more resources to get projects to the point of being “shovel-ready” so that they are able to access the bulk of affordable housing funding intended for construction.

- Businesses needing staff generally need staff to live on island as few will travel by ferry to an island to work. Essential services such as firefighting and health care provision as well as key community functions such as cultural production, community education, and conservation and environmental initiatives have traditionally been provided by volunteers and/or people working for low wages.

Conclusion

- Trust Council appreciates that the Province of BC has undertaken measures to address the affordability crisis, including rent increase freezes, a 10-year Homes for BC housing plan, homelessness strategy, enacting legislation giving local trust committees and island municipalities rental tenure zoning authority, supporting Housing Hub partnerships, and other measures. However, many of these initiatives largely cater to high-density urban areas that have good access to the companion resources and support services.
- It is vital that the Province also provide capacity building support to rural communities in British Columbia to address their unique housing affordability challenges.
- Trust Council does not know the best solution but that we have discussed ideas such as a discrete program within BC Housing, a separate housing-authority-type entity, a “navigator” service to help non-profit housing organizations in the Gulf Island achieve their goals, and the necessity of stable, long-term, sufficient funding.
- Any solution in the Trust Area needs to foster preservation and protection of at-risk ecosystems, cultural heritage sites, and large tracts of forests and farmland; support a socially and economically diverse population and healthy communities across the Islands Trust Area; and recognize the value of island specific solutions, traditions and approaches to providing housing options.

The letter could also include quotes such as the following:

From the CRD “SGI Updated Housing Market Analysis Report” Feb 2022:

“The 2018 Housing Needs Assessment showed that incomes and costs of housing were misaligned. This gap appears to have widened in the last 4 years.

The rental situation on the islands is desperate and is adversely impacting the local economy and the ability to deliver services.

Primary market rental stock is limited. The majority of rental units are through the secondary market which leads to insecurity for the renter. Renters are often precariously housed with a lack of proper renter protections. Rental pressures across the region are high, and this pressure is heightened across the SGI due to a lack of primary rental stock.

Hidden homelessness is being experienced by individuals across all islands. This continues to be an issue with individuals couch surfing, living out of cars and boats, and camping.

Housing supply is limited and lacks diversity, with development lagging, this has resulted in a persistent challenge for owners and renters trying to source affordable, adequate, and suitable housing.”

From CRD “SGI Housing Feasibility Analysis” May 2022:

“Characterized by rural landscapes and relative remoteness, these islands are only accessible by water transportation. They have experienced unprecedented population growth over the last few years, yet minimal increase in the number and diversity of housing units. These and other factors have exacerbated existing affordability issues on the SGIs, leading to increased home purchase and rental prices. Recent reports have found that high housing costs are disproportionately affecting vulnerable populations, including seniors and people with disabilities. In addition, the SGIs are struggling to retain workers and families, who are discouraged by the low availability and high cost of rentals.”

From CRD “Southern Gulf Island Housing Strategy” 2022:

“The predominant land use on the islands is residential and the majority of the land is privately owned. Housing in the islands exists within the context of a rural settlement pattern of large lots, single family homes, cottages, and secondary suites.

Household incomes lag behind CRD and provincial averages, and the most substantial difference is in income for families with children, where the SGI median incomes are much lower than the CRD and BC averages.

Housing challenges on the islands impact other aspects of community life such as school enrollment, volunteerism, stability for employees, and year-round viability for business.”

From 2021 Census Profile for Salt Spring Island:

Salt Spring Island's rate of household inequality, as measured by the Gini coefficient, is the highest of any rural area on Vancouver Island and one of the highest in the province.

From the SGI Tourism Partnership Society and SGI Housing Coalition: “CMHC Housing Supply Challenge” 2022

“Feedback highlighted the challenges of building new multi-unit development on the SGIs. The regulatory framework is generally not permissive of this form of development and site constraints related to water limit the extent to which larger housing projects can proceed. It was shared that a smaller project on the SGIs may cost similar to a mid-size project on Vancouver Island or the mainland. This makes it difficult to access funding, given the SGIs are competing for funding from BC Housing and CMHC with urban projects with lower per-unit costs.

Feedback focused on the feasibility challenges associated with housing development in an island setting. Given materials and professional services are often sourced from the mainland or Vancouver Island, there are additional costs that come with building on-island. These additional costs can make project viability and fundraising challenging, especially when island non-profits are competing with Vancouver Island or mainland housing projects where the cost of construction is lower.

Participants outlined the challenges that arise in exploring innovative housing solutions (e.g., ecovillage, higher step code housing models), as these approaches are portrayed as conflicting with the Islands Trust mandate while proponents actually favour these approaches because of their reduced environmental impact. Many participants expressed frustration that large, detached homes with higher environmental impacts allowed outright by the Islands Trust do not meet the same amount of political and NIMBY opposition.”

From RDN / Gabriola Local Trust Committee Social Needs Assessment report:

"Housing, childcare, income supports, employment opportunities, access to mental health care, and access to child and youth developmental supports were highlighted throughout the data gathering as areas of critical need in the region. Gabriola Island... in particular identified child and youth care programs, supportive housing, and health care as unavailable, limited, or unaffordable for those who need it."

From individual (permission to be sought to publish name)

"I live and work on Gabriola. I work with Island Health as a social worker; I see firsthand how housing instability affects residents. Affordable housing is almost non-existent on Gabriola. Housing instability has a negative effect on families and children, and increases risk of interpersonal violence. Gabriola Island already has 39% of its children living in poverty and the high price of housing and lack of purpose built rental housing makes that worse. Housing instability causes stress, limited ability to access basic needs of daily living, and increased exposure to violence. People living in violence have limited options to leave the violence because there is no affordable rental housing on Gabriola; it's often difficult to find even expensive rental housing. Gabriola is in desperate need of affordable rental housing."



September 2022 Islands Trust Council Session Outline

Coastal Marine Strategy – Policy Intentions

1:00 p.m. to 1:30 p.m., Wednesday, September 21, 2022

Purpose: To update Trust Council on the co-development of a **Coastal Marine Strategy** led by the provincial Ministry of Land, Water, and Resource Stewardship and coastal First Nations.

Resources: Charlie Short, Executive Director
Karen Topelko, Sr. Marine Resource Specialist
Annette Thingsted, Sr. Policy Advisor
David Angus, Sr. Policy Advisor

TIME	TOPIC	WHO
1:00 p.m. – 1:15 p.m.	Coastal Marine Strategy – Policy Intentions Presentation	Charlie Short, Executive Director
1:15 p.m. – 1:30 p.m.	Q&A Discussion	All

Background:

In September 2020 Islands Trust Council passed the following motion:

That the Islands Trust Council direct the Chair to write to the Premier and all relevant Ministers of the BC government on behalf of Trust Council to request that the BC government develop and enact a Coastal Strategy and law to leverage and coordinate the work of provincial ministries, First Nations, local communities, and stakeholder groups to preserve coastal and ocean health, halt coastal habitat loss, accelerate the completion of a network of marine protected areas to benefit fisheries, biodiversity and the economy, set marine environmental quality objectives from upland activities, and help communities adopt ecosystem-based approaches to manage risks from flooding due to extreme weather events, sea level rise, climate change, and ocean acidification.

The Ministry of Land, Water and Resource Stewardship is leading the co-development of a Coastal Marine Strategy with coastal First Nations. They are in the first phase of a process that will help the BC government consider and develop policy to improve stewardship of the coastal marine environment.



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 21, 2022

From: David Marlor, Director,
Legislative Services **Date Prepared:** August 25, 2022

SUBJECT: Policy Amendments to Support Governance Committee

RECOMMENDATION:

- 1) That Trust Council adopt an amended Policy 2.3.1 [Council Committee System] that:
 1. adds Governance Committee as a council standing committee,
 2. establishes that membership is seven members from Trust Council elected by Trust Council,
 3. establishes that the Chair of Trust Council and one of the two Trust Council elected members of the Islands Trust Conservancy are ex-officio members, and
 4. establishes that election of the Governance Committee shall occur by the March Trust Council meeting following the local government general elections.
- 2) That Trust Council adopts Policy 2.3.5 [Governance Committee Terms of Reference] that establishes the purpose and terms of reference for the Governance Committee.
- 3) That Trust Council request staff to amend Policy 2.3.2 [Regional Planning Committee Terms of Reference], Policy 2.3.3 [Financial Planning Committee Terms of Reference] and Policy 2.3.4 [Trust Programs Committee Terms of Reference] to change all references to the number of council committees from three (3) to four (4).

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The new policies are required to support the new Governance Committee as established by Trust Council at the June 2022 meeting, following the recommendations of the Governance Review.

1 **PURPOSE:**

The purpose is to update Trust Council's policies to create a new Governance Committee as recommended in the Governance Review Report.

2 **BACKGROUND:**

At the March 2022 regular business meeting, Trust Council received a report it had commissioned entitled "Islands Trust Governance Review" dated February 2022 and prepared by Great Northern Management Consultants. This report provided a high-level review of the governance of the Islands Trust and made several recommendations, one of which was to establish a Governance Committee.

At its June 2022 regular business meeting, Trust Council established a Governance Committee comprising of seven elected trustees. One of the first duties of this new committee was to recommend a terms of reference.

The Governance Committee met on July 29th and requested staff to recommend amendments to the Council Committee System policy and create a new Terms of Reference (TOR) policy for the Governance Committee.

Amended Policy 2.3.1 Council Committee System

Appendix 1 (attached) is an amended Policy 2.3.1 [Council Committee System]. This policy adds Governance Committee as a fourth standing Council Committee, establishes that it is comprised of seven trustees elected by Trust Council, establishes that the Chair of Trust Council and one of the two members appointed to the Islands Trust Conservancy by Trust Council are ex-officio members of the Governance Committee. The latter is to ensure the Islands Trust Conservancy is aware of the Governance Committee work. The decision on which one of the two elected members is appointed as ex-officio to the Governance Committee is left to the Chair of the Islands Trust Conservancy. The policy does not specify how Trust Council elects members and it does not need to do so. The process of running elections during committee meetings is laid out in the legislation for the election of the Trust Council Chair, Vice-Chairs and Islands Trust Conservancy membership. Islands trust commonly uses this process to elect the Chair and Vice-Chair of Council committees, and would use it to elect the members of the Governance Committee.

New Policy 2.3.5 Governance Committee Terms of Reference

Appendix 2 (attached) is a new Policy 2.3.5 [Governance Committee Terms of Reference]. Staff drafted this new policy to be consistent with the format for existing committees, and to include items requested by the Governance Committee at the last meeting. In keeping with good practice, and in keeping with the Governance Committee resolutions, a definition of "Governance" is included in the draft terms of reference. A definition of governance includes structure and direction of an organization, or expression of the policy and procedures to help the organization reach its goals and objectives. The definition included is based on information from the document *"Public Sector Governance: A Guide to the Principles of Good Practice"* by the Office of the Auditor General of British Columbia. The terms of reference also outlines the work of the committee based on the discussion and direction from the last meeting of the Governance Committee.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Staff time will need to be allocated to support the committee, including the creation of the agenda, running of the meetings, keeping of minutes and providing advice and follow-up to the committee.

FINANCIAL:

The budget for FY2023/24 will need to include the additional administrative costs of running the meetings of the Governance Committee. Additional funds may be required to support a consultant as included in the terms of reference. At present, the current budget provides for \$15,000 of discretionary funding for fiscal 2022-2023. A request for \$20,000 of funding for fiscal 2023-24 would be in line with funding provided other Council Committees.

POLICY:

Policy as amended. No further implications.

IMPLEMENTATION/COMMUNICATIONS:

Information regarding the Governance Committee will be added to the website and staff and trustee orientation materials.

FIRST NATIONS:

No implications.

OTHER:

No other implications.

4 RELEVANT POLICY(S):

2.3.1 Council Committee System

2.3.5 Governance Committee Terms of Reference

5 ATTACHMENT(S):

1. Amended Policy 2.3.1 Council Committee System

2. New policy 2.3.5 Governance Committee Terms of Reference

RESPONSE OPTIONS**Recommendation:**

- 1) That Trust Council adopt an amended Policy 2.3.1 [Council Committee System] that:
 1. adds Governance Committee as a council standing committee,
 2. establishes that membership is seven members from Trust Council elected by Trust Council,
 3. establishes that the Chair of Trust Council and one of the two Trust Council elected members of the Islands Trust Conservancy are ex-officio members, and
 4. establishes that election of the Governance Committee shall occur by the March Trust Council meeting following the local government general elections.
- 2) That Trust Council adopts Policy 2.3.5 [Governance Committee Terms of Reference] that establishes the purpose and terms of reference for the Governance Committee.
- 3) That Trust Council request staff to amend Policy 2.3.2 [Regional Planning Committee Terms of Reference], Policy 2.3.3 [Financial Planning Committee Terms of Reference] and Policy 2.3.4 [Trust Programs Committee Terms of Reference] to change all references to the number of council committees from three (3) to four (4).

Alternative:

That Trust Council further amend Policy 2.3.1 and new Policy 2.3.5 and then adopt as amended.

Prepared By: David Marlor, Director, Legislative Services

Reviewed By/Date: Russ Hotsenpiller, CAO/August 29, 2022
Lori Foster, Executive coordinator/August 29, 2022



Policy:	2.3.1
Approved By:	Trust Council
Approval Date:	March 6, 1998
Amendment Date(s):	September 11, 2008; March 14, 2018; June 8, 2021; <u>September 21, 2022</u>
Policy Holder:	Chief Administrative Officer

COUNCIL COMMITTEE SYSTEM

Purpose

This Policy outlines general Terms of Reference (Section B: 1-9) applicable to all committees, the general role of standing committees (Section B: 10) and an overview of committee-specific functions which are detailed further in each council standing committee's specific terms of reference.

A. Definitions

Select Committee means a committee established and elected by Trust Council to consider or inquire into any matter and to report its findings, opinions and recommendations to Trust Council.

Standing Committee means a regular permanent committee of Trust Council. ~~comprised of trustees appointed by the Trust Council Chair.~~

B. Policy

1. Establishment and Membership

1.1 Standing Committees

1.1.1 A Council Committee System is adopted by Trust Council comprised of ~~three~~ four standing committees and the Executive Committee (see Attachment 1):

1.1.1.1 Regional Planning

1.1.1.2 Financial Planning

1.1.1.3 Trust Programs

1.1.1.4 Governance Committee

1.1.2 ~~M~~ ~~Standing committee membership for the Regional Planning, Financial Planning and Trust Programs committees~~ includes trustees who have been appointed by the Trust Council Chair.

1.1.3 Membership for the Governance Committee includes a maximum of seven trustees who have been elected by Trust Council. Election of the Governance Committee shall occur by the March Trust Council meeting in the calendar year following the quadrennial trustee election.

- 1.1.34 One Executive Committee member will be assigned by the Trust Council Chair to the Regional Planning Committee and the Trust Programs Committee.
- 1.1.4 The Financial Planning Committee is comprised of all members of the Executive Committee, the Chair (or designate) of the Regional Planning Committee and the Trust Programs Committee, a member chosen by the Islands Trust Conservancy Board and three (3) other local or municipal trustees.
- 1.1.5 By the second Trust Council meeting following the quadrennial trustee elections, or as required, the Chair of Trust Council will recommend ~~council committee member appointments~~ appointments to the Regional Planning, Trust Programs and Financial Planning committees for ratification by Trust Council, based on an indication of interest by trustees and on Trust Area-wide considerations.
- 1.1.6 The Trust Council Chair is an ex-officio member of the Trust Programs ~~Committee and the~~ Regional Planning ~~Committee and Governance committees~~.
- 1.1.7 One of the two Trust Council elected members of the Islands Trust Conservancy is an ex-officio member of the Governance Committee, as determined by the Chair of the Islands Trust Conservancy.

1.2 Select Committees

- 1.2.1 Select committee membership is comprised of trustees who have been elected by Trust Council.
- 1.2.2 Select committees must have terms of reference established and approved by Trust Council.
- 1.2.3 If the Trust Council Chair is not an elected member of a select committee pursuant to section 1.2.1, they or designate shall be an ex-officio member of each select committee.
- 1.2.4 The agenda for select committees should include:
- 1.2.4.1 Approval of previous meeting minutes
 - 1.2.4.2 Follow-Up Action List (FUAL)
 - 1.2.4.3 Trust Council referral items
- 1.2.5 A select committee resolution is required to expend monies from the committee's budget account assigned by Trust Council, if any.
- 1.2.6 A select committee shall refer any reporting and findings, including resource needs, to Executive Committee prior to reporting to Trust Council.

- 1.2.7 A select committee will cease to exist once it has reported its findings, opinions and recommendations to Trust Council.

2. Committee Chair

- 2.1 Committee members shall elect the Committee Chair and Vice-Chair at the first meeting of the term or as required.
- 2.2 The Trust Council Chair may appoint an interim Committee Chair when required.
- 2.3 The Committee Chair will normally chair the committee meeting. However, the Chair may designate the Vice-Chair to act as Committee Chair. In the absence of the Chair and Vice-Chair, the committee shall choose a committee member to act as Chair of a meeting.

3. Available Resources

- 3.1 Each committee, with the assistance of its management support, is responsible to conduct its activities within its assigned budget accounts.
- 3.2 A standing or select committee resolution is required to expend monies from the committee's assigned committee projects or budget account, if any.

4. Staff Support

- 4.1 Staff's primary function to a committee is to act in a support/advisory role and as such, a committee may make requests of staff.
- 4.2 It is the Chief Administrative Officer's (CAO) role to manage and direct staff support to the committees and concerns in this regard should be communicated by the Committee Chair to the CAO. Unresolved matters by the aforementioned means shall be dealt with by the Executive Committee.

5. Meetings

- 5.1 The number of standing committee meetings per year is four and any further meetings must be planned within the approved committee's meeting expense account.
- 5.2 Select committees will decide on a schedule of regular meeting dates at the first meeting convened after the establishment of the committee.
- 5.3 Changes to the Master Meeting Schedule of regularly scheduled committee meetings must be coordinated with the Executive Coordinator.
- 5.4 Committee meetings during the Trust Council quarterly meetings are to be avoided.
- 5.5 The practice of recessing committee meetings to continue at a future date and time should be used sparingly due to the impact of unplanned meetings on staff resources.

6. Agenda/Minutes Preparation

- 6.1 Committee meeting agendas will be prepared by the designated staff in consultation with the Committee Chair.
- 6.2 The agenda will be distributed to committee members and the CAO at least five calendar days before the meeting.
- 6.3 The agenda shall be determined as follows:
 - 6.3.1 Additional items may be placed on the agenda by agreement of a majority of the committee members present at the meeting.
 - 6.3.2 The agenda shall be approved as the first item of business.
 - 6.3.3 The agenda for standing and select committees should include:
 - 6.3.3.1 Approval of previous meeting minutes
 - 6.3.3.2 Follow-Up Action List (FUAL)
 - 6.3.3.3 Trust Council referral items
- 6.4 Minutes must be done in accordance with Trust Council Policy 6.13 Islands Trust Minutes Guidelines.
- 6.5 Each committee is required to maintain a FUAL using the Trust's standardized format.
- 6.6 The FUAL is updated within seven days of the Committee meeting and subsequently placed on the agenda of the next scheduled meeting. The FUAL is to be distributed to designated staff within seven days of the committee meeting.
- 6.7 Draft minutes of a committee meeting are considered for approval at the next meeting.

7. Council/Committee Relationship

- 7.1 Each standing committee shall maintain a work program - which must include:
 - 7.1.1 Items referred to the committee from Trust Council (including referral date).
 - 7.1.2 Projects, new initiatives, ideas, and issues identified by the committee.
 - 7.1.3 The top three (3) priorities/strategies that it is working on, as approved by Trust Council, and must include any of Trust Council's priorities that it has assigned.
- 7.2 Each standing committee shall review and prioritize items within its work program, each Trust Council item referred to it, and shall report to Trust Council at the next quarterly Trust Council meeting on such items.
- 7.3 Standing committees are required to submit a Highlights Report to the Executive Coordinator in time for the Trust Council agenda package preparation deadline. The Highlights Report is to be presented by the Council Committee Chair (or designate).

- 7.4 All standing committee proposals and/or recommendations to be placed on the Trust Council agenda shall be referred to the Executive Committee to be placed on the Trust Council agenda. A select committee shall refer any reporting and findings, including resource needs, to the Executive Committee to be placed on the Trust Council agenda. These must be submitted for the Executive Committee's last meeting prior to when the Trust Council agenda package is distributed to trustees.
- 7.5 The Committee Chair (or designate) may request an opportunity to directly present committee matters to the Executive Committee.
- 7.6 It is the role of the Executive Committee members of Council Committees to ensure inter-committee liaison on relevant information, referrals, status on Council priorities/strategies, and to keep the Executive Committee apprised of the Council Committee's directions and activities and vice versa.

8. Rules of Conduct/Voting

- 8.1 Trust Council Meeting Procedure Bylaw 101 governs the proceedings of committees as applicable. In cases not provided for under Bylaw 101, Robert's Rules of Order Newly Revised shall apply to the proceedings of committees.
- 8.2 The quorum of a council committee is a majority of all of its members.
- 8.3 The Executive Committee member designate on the Regional Planning Committee and Trust Programs Committee shall have the full voting privileges of a committee member.
- 8.4 The Trust Council Chair, as ex-officio member of the Regional Planning Committee, Trust Programs Committee and select committees, shall be a non-voting member and shall not be included in determining quorum of a meeting.

9. Liaison

- 9.1 Liaison with provincial, federal, and local government politicians shall be requested by a Committee Chair to the Trust Council Chair or the CAO so that the Trust's political liaison can be coordinated. The Council Committee is expected to provide an outline regarding the purpose of the meeting, a proposed discussion strategy and recommended Islands Trust representation.
- 9.2 Liaison with provincial, federal, and local government staff shall be requested by the staff liaison member (in consultation with CAO when liaison is required with senior staff). It is expected that trustees, for the purpose of committee business, would meet other government staff with an Islands Trust staff member.
- 9.3 Liaison with the media shall be coordinated through the CAO and the Trust Council Chair who in turn may refer specific inquiries to the Council Committee Chair.

10. General Role of Standing Committees

- 10.1 To provide policy advice to Trust Council in response to Trust Council's referrals, committee initiatives and external requests of the Trust.
- 10.2 To provide feedback to staff on matters going to Trust Council.
- 10.3 To implement and maintain a committee-specific work program.
- 10.4 To make recommendations to Trust Council on inter-agency liaison or protocol initiatives.
- 10.5 To create sub-committees (or task forces) which may be comprised of trustees, staff or external persons as required for a specific duration to examine a particular committee matter upon approval by Trust Council.
- 10.6 To provide input and feedback to the annual budget process.
- 10.7 To provide input to Trust Council's organizational strategic planning process.

C. Legislated References

Trust Council Policy and Procedures Manual:

Regional Planning Committee (RPC): Terms of Reference (2.3.2)

Financial Planning Committee (FPC): Terms of Reference (2.3.3)

Trust Programs Committee (TPC): Terms of Reference (2.3.4)

[Governance Committee \(GC\): Terms of Reference \(2.3.5\)](#)

Trust Council Meeting Procedure Bylaw 101

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

Attachment 1: Committee-Specific Functions

Attachment 1: COMMITTEE-SPECIFIC FUNCTIONS

REGIONAL PLANNING COMMITTEE (RPC) 1. Growth Management Tools 2. Community Planning Tools 3. Development Management Tools 4. Local Planning Service Delivery	TRUST PROGRAMS COMMITTEE (TPC) 1. Environmental Policy 2. Research and Information Systems Program 3. Sustainable Communities Policy 4. Trust Area Program Initiatives
FINANCIAL PLANNING COMMITTEE (FPC) 1. Annual Budget 2. Long Term Financial Planning 3. Fiscal Controls 4. Annual Audit	EXECUTIVE COMMITTEE (EC) 1. Bylaw Approval 2. Policy Agenda Coordination 3. Legislation Agenda 4. Communications Agency Liaison 5. Chief Administrative Officer Liaison 6. Trust Council Business 7. Strategic Direction
<u>GOVERNANCE COMMITTEE</u> 1. <u>Governance structure and processes</u> 2. <u>Governance Best Practices</u> 3. <u>Legislative Reform¹</u>	

Policy:	2.3.5
Approved By:	Trust Council
Approval Date:	September 21, 2022
Amendment Date(s):	
Policy Holder:	Director Legislative Services

GOVERNANCE COMMITTEE TERMS OF REFERENCE

Purpose

The purpose of the Governance Committee is to provide focus upon improvement of governance, to develop and recommend to the Trust Council good governance and management approaches and frameworks, and to lead processes to support and evaluate the effectiveness of Trust Council and its committees. The Governance Committee is one of Council's four (4) standing committees (See Policy 2.3.1).

A. Definitions

"Governance" means the structure and processes by which Trust Council, Executive Committee, local trust committees and council committees are directed, controlled, and held to account to achieve their goals and objectives.

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

B. Policy

The Governance Committee provides advice and recommendations to the Islands Trust Council and management by:

1. Initially reviewing the Islands Trust Governance Report dated March 8, 2022 and submitting a prioritized list of the recommendations in that Report to Trust Council with advice as to possible actions.
2. Identifying, evaluating and providing, on an on-going basis, advice to Trust Council on emerging governance and management issues with respect to:
 - areas of concern;
 - best practices; and
 - appropriate structures and procedures;
 to allow Trust Council to function most effectively.
3. Maintaining a committee work program to manage committee initiatives and providing Trust Council with quarterly updates.
4. Providing recommendations to Trust Council for legislation reform initiatives to improve Trust Council governance and management
5. Governance Committee may contract external expertise to provide advice subject to:
 - a. funding by Trust Council and
 - b. at the discretion of the committee.

The responsibilities stated apply to the following areas:

1. Trust Council Governance and Management

C. Legislated References

Policy and Procedures Manual: Council Committee System (2.3.1)

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

n/a

DRAFT



September 21, 2022
Islands Trust Council
2022 Governance Report Review Session

Background: Trust Council received the Islands Trust Governance Review, February 2022 Report at the March 2022 meeting. At that time Great Northern Management, the consultant on the project, provided an overview of their report which was followed by a question and answer session with trustees. The Governance Committee of the Islands Trust, recognizing that trustees may want an opportunity to discuss the report and its findings, have requested that a session be scheduled for the the September 2022 Trust Council meeting.

Purpose: To provide an opportunity for trustees to discuss the 2022 Governance Review, with particular emphasis on:

1. General feedback on the content, presentation and outcomes of the Review, and
2. Particular areas of priority or focus going forward for the Governance Committee to advance on behalf of Trust Council.

Structure of session: It is proposed that the session be conducted in two parts:

1. An initial 45-60 minute session, in 4 breakout rooms, focused on discussion of specific priorities/recommendations emanating from the Review, to assist the Governance Committee in its work.

Please consider the following questions as you prepare for the break out sessions:

- What are your priority recommendations from the Governance Report that you wish the Governance Committee to focus upon?
- What recommendations do you consider are achievable for the Islands Trust?
- What is not achievable in your view?
- In terms of implementation what further information or study is required for any of the recommendations?

2. A 45 min follow up general session at the Council table to discuss the outcomes of the breakout sessions and to more generally discuss aspects of the Governance Review report and recommendations.

TIME	TOPIC	WHO
2:00- 3:00	4 breakout sessions	Chair & Senior staff facilitation
3:15 – 4:30	General discussion of the Review	

Because of the death of a respected elder, the Project team was not able visit to Sliamon to meet with the chief and council and make a presentation to the community about the project and Xwe'etay. We hope to make this trip later this fall, probably in October.

In June's low-tide week, and in July's, in spite of some fairly stormy weather, we managed to continue our examination of the shoreline at very low tides, looking particularly for signs of clam gardens and fish traps, but keeping an eye out for middens, culturally modified trees, crabapple groves and other signs of Indigenous use and modification to the landscape. We continued to find lots, and also re-visited a high-up lookout/observation point on one of the outer islands on the north-west end of the island, where people had spent time, and carried clams and deer bones to the top, to make awls and possibly other tools. We explored and mapped the extent of each site, and often took 2cm cores to later, in the lab, examine carefully for signs of what uses had been made of the site, and for charcoal to, if possible, date the beginning and the end of Indigenous use of the site.

July was a full month for the project, and the team (Dana, her assistant Faren, her SFU grad students Katy and Vlad, and GIS technician/mapper Kaya, and sometimes our film and photography person Emily) managed to visit many properties where the owners had invited us to come and explore the site(s) on their parcel. Some very extensive sites were explored, including some that had been significantly disturbed, to the point of near destruction, unfortunately.

In July the project hosted an event at which a plaque honoring Indigenous Ancestors was placed at Squitty Bay at the south (actually east) end of Lasqueti. The plaque was co-sponsored by the Lasqueti Community Association and BC Parks. The somewhat stormy and rainy unveiling of the plaque was attended by people from the Tla'amin Nation, K'omoks Nation, Qualicum Nation and Wei Wai Kum Nation. After the welcomes, speeches and unveiling, we gathered at the community hall for a meal together, to hear some more speeches and to socialize, before our visitors left for home in the late afternoon. There was a brief tour of some of the remaining middens and features in the False Bay area.

Because the weather had prevented a clam garden visit that day, another event was scheduled for False Bay at low tide in mid August, where there is a very clear fish trap and pool enclosure, and several clam gardens. People travelled again from Tla'amin Nation and Qualicum Nation, with lots of Lasqueti people and others attending. There was exploration and explanation, questions and suggestions, speeches and food shared. One Lasqueti resident commented that the archaeology was interesting, but not nearly as interesting as meeting and making connections with the Indigenous people who attended. There were people of all sorts of ages that came, from a four year old (with his grandparents), teen agers, young, middle aged and older adults and a couple of elders. One of the Tla'amin people remarked that he was extremely interested to hear his elder talk about the various bays and places that they passed on their way to Lasqueti, and learn from him how and when they had been used.

Through these three visits to Lasqueti (including the August 2021 visit by Tla'amin to Lasqueti, I have been very impressed by the interest and the welcome that has been extended to Indigenous visitors, and by their appreciation for being invited to Xwe'etay/Lasqueti. Their interest and pleasure of being

welcomed, and shown some of the many sites that exist on and around our island, has confirmed what they have always known, and we settlers have been welcomed as allies. I have not heard anything other than appreciation, and many wise and friendly words have been spoken, songs sung, stories told and food shared together. The turn-out, interest and support of these events of full-time and part-time Lasqueti settlers has been tremendous. There remains some doubt and fear among a number of people about what will come of the project and the sites we are discovering (and the many sites that have long been known and mapped, though we are finding that many of them are larger than is recorded). Some fear that what they can do on their land will be limited, and a few seem to fear that their land might be taken from them if there is a site on it.

I have recently discovered a new-to-me part of our project web site that has photos and information on a number of our events:

- 1.5 hour recording of webinar held on Heritage Policy in BC
- Photos & write-up on community field work with Tla'amin members on Xwe'etay, August 2021
- Photos & write-up of Tla'amin and community visit to Marshall's Beach September 2021
- Report on Heritage Survey administered to Lasqueti landowners and residents , spring 2021
- Photos & writ-up of Plaque event, July 2022

These can be found from this page: <https://www.lasquetiarc.ca/project-updates>

Coming soon, Photos & write-up of recent day at fish trap & clam gardens in False Bay

If you have any questions or comments, please contact me. My email address is pjohnston@lasqueti.ca.

Islands Trust Council Goals	Executive Committee	Islands Trust Conservancy
1. Ecosystem Preservation and Protection 2. Ensure human activity and development are compatible with maintenance of Trust Area ecosystems 3. Sustain Island Character and Healthy Communities 4. Effective, Efficient and Collaborative Governance	1. Islands Trust Act Amendments 2. Update Islands Trust Policy Statement 3. Climate Change Emergency 4. Business Response to COVID-19 5. First Nations Reconciliation 5. Preserve and protect marine ecosystems	1. Strategic Planning/Administration 2. Covenant and Property Acquisitions 3. Property and Covenant Management 4. Communications 5. Fundraising and Conservancy Support
Financial Planning Committee	Regional Planning Committee	Trust Programs Committee
1. Budget 2023/24: Draft 1 Review 2. Budget 2023/24 Public Consultation: Planning 3. Financial Policy Review	1. Manage Trust Council Strategic Plan Action Items 1.2., 2.2., 2.3., 2.4., 2.5., 4.4iii., 4.4 iv., and 4.8	1. Policy Statement Amendment Project 2. Secretariat Role to Forums within the Trust Area 3. Stewardship Education Program



Northern Islands

Ballenas-Winchelsea, Denman, Gabriola,
Gambier, Hornby, Lasqueti, Thetis

Ballenas-Winchelsea Islands

- . OCP / LUB Review

Denman Island

- . Denman Housing Review Project - Phase 1
- . Farming Regulations Review Project
- . Comprehensive Official Community Plan / Land Use Bylaw Amendment

Gabriola Island

- . Develop Ecological Protection Zone
- . Review and update DAI bylaw
- . Density Donation Outreach Program

Gambier Island

- . Gambier OCP & LUB Targeted Review
- . Keats Island Shoreline Protection Project - Phase 3
- . Riparian Areas Regulation

Southern Islands

Galiano, Mayne, North Pender,
South Pender, Saturna

Galiano Island

- . Groundwater Sustainability
- . Rezoning of DL 64, 68, 72, 87

Mayne Island

- . Flexible Housing Regulations and Policy Review
- . OCP and LUB Minor Amendments
- . Groundwater Sustainability Project

North Pender Island

- . Groundwater Sustainability Project
- . LUB Review Project
- . Soil bylaw

Saturna Island

- . LUB/OCP Minor Amendments

South Pender Island

- . Land Use Bylaw Amendments Project
- . Minor OCP Amendments
- . Shoreline Review Project



Northern Islands

Ballenas-Winchelsea, Denman, Gabriola,
Gambier, Hornby, Lasqueti, Thetis

Hornby Island

- . Comprehensive OCP Review
- . Watershed Protection and Groundwater Preservation
- . Amend the OCP and LUB with regards to the Rural Residential land use designation and R2 zoning regarding Minimum Average Lot Area.

Lasqueti Island

- . OCP/LUB Review
- . Amend the Meeting Procedures Bylaw

Thetis Island

- . Thetis OCP & LUB Amendment Project
- . Shoreline and Coastal Protection Strategy
- . Soil Removal Bylaw

Salt Spring

Salt Spring Island

- . Water Sustainability - coordinate multiple jurisdictions in planning for water sustainability and watershed protection.
- . Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)
- . Ganges (Shiya'hwt/Syowt) Village Planning
- . Housing Action Program

**Trust Council Quarterly Meeting DRAFT Schedule
September 20-22, 2022**

Tuesday, September 20	Wednesday, September 21	Thursday, September 22
	9:00 Trust Area Services Consent Agenda Items TPC Work Program Leg Mon Advocacy Summary Correspondence from Ministry Decision/Discussion Items Director's Report Policy Statement Next Steps	9:00 Closed Meeting
10:00 Executive Committee Meeting		10:00 Rise and Report
12:00 Lunch		10:15 Break
1:00 Land Acknowledgement Call to Order and Approval of Agenda General Business Arising RWMs Adoption of Minutes TC FUAL	11:00 Break	10:30 New Business
1:15 Trustee Round Table (additional time for discussion)	11:15 Conservancy Report EC Sponsorship NAPTEP Referral for Comment Amendments to Policy 2.1.14	Trustee/Summary Updates BC Ferries Advisory Committee Chairs First Nations GINPR Advisory Committee SSIWPA Atl'ka7tsem/Howe Sound Forum Southern Gulf Islands Forum Baynes Sound Forum Freighter Anchorages Update
3:00 Break		
3:15 Executive Consent Agenda Item(s) EC Work Program Decision/Discussion Items CAO's Report Strat Plan Update Trustee Orientation FOI Bylaw Amendment	12:00 Lunch	Priorities Chart November Trust Council Draft Schedule Disposition of Delegations Correspondence
Administrative Services Consent Agenda Items FPC Work Program Decision/Discussion Items Director's Report SOFI Q1 Report Forecast BAP	1:00 Presentation - Coastal Marine Strategy (placeholder) 1:30 Planning Services Consent Agenda Items RPC Work Program Bylaw Report Decision/Discussion Items Director's Report Policy Amendments RFD Advice to TC re Housing - RFD	
5:00 Dinner Break	3:00 Break	12:00 Adjournment (approx.)
7:00 Delegations/Public Comment	3:15 Governance Committee Policy Amendments RFD Governance Report Session Outline	
9:00 Adjourn for the Day	5:00 Adjourn for the Day	





BRIEFING

To:	Executive Committee	For the Meeting of:	September 7, 2022
From:	Information Services	Date Prepared:	August 23, 2022
SUBJECT:	Digital Public Meetings Update and Options		

PURPOSE:

To present results from Staff and Trustee survey relating to current approach to digital public meetings, and discuss the staffing and information technology (IT) options available to Islands Trust for public meeting coordination and management.

BACKGROUND:

This report is intended to satisfy a commitment to Executive Committee by staff to report on the status of electronic public meetings at the Islands Trust. This information will inform Trust Council and Local Trust Committees on how public meetings will be conducted in the new term and what further process changes, funding or practices will be required to be effective.

Prior to the return of live meetings this year, administrative staff (i.e. Planning Team Assistants, Administrative Assistants, and Legislative Clerks) were responsible for hosting purely digital public meetings in the form of Zoom webinars. Primary duties included management of town hall speakers, breaks (communicating return times), initiation of live stream and recording, and basic user support (microphone and camera management). Although these duties did not require 100 percent of their attention, fluctuating meeting demands required a portion of their focus at all times, thereby excluding them from other duties that required their full attention (i.e. front desk management).

Upon returning to in-person public meetings the Local Trust Committee (LTC) chairs were provided hardware kits that included a laptop, combination camera, speaker and microphone, Wi-Fi hub and tripod. The laptop was preconfigured with Zoom and an open source video record and/or live streaming package (OBS). When sufficient internet connectivity was available a scheduled Zoom meeting was provided to the chairs to initiate and host. Meeting management was limited to starting the live stream and recording, and ensuring all remote participants were present. In the absence of internet connectivity the chairs were directed to record the meeting using the OBS software and FTP the resultant file to staff post meeting.

This deployment model has proven successful, to date, in a number of respects.

- Reduced time demands on Administrative staff, thereby freeing up time for duties associated with their defined jobs.
- Hardware management and audio/video capture quality feedback has been positive.
- Majority of the in-person meetings have been successfully recorded, streamed, and published to the Islands Trust website.

However, after surveying (See Appendix A) LTC Chairs, Meeting Administrators and IS staff a number of concerns have been raised.

LTC Chair concerns are largely centered on logistics associated with hardware transport, and the time and focus demands of meeting administration, as described below.

- Limited time between arrival at venue and scheduled start of meeting, with hardware setup contributing to already tight timelines.
- Weight of the kits have proven challenging given remote nature of some of the LTC venues (i.e. no road access).
- Confusion surrounding when to use Zoom or OBS software. Follow-up training has been provided.
- Overseeing meeting hardware and software requires a portion of focus, which should be directed fully to chairing the meeting.

Meeting administrators indicated that they have sufficient information (i.e. venue internet bandwidth) and time to effectively schedule and publish meetings. A number of individuals did however note growing pressure, from legislators and the public, to provide greater digital access to LTC meetings. Administrative staff expressed concern that this would lead to more meeting admin duties and expanded time demands.

Information Systems has indicated that the current approach has resulted in an increased demand for staff time and resources relating to the deployment and support of the LTC hardware kits.

- Support calls, primarily associated with meeting setup have increased.
- Recording management is a new resultant service request, as recordings often require editing and encoding in preparation for publication.

Overall there is general agreement amongst those surveyed that the current approach is not sustainable, and that increasing digital access would only exacerbate the situation. LTC Chairs, Meeting Administrators and IS have all suggested that digital LTC Meetings would benefit from the addition of an individual responsible for hardware setup and administration, and expanded meeting administration.

OPTIONS:

Assuming that LTC Chairs no longer wish to bear the responsibility of delivering and setting up the hardware and hosting digital LTC meetings in the future, and that admin and IS cannot absorb this role into their existing responsibilities, the following alternatives have been considered.

1. Contract out administration of local equipment and online meeting to individual private contractor.
2. Contract out administration of local equipment and online meeting to island minute takers. Note that this approach would require the purchase of additional hardware kits, to be distributed to the respective islands.
3. Require LPS staff meeting attendance and administration of local equipment and online meeting. No additional equipment required.
4. Hire FTE public meeting coordinator, managing all aspects of digital committee meetings, including attending meetings when necessary and administering equipment and digital meetings. No additional audio\visual equipment required. Satellite internet equipment recommended.

Considerations:

- IS explored the cost of option 1, with one contractor quoted at \$8,000 per Salt Spring LTCs.

- IS does not support option 2, believing island minute takers lack the technical skills and commitment to effectively execute the hardware and support requirements.
- LPS does not support option 3, believing that hardware setup falls outside the Planner's job responsibilities, and would prefer remoting in to island meetings when possible.
- IS researched other local governments and their approaches. The City of Waterloo in Ontario has implemented a similar position for comparison and consideration (See Appendix B).

Implications for the new term:

Given the relative uncertainty on the appropriate approach for electronic meetings at present, particularly in that there has not been additional permanent resources directed towards the issue in the current budget, how will we conduct LTC, community information meetings (CIM) and other meetings early in the new term?

Unfortunately, no new solution has presented itself since EC last reviewed this matter. Initially the meeting process will need to be somewhat similar to the current approach. There will be some refinement of exactly where electronic meetings can be held from a connectivity perspective and a reallocation of resources as needed. Some amount of the administrative funding in the current budget could be reallocated to getting temporary or auxiliary assistance with organizing meetings.

If Vice Chairs cannot transport the equipment, meetings will need to be scheduled to allow staff to undertake this function.

We may need to simply record meetings and post them on the website rather than livestream.

It is recommended that this item be high priority for the budget process for 2023-2024, see recommendation below.

Recommendation:

In light of the above considerations Staff recommend Option 4; Hiring FTE Public Meeting Coordinator.

Based on the unique geography and political structure of the Islands Trust, the Coordinator role would assume the following responsibilities.

Website

- Oversee and support the publication of attendance and recording links on website.

Live Stream

- Oversee and support the scheduling and execution of live stream.

Venue Selection

- Gather and document venue specific resources (i.e. internet connectivity, on site audio/visual equipment etc.).

Hardware

- Coordinate deployment of equipment as required.
- Overseeing delivery and setup of audio/visual and satellite internet hardware.
- In-person support provided as needed.
- Remote support as needed, providing onsite staff with dedicated setup and management support.

Satellite Internet

- In cases where internet connectivity is insufficient coordinate the deployment of satellite internet; most likely requiring in-person support. A number of LTC committee and Trust Council venues continue to challenge our ability to record and stream these events. Rather than being entirely dependent on venue internet services, IS proposes the integration of a

Starlink Satellite internet service and hardware kit (<https://www.starlink.com/rv>). At a cost of 170/month, with a one-time hardware cost of \$759, an individual could transport, set-up and administer reliable high speed internet where and when it is needed. Hardware cost is comparable to one LTC kit.

Minutes

- Take minutes when required.
- Coordinate islands based minute takers as required.

Host/Administration

- Host meeting, coordinating in meeting management of panelists, attendees, delegates and staff.
- When scheduling conflict exists responsible for coordinating and supporting alternate host.

Trust Council

- Support Executive in preparations for Council events (i.e. venue review).
- Hardware transport, setup, administration, and tear down.
- General Council IS support.

Cost Estimate for Recommendation:

Based on the job responsibilities and hardware requirements outlined above the estimated annual cost of Option 4 is \$52,040 - \$62,040. A breakdown of this estimate is as follows:

ITEM	Estimated Annual Cost
FTE Coordinator Position	\$50,000 – \$60,000
Starlink Satellite Internet Service*	\$2040
TOTAL	\$52,040 - \$62,040

**Additional one-time Starlink Satellite internet service hardware purchase of \$759.*

ATTACHMENT(S):

1. Appendix A: Digital LTC Meeting Survey
2. Appendix B: City of Waterloo Council/Committee Coordinator

FOLLOW-UP:

Staff will receive Executive feedback on this preliminary report. Staff will move forward assessing the other factors important to this decision and report back to Trust Council on findings at a later date.

Prepared By: Mark van Bakel, Information Services Manager
Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer

Appendix A: Digital LTC Meeting Survey

Purpose of the survey:

Determine the effectiveness of the current LTC meeting hardware/software and management solution, and to explore alternative approaches. The current approach includes the following roles, responsibilities, and limitations:

- LTC Chairs assigned audio/visual hardware kits, and responsible for transport, setup and digital meeting management.
- Meeting Administrators responsible for scheduling meetings, assessing available internet bandwidth and scheduling zoom based meeting when appropriate.
- Planners invited to attend remotely when possible via zoom invitation.
- Delegates invited to attend remotely when possible via zoom invitation.
- Pubic access limited to in person attendance.

LTC Chairs were asked the following questions:

- On a scale of 1-10, 1 being Poor and 10 being Excellent how would you rate (+ Comments) the following:
 - Current approach to managing digital LTC meetings.
 - Hardware package transportability (size and weight).
 - Hardware setup (technical difficulty and timing).
 - Hardware and software management during meeting.
 - Ability to resolve technical issues without additional support.
- Management is exploring alternative approaches to supporting digital LTC meetings. Based on your role and experience can you provide suggestions on how the Islands Trust can best deliver digital LTC meetings?

LTC Meeting Administrators were asked the following questions:

- On average how much time (hours) are you putting into the following individual LTC Meetings:
 - Scheduling.
 - Managing.
 - Publishing.
- Do you feel you have sufficient information (i.e. venue internet bandwidth, when to schedule Zoom meetings versus simply posting recordings) to effectively schedule LTC meetings?
- Do you feel you have sufficient resources (i.e. time) to effectively support LTC meetings?
- Does the current approach to digital LTC meetings distract you from your regular responsibilities?
- Management is exploring alternative approaches to supporting digital LTC meetings. Based on your role and experience can you provide suggestions on how the Islands Trust can best deliver digital LTC meetings?

Appendix B: City of Waterloo Council/Committee Coordinator Position



100 Regina Street South, Waterloo, ON
N2J 4A8
519-747-8709

Position: Council/Committee Coordinator	Status: Regular, Full Time	Competition Number: 21-14
Pay Band: J	Salary Range: \$50,480-\$63,101	Hours of Work: 35 hours/week *
Division: Legislative Services	Department: Corporate Services	Work Location: Waterloo City Centre

Position Description:

An opportunity exists for a full-time Council Coordinator to provide legislated support including coordinating Council agendas, meetings and related activities, maintaining the division's internet and intranet content and performing records management duties. The Council Coordinator will also provide administrative support to the City Clerk and Deputy City Clerk, act as Secretary to the Dog Designation Committee and provide general division assistance.

Accountabilities:

- Coordinate, prepare and circulate agenda and revised agenda packets for meetings of Council
- Provide technical assistance to staff and external parties for presentations at Council meetings
- Set up Council Chambers and equipment for Council and committee meetings and maintain the livestream
- Prepare Accessibility for Ontarian's with Disabilities Act (AODA) staff reports and By-Laws for Council approval
- Maintain the 'Agenda Items Schedule', including chart of items for upcoming meetings
- Attend meetings of Council, prepare minutes and necessary follow up actions arising from the meeting
- Maintain the Council meeting section of the website with Council packets, minutes and other information
- Coordinate meetings of the Dog Designation Committee including hearing packets, minutes and draft decisions
- Perform records management duties including indexing and maintaining logs
- Research and draft policies and procedures as needed
- Back up for performing civil marriage ceremonies, issuing burial permits and front line customer service

- Provide support to the City Clerk, Deputy City Clerk and to the division as well as other duties as assigned

Minimum Qualifications:

- College diploma in public administration, business administration or a related field
- Two (2) years' of progressive experience in a municipal administrative setting, with demonstrated experience attending meetings, taking minutes, researching and preparing reports
- Demonstrated knowledge and understanding of City Council procedures and processes
- Demonstrated attention to accuracy and detail in a time sensitive environment
- Excellent verbal and written communication and customer service skills
- Ability to multi-task in a fast paced environment with changing priorities while attending to details
- Ability to exercise tact and discretion in dealing with confidential issues
- Ability to deal harmoniously and diplomatically with the general public and elected officials
- Demonstrated ability to work effectively both independently and in a team setting
- Comprehensive understanding of municipal governance, administration and Council processes
- Knowledge of applicable provincial legislation including the Municipal Act and AODA is considered an asset
- Proficiency in Microsoft Office, Microsoft Outlook, Adobe Acrobat PRO required
- Ability to learn and adapt to new technologies, systems and software programs
- A Police Criminal Record and Judicial Matters Check satisfactory to the city is required as a condition of hire
- Applicants may be required to undergo testing as part of the recruitment process

Hours of Work:

*This position requires the incumbent to flex work hours to accommodate attendance at evening meetings of Council or Committees without earning overtime. Equivalent time off will be granted on a 1:1 ratio. The successful incumbent must be available to work Monday evenings.

Online Application Process

Interested and qualified candidates must submit their resume and cover letter in one document through the online application process at: www.waterloo.ca/careers

Job Eligibility

All qualified City of Waterloo employees may apply, however during the selection process there is a specific sequence that will be followed. Members of the City of Waterloo Staff Association who have completed their probationary period in their most recent position will be considered first for this posting.

The City of Waterloo is an equal opportunity employer. Accommodations are available for all parts of the recruitment process. Applicants need to make their needs known in advance.

BRIEFING

To:	Executive Committee	For the Meeting of:	September 7, 2022
From:	Director, Administrative Services	Date Prepared:	August 29, 2022
SUBJECT:	Forecasted Over Expenditure by General Ledger Budget Line		

PURPOSE:

To inform Executive Committee of forecasted overspending in individual general ledger (GL) accounts for the fiscal 2022/23 year, in accordance with Islands Trust Council [Policy 6.5.2 Budget Control and Adjustment Authority](#).

BACKGROUND:

Trust Council Policy 6.5.2 *Budget Control and Adjustment Authority* provides the authority by which periodic adjustments can be made to the approved annual operating budget and the timing when Trust Council and the minister have to be notified of either changes to the budget or anticipated operating deficits. Section D. 3 reads:

“When an actual or anticipated overexpenditure (whichever comes first) exceeds \$20,000 for a project or general ledger budget line within an Operational Unit, management must inform the Executive Committee at the next scheduled Executive Committee meeting, and continue to provide reports on the status of the project or budget line to the Executive Committee on a monthly basis, or as frequently as requested by the Executive Committee. Upon being informed of an overexpenditure, the Executive Committee will decide what initial corrective action will be taken, if any. Copies of all Executive Committee notifications and reports on overexpenditures will be copied to members of the Financial Planning Committee.”

First quarter financial forecasts prepared based on results at June 30, 2022 for anticipated spending for the remainder of the fiscal period have identified several general ledger budget lines which are forecasted to be overspent in excess of \$20,000. Staff provide information to inform Executive Committee of these areas, per policy direction, as follows:

General Ledger Budget Line	Approved Annual Budget (\$)	Forecasted Annual Spending (\$)	Forecasted Over-spending (\$)	Rationale	Mitigation suggestion, if required
Salaries and benefits	5,461,757	5,513,805	52,048	Forecast overspending of \$66,775 due to a potential BC General Employee Union (BCGEU) increase, budgeted at 2% and included in this forecast at 3.76%. Trustees should be aware that the BCGEU percentage increase is currently unknown as contract negotiations continue to take place.	No mitigation required at this time

The approved budget for fiscal year ending March 31, 2023 included approved expenditures of \$9.3M. Current forecasted spending for the year is expected at \$9.2M, which is under by \$0.1M

Staff advised that early analysis shows that current forecasted spending for the year is expected to be under budget by \$100,000 using the provincial government's offer to the BCGEU collective bargaining process at the time of writing. Staff will continue to monitor and will update upon conclusion of the collective bargaining.

ATTACHMENT(S):

1. None.

FOLLOW-UP:

A copy of this Executive Committee notification report has been provided to members of the Financial Planning Committee in accordance with Policy 6.5.2 s3. Further direction may be received from Executive Committee.

Prepared By: Director, Administrative Services
Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/Aug 31, 2022.

BRIEFING

To: Executive Committee **For the Meeting of:** September 7, 2022

From: Acting Director, Administrative Services **Date Prepared:** August 30, 2022

SUBJECT: Financial options for budget increases re trustee laptops and grants-in-aid

PURPOSE: To provide the Executive Committee with financial options for budget increases re trustee laptops and grants-in-aid.

BACKGROUND:

On May 25, 2022 the Executive Committee passed the following resolution:

That the Executive Committee request staff to provide advice to the Executive Committee in time for the September Trust Council on alternatives to increase the History Heritage Grants-in-aid funding for the current fiscal year.

On July 7, 2022 the Executive Committee passed the following resolution:

That the Executive Committee request staff to provide budgetary financial options to achieve an increase in History, Heritage and Grants-in-aid funding by \$5,000 and to increase the allocation for computers for trustees to \$20,000.

History and Heritage Grants in Aid: The History and Heritage Grants-in-aid grants-in aid budget for 2022/23 is \$4,000. In 2021/22 the budget was \$5,000. The Executive Committee has already overspent the budget line by \$2,000 by allocating \$6,000 in 2022/23 to:

- \$2,000 to siyēye nii ‘u tthu sut’ku’luts | siyēye tun’i ‘utl sqwun’u to support ‘The Water We Call Home’ digital and physical exhibition opening on Galiano Island
- \$2,000 to MakeWay Charitable Society – Atl’ ka7tsem/Howe Sound Marine Stewards to support ocean-based cultural research and education activities that will be conducted in partnership with the Skwxwú7mesh Úxwumixw (Squamish Nation).
- \$2,000 to Stqeeye’ Learning Society to support the development of an Indigenous-focused land-based curriculum that will be available to Indigenous students from other school districts.

Further grant-in aid requests this year are expected from K’omoks First Nation (\$5,000 - \$10,000) and Gabriola Museum Society (~\$5,000). Staff are not aware of any other anticipated requests.

Trustee Computers: The trustee computer budget for 2022/23 is \$7,500. During the budget build, staff proposed a budget amount of \$14,900 to provide new computers to newly elected trustees (not returning trustees). Due to increases in computer costs, the amount needed is now estimated to be \$21,000. To provide computers to newly elected trustees the budget would need to be **increased by \$14,500** to \$21,000.

Policy Guidance: No policy guidance as the increases contemplated in the Executive Committee resolution above are below the threshold that require staff to advise Executive Committee of actual or anticipated over-expenditures that exceed \$20,000 for a project or general ledger budget line within an operational unit. ([Budget Control and Adjustment Policy](#)). In fact, the policy would permit staff to recommend a further allocation of \$18,000 of grants-in-aid funding without triggering the need to advise Executive Committee of an over-expenditure.

Early Financial Forecast: On August 31, 2022 Financial Planning Committee received an early financial forecast as of June 30, 2022. Staff advised that early analysis shows that current forecasted spending for the year is expected to be under budget by \$100,000 using the provincial government's offer to the BCGEU collective bargaining process at the time of writing.

Options:

- 1) Request staff to proceed with overspending within 2022/23 general ledger budget line for trustee computers and history and heritage grants-in-aid as needed within the thresholds set as per [Budget Control and Adjustment Policy](#), and inform Trust Council of this direction.
- 2) Request staff to prepare a Request for Decision for Trust Council concerning requested budget increases
- 3) No changes requested.

ATTACHMENT(S):

1. None.

FOLLOW-UP: Staff will follow-up as directed.

Prepared By: Wanda Boden

Reviewed By/Date: Clare Frater, Director, Trust Area Services, August 30, 2022
Russ Hotsenpiller, CAO, August 31, 2022



REQUEST FOR DECISION

To: Executive Committee

For the Meeting of: May 26, 2021

From: Director, Administrative Services

Date Prepared: May 9, 2021

SUBJECT: Enhanced Benefit Plan Coverage in Trustee Benefits Package

RECOMMENDATION:

- 1 That Trust Council enroll the new term of Trustees in the in the Union of British Columbia Municipalities (UBCM) enhanced benefits plan with the Employee & Family Assistance Plan add-on.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Support for the recommendation as presented.

1 PURPOSE:

To provide Executive Committee (EC) with options available for enhanced benefits plan for the new term of Trustees.

2 BACKGROUND:

At its meeting on May 26, 2021, EC approved the addition of Employee & Family Assistance Plan be added to existing benefit plans and made the following resolution:

"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."

There are two benefit plans available through UBCM for elected officials:

1. Standard plan – this is the plan Islands Trust subscribes to now and includes:
 - 80% reimbursement of eligible expenses
 - Lifetime maximum of \$50,000
 - \$25 per year single or family deductible
 - 60 day trip duration
2. Enhanced plan – this provides the same health services coverage as the standard plan, but with a higher annual limits
 - 80% reimbursement of eligible expenses
 - Lifetime maximum of \$50,000
 - \$25 per year single or family deductible
 - 60 day trip duration
 - Vision Care to a maximum of \$300 every two years
 - \$100 every two years for eye exams
 - \$300 per year for each covered practitioner (acupuncture, chiropractic,

- naturopath, physiotherapy, massage, podiatry, speech and psychologist)

Changing plans is permitted only at the start of a new trustee term. As such, this decision needs to be made before the new term. Islands Trust is not eligible for a custom plan, as staff benefits coverage is not held with UBCM, which is a prerequisite for this option. The Trust is not able to make changes to the staff plan as it is handled provincially. Trustees from Bowen Island do not participate as benefit plans are provided by the Bowen Island Municipality.

Rates for 2022/23 have not yet been finalized by UBCM. With the assumption of no significant changes in rates from 2021/22, the increased monthly cost per Trustee for the Enhanced Plan is \$10 or \$23 depending on single or couple/family coverage. This results in up to \$6,624 increased annual cost (total \$36,864) to provide the Enhance Health Benefits plan.

The total cost is driven by the coverage single or couple/family chosen by Trustee and if they chose to participate. Actuals costs may be lower. Currently there are 4 Trustees choosing single coverage and 2 Trustees choosing to not participate.

Monthly cost per Trustee	Single	Couple/Family
Standard plan	47	105
Enhanced Plan	57	128
Additional monthly cost per Trustee	10	23
Additional monthly Cost for 24 Trustees	270	552

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: Amending the PBC plan to enhanced health benefits could increase the monthly plan premium up to an estimated \$552 monthly. This results in an increase of up to \$2,760 for the remaining 5 months of fiscal 2022/23 annual budget. A planned overspending of budget to this magnitude does not warrant a budget amendment, per Trust Council's [Policy 6.5.2 Budget Control and Adjustment Authority](#).

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Any policy changes would be received in writing from UBCM and would be circulated to trustees. Trustees who access their benefits plan online would see the new coverage in their personal portal as well.

FIRST NATIONS: No direct impact, although trustees whose mental health is cared for will have greater capacity to perform in all aspects of their role, which includes reconciliation work with First Nations.

OTHER: None.

4 RELEVANT POLICY(S): [Policy 7.2.1 Trustee Remuneration](#)

5 ATTACHMENT(S):

- none

RESPONSE OPTIONS

Recommendation:

- 1 That staff enrol the new term of trustees in the UBCM enhanced benefits plan with the Employee & Family Assistance Plan add-on.

Alternatives:

1. That no changes be made to the trustee benefits plan at this time.
2. That staff enroll the new term of trustees in the UBCM standard benefits plan with the Employee & Family Assistance Plan.

Prepared By: Director, Administrative Services
Reviewed By/Date: Chief Administrative Officer/Sept 2, 2022



BRIEFING

To: Executive Committee **For the Meeting of:** September 7, 2022
From: Trust Programs Committee **Date Prepared:** August 26, 2022
SUBJECT: Trust Programs Committee Follow-up Action List item Referred to Executive Committee

PURPOSE: Inform Executive Committee (EC) of a follow-up action list (FUAL) item referred from Trust Programs Committee (TPC) to EC.

BACKGROUND: At its August 26th, 2022 business meeting, TPC passed the following resolution:

That Trust Programs Committee remove item #1 (MOTI MOUs) from November 5, 2020, from the FUAL and refer it to the Executive Committee.

For context, at their August 20, 2018 meeting, TPC passed the following resolution:

That if examination of service integration issues proceeds as priority of Trust Programs Committee for next term the Committee recommends that the impact of the Ministry of Transportation and Infrastructure road standards agreement on village roadscapes be examined as a potential pilot project or case study.

The FUAL item, added in November 2020, as presented in the [August 26th TPC agenda package](#) (page 18, Activity 1) is:

That Trust Programs Committee request staff to investigate options for a joint review with the Ministry of Transportation and Infrastructure (MOTI) of road standards, incorporating the Climate Change Declaration and the Reconciliation Declaration, and report back to Trust Programs Committee.

TPC received a staff briefing concerning Ministry of Transportation and Infrastructure Road Standards on November 5, 2020 with project options. No further progress has been made on this topic and, if the work is to proceed, it would benefit from additional discussion about how to apply to Climate Change and Reconciliation Declarations. It should also be noted that Ministry of Transportation and Infrastructure staff have previously advised that, because road standards have changed over the years, opening the agreement may result in changes not desired by Islands Trust.

ATTACHMENT(S): None

FOLLOW-UP: As directed by Executive Committee.

Prepared By: Executive Coordinator

Reviewed By/Date: Director, Trust Area Services August 31, 2022

From: Dan Rogers <drogers@islandstrust.bc.ca>

Sent: Thursday, September 1, 2022 2:40 PM

To: EC <ec@islandstrust.bc.ca>

Cc: Kate-Louise Stamford <kstamford@islandstrust.bc.ca>; Heather Kauer <hkauer@islandstrust.bc.ca>

Subject: Additional EC AGenda Item

Hello. At the Gambier LTC today it was noted that there has never been a definitive answer to the question about the level of engagement under IAP2 that is allowed for our purposes. Here is the extract from our FUAL.

LTC requests EC explore and clarify level of engagement of IAP2 spectrum on bylaw amendment projects.

You may recall staff came to an LTC almost a year ago indicating that they had been advised that the maximum engagement was level 2 which seemed to the LTC too restrictive. I raised the issue at EC and had understood this issue would be clarified with staff but it doesn't appear to have been. I would like to have a brief discussion next Wednesday about whether we need a motion to ensure there is a clear understanding of this issue.

Thanks and Regards

Dan Rogers

Trustee, Gambier Islands Trust Area

Vice-Chair Islands Trust

drogers@islandstrust.bc.ca

604-220-1500

Protecting islands in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKÉĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səlilwətaʔt, SEMYOME, shíshálh, Skw̓xwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SḶÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁEŁP, WSIKEM, Xeláltxw, Xwémalhkwxu/ʔop qaymıxʷ, and xʷməθkʷəy̓əm.

From: E O'B <[REDACTED]>
Sent: Thursday, July 7, 2022 12:48 PM
To: Deb Morrison <dmorrison@islandstrust.bc.ca>; Timothy Peterson <tpeterson@islandstrust.bc.ca>; Paul Brent <pbrent@islandstrust.bc.ca>; Scott Colbourne <scolbourne@islandstrust.bc.ca>; David Critchley <dcritchley@islandstrust.bc.ca>; Doug Fenton <dfenton@islandstrust.bc.ca>; Michael Kaile <mkaile@islandstrust.bc.ca>; Kees Langereis <klangereis@islandstrust.bc.ca>; Dan Rogers <drogers@islandstrust.bc.ca>; Steve Wright <stwright@islandstrust.bc.ca>; Benjamin McConchie <bemconchie@islandstrust.bc.ca>; Peter Luckham <pluckham@islandstrust.bc.ca>; Trustees <Trustees@islandstrust.bc.ca>
Subject: Housing Considerations on Denman Island intended for review and consideration for your July 8th, 2022

Good Day Trustee's

It has been brought to my attention that you at the Islands Trust require repeat letters, petitions and attendance at local meetings and completed surveys in order to deepen your understanding of the broad perspective of Islanders. Thank You for your ongoing work as we are indeed desperate to be heard at a local level.

In this formal letter to the Islands Trust Council I will attempt to be clear and efficient with my words.

- 1) We are pleased affordable housing has emerged as a "top priority" for the islands trust
- 2) There are many families, extended families, elders and single people in immediate need of housing currently and many of these individuals are long time Denman Island Residents who are established with work, school and community inclusion.
- 3) Access to ground water as a primary potable water source is not reasonable on these islands. Certainly ground water can not be reasonably considered as a marker of carrying capacity for housing. Many if not all homes on Denman Island, that are not using lake water, are established on wells that seasonally dry up with basic use. Almost every home requires the use of cisterns, rain catchment and the trucking in of drinking water year round. Much of our water is sulphur rich, salinated, high in metals including aluminum from aerial spray and other environmental factors leaving it non-potable. We on Denman Island are among the most water rich, in the gulf area, with 2 large freshwater lakes and a network of deep well established marshlands and creeks we all still suffer from the locally understood water limitations. Rainwater catchment is a must for most everyone not already buying water in the summer. Rainwater or trucked water is vital to our collective survival.

Those larger, often seasonal (summer low water), properties that have large costly homes are commonly the ones that do not understand the limitations to gardens & lawns due to limited water. These properties are either draining aquifers to feed their commonly ornamental gardens or are trucking in huge amounts of water. Water usage, in this case, is disproportionate to time spent on the island.

- 4) Please note that those requiring housing are not necessarily poor. While affordable housing is a need for everyone and some more vulnerable groups absolutely require it other people simply need reasonable rent and long term security year round. Everyone i know who needs housing has a working

car and a job or 3. The need for centrally located housing is there however we should not assume it is a requirement.

5) All people who have secure housing on Denman feel insecure due to the fear of bylaw enforcement. We need to make the current housing that people have used for decades legal and support those homes to see ways forward for upgrades. Grants and funding incentives for landowners would assist in the creation and improvement of secondary dwellings that are large enough to meet the needs of families.

6) We own our home and house for both extended family and persons with disabilities. We need to look at the importance of supporting the most vulnerable by making secure housing options that are large enough for families to stay together sharing resources and skills. It becomes unsafe for elders and persons with disabilities to live in their rural home communities without the support of the "community" and increasingly we see the need to break down barriers for these groups. Many elders and persons with disabilities can not live alone and must be supported to share in social contact, family and healthy lifestyle and community connection. intergenerational "family groupings" require access to 3 and 4 bedroom homes.

7) If the "environment is the concern" then say no to all large homes and heavy water usage. All secure rental or rent to own properties can meet a centrally established set of "environmental criteria" and move ahead. Be it noted that it can be deadly for people not to have access to axillary wood heat options in the winter here. We can easily lose power for weeks at a time, as seen on Denman a number of times in the past 30 years I have lived here. Electricity dependent living is not viable as a requirement for residency.

8) The people currently in marginalized housing circumstances on Denman Island and all Islands for that matter must be supported to participate in this conversation. These people are scared and vulnerable. These people are primarily silenced by your current bylaws and fears for their survival. How will you immediately make it safe for them to identify and for their voices to be heard?

Thank You for your thoughtful consideration of this very serious and pressing matter.

Respectfully,

Erin O'Brien-Hornsey
Denman Island Resident 30 years

From: OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>
Sent: Wednesday, August 10, 2022 11:56 AM
To: Lori Foster
Subject: RE: Islands Trust Council Urges Federal and Provincial Governments to Support the Global Initiative for a Fossil Fuel Non-Proliferation Treaty
Attachments: EC_2022-08-04_PM-Premier_FossilFuelNPT_LTR_FINAL.pdf

Dear Lori:

Thank you for your email. We appreciate your taking the time to share the attached letter from Peter Luckham, Islands Trust Council Chair, regarding the Fossil Fuel Non-Proliferation Treaty.

We have been in contact with the Ministry of Environment and Climate Change Strategy and have requested that they follow up with Mr. Luckham directly regarding this matter. Please be assured that the appropriate ministry official will respond at their earliest opportunity.

Thank you, again, for writing. It was good to hear from you.

Sincerely,

Office of the Premier

From: Lori Foster <lfoster@islandstrust.bc.ca>
Sent: August 4, 2022 9:18 AM
To: pm@pm.gc.ca; OfficeofthePremier, Office PREM:EX <Premier@gov.bc.ca>
Subject: Islands Trust Council Urges Federal and Provincial Governments to Support the Global Initiative for a Fossil Fuel Non-Proliferation Treaty

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Dear Prime Minister Trudeau and Premier Horgan:

On behalf of Islands Trust Council Chair, Peter Luckham, please find correspondence attached re: Islands Trust Council Urges Federal and Provincial Governments to Support the Global Initiative for a Fossil Fuel Non-Proliferation Treaty.

Warm regards,

Lori Foster
Executive Coordinator
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8
In Victoria 250-405-5161
Enquiry BC Toll-free call 1-800-663-7867
Or from the lower mainland 1-604-660-2421

Websites: www.islandtrust.bc.ca | www.islandtrustconservancy.ca



Please consider the environment before printing this email

I am humbly thankful to live and work in the traditional and treaty territories of the BOKÉĆEN, Cowichan, Halalt, Homalco, K'ómoks, Klahoose, Ts'uubaa-asatx, Lək ʷəŋən (SXIMEŁŁ, Songhees, T'Sou-ke), Lyackson, MÁLEXEL, Penelakut, Qualicum, Scia'new, səłilwətaʔ/selilwitulh, SEMYOME, Shíshálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, SÁÁUTW, Stz'uminus, Tla'amin, Tsawwassen, We Wai Kai, Wei Wai Kum, WJOLŁP, WSIKEM, and xʷməθkʷəy̓əm.



Reference: 28173

August 17, 2022

VIA EMAIL: pluckham@islandstrust.bc.ca

Peter Luckham
Chair, Islands Trust Council

Dear Peter Luckham:

Thank you for your email of July 12, 2022 addressed to Honourable Katrine Conroy, Minister of Forests, and myself, expressing your support for legislation to protect biological diversity and ecosystem health. Conserving British Columbia's biodiversity and maintaining ecosystem health are imperative for the support of healthy communities and sustainable livelihoods. As the minister responsible for Recommendation 2 of the Old Growth Strategic Review, I am happy to respond.

The Ministry of Land, Water, and Resource Stewardship is building on our progress to date, focusing on three goals that matter to us all: reconciliation with Indigenous Peoples, economic opportunities, and environmental sustainability.

Protecting and promoting the recovery of threatened species continues to be a priority and our ministry is committed to delivering on its mandate to "continue to work with partners to protect species at risk and work collaboratively with other ministries to protect and enhance B.C.'s biodiversity."

We are advancing implementation of the Together for Wildlife Strategy, including Goal 12, which commits to reviewing and improving the *Wildlife Act*. We also continue to work with Indigenous Peoples and other partners on a variety of species and habitat management initiatives and policy projects that benefit biodiversity and species at risk.

Examples include:

- \$37 million for watershed, wetland, species, and ecosystem restoration last year;
- Environmental Mitigation Policy and Biodiversity Offsets Project – an approach to mitigation and biodiversity offsetting that strives to balance economic development and conservation outcomes; and,
- Collaboration with the federal government towards a Nature Agreement which will play an important role in strengthening conservation province-wide. This includes new approaches to planning for species at risk recovery, the protection, conservation, and

Page 1 of 2

restoration of habitats, strengthening ecosystems resilience to climate change, and improving our ability to sequester carbon.

As you noted in your letter, our government has committed to implement all 14 recommendations of the independent panel's old growth strategic review report *A New Future for Old Forests*, including Recommendation 2. The report recognizes that conserving and managing ecosystem health will be a cornerstone of the Province's biodiversity conservation strategy.

These processes and initiatives are all aligned to halt the decline of biodiversity loss and the recovery of at-risk species. I can assure you that new legislation and improvements to existing legislation and policies are being considered.

The Province will be collaboratively developing the path forward to implement all recommendations with Indigenous Peoples, as well as engaging other orders of government, community partners, and stakeholders. Engagement on the path forward will be launched in early fall 2022.

Thank you again for taking the time to write.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Josie', with a stylized flourish extending to the right.

Josie Osborne
Minister of Land, Water and Resource Stewardship

pc: Honourable Katrine Conroy, Minister of Forests

Submission to Trust Council meeting Sept. 20-22 for inclusion in the agenda package

Carrying Capacity vs Ecological Balance

The term *carrying capacity* sets an anthropocentric precipice whereupon humans can move elsewhere if wealthy enough to do so.

A more appropriate benchmark term would be *ecological balance* which measures health rather than the point of failure. As stated by David Rapport in his submission to the SS LTC, “without healthy ecosystems there is no future for our community.”

Unfortunately, the Trust continues to increase the human footprint — both legislatively and by neglect— to and beyond the carrying capacity even for humans. Cisterns, cluster housing, consultant/expert reports, and faith in technology do not address the dependence of the land, critters and plants on the same resources that humans are, even now, rationing among themselves.

As an example, all new developments must include cisterns. The implication is that cisterns can ameliorate over-use of water and destruction of watersheds, wetlands, streams and lakes. In fact, cistern promotion allows a false sense that buildout can be as infinite as the volume and number of cisterns.

A related example is the Trust reliance on its multi-year project to quantify groundwater “resources” but with an aquifer protection plan “out of scope.” Accurate mapping and protection of watersheds and surface water should be the overriding focus. Measuring ground water does not protect the watersheds and water retention areas that supply groundwater. Groundwater depletion is the terminal stage and not the bellwether.

To quote Rapport’s document: “Trust Council has thus far failed to even research the health of our island’s ecosystems, failed to establish scientifically valid indicators of ecosystem health, and failed to monitor their trends over time.”

As long as land use devolves into using the land for the benefit of stakeholders, Trust Council and LTC’s will continue to pursue densification regardless of the Trust mandate and the need for ecological balance.

I can’t speak for other islands but, in my estimation, Denman Island is already beyond its carrying capacity as measured by degradation of forests,

commodification of land and resources, percentage of small lots, number of 'starter castles', water use/misuse via ditching, urban influx, yearly increase in invasive species, proliferation of bylaw transgressions...

For example, Denman Island has rich sources of water which are increasingly commodified. FLNRORD approved a commercial bottling plant in the Komas Bluff area and is leasing island water for farm and commercial use. The water from Graham Lake is managed by the CVRD to provide piped water to multiple small lots and to buyers of bulk water. Chickadee Lake has historical water licences that grant many acre feet.

I'm willing to bet that neither the Trust Council nor the LTCs have any idea how much water is being mined, bought or ditched into the ocean and no idea how many households rely on bottled water because of seasonal shortages and/or foulness of the well water. Apparently the solution is to concentrate future density increases in areas with available water. The only balance seems to be the balance sheet.

As may be the case on other islands, Denman bylaws are written by staff and approved by the LTC with token regard to concerns raised by residents whose local knowledge could contribute to achieving ecological balance. For instance, the LTC is currently championing a bylaw which will double the density on land in the ALR (roughly 1/2 the island) with the second dwelling unrelated to farming activities.

According to David Rapport's submission to the Salt Spring LTC, a similar densification process is occurring on Salt Spring Island. To again quote Rapport's document: "Trust Council has thus far failed to even research the health of our island's ecosystems, failed to establish scientifically valid indicators of ecosystem health, and failed to monitor their trends over time."

If land use is narrowly limited to using the land, no island will achieve ecological balance. We will, however, achieve the tipping point of each island's carrying capacity and, in ignorance, we will go well beyond the tipping point before the consequences are alarmingly evident.

Quite the legacy for the next Trust Council and one last meeting to set ecological balance as the gold standard.

Submitted by Harlene Holm

 Denman Island, BC

From: Frants Attorp <[REDACTED]>
Sent: Tuesday, August 30, 2022 1:56 PM
To: Executive Admin <execadmin@islandstrust.bc.ca>
Subject: Fwd: Salt Spring Bylaw 530 - Law Broken

Please make sure this correspondence is included in the Trust Council correspondence package.

Thanks,

Frants Attorp

----- Forwarded message -----

From: Frants Attorp <[REDACTED]>
Date: Mon, 29 Aug 2022 at 20:10
Subject: Salt Spring Bylaw 530 - Law Broken
To: <MAH.Minister@gov.bc.ca>, <nathan.cullen.MLA@leg.bc.ca>
Cc: <premier@gov.bc.ca>, Olsen.MLA, Adam <Adam.Olsen.MLA@leg.bc.ca>, Russ Hotsenpiller <rhotsenpiller@islandstrust.bc.ca>, Stefan Cermak <scermak@islandstrust.bc.ca>, Louisa Garbo <lgarbo@islandstrust.bc.ca>, SSIInfo <ssiinfo@islandstrust.bc.ca>, <elizabeth.may@parl.gc.ca>

To: BC Minister of Municipal Affairs

Dear Nathan Cullen:

I believe the law has been broken by the Salt Spring Local Trust Committee. I am referring not just to a minor infraction, but to a major breach of regulations that has far-reaching implications for the future of Salt Spring and other Gulf Islands. I have done my best to explain the situation in the article below. Attached are two staff reports that contain key evidence.

It is particularly disturbing that Trust Council Chair Peter Luckham, the top politician for the Islands Trust, who is responsible for ensuring correct procedure is followed, has knowingly aided and abetted in these machinations. Equally disturbing is that both he and Trustee Laura Patrick are members of the Trust Executive Committee, the administrative body responsible for making sure this type of disregard for the law does not happen.

Sincerely,

Frants Attorp

[REDACTED]

Salt Spring Island, BC V8K 1T9

[REDACTED]

Bylaw 530 Is Stealth Legislation

By Frants Attorp

The Islands Trust, established in 1974 to protect the Gulf Islands in perpetuity for all British Columbians, is being destroyed covertly and without due process by the very people who were elected to defend it.

The latest assault on the agency comes in the form of Salt Spring's draft Bylaw 530 which seeks to blanket rezone most of the island to allow for thousands more suites and full-time cottages (called Accessory Dwelling Units or ADUs), often in areas with no community sewer and water. The purported aim is to provide more affordable housing, but even proponents believe the bylaw will bring few benefits. The many long-term downsides are not discussed, nor is the fact that the bylaw does not even mention the word "affordable".

When major bylaws are presented, an amendment to the Official Community Plan (OCP) is required to keep documents in sync and the public informed. On the Gulf Islands, OCP amendments are particularly important as any changes must align with provincial legislation (the Islands Trust Act). Without that harmonization, the whole system of environmental protection collapses.

In a February staff report, Trust planners made it clear that a previous attempt to allow cottages in all zones had failed because Trust lawyers said it was “not consistent” with key parts of the OCP. The report states: “An amendment to permit ADUs in all zones will be affected by the same policies; therefore, an amendment to the relevant Salt Spring OCP policies will be required.”

Despite this unequivocal advice from their own staff and lawyers, Salt Spring trustees are pushing ahead without amending the OCP. The Bylaw 530 staff report lists many legal reasons why the OCP must be amended, including requirements of the Local Government Act, but then adds this bombshell: “However, the direction from Salt Spring Local Trust Committee is to avoid the OCP amendment process to address the housing crisis....”

An OCP amendment is not a mere technicality; it would identify the exact parts of the OCP that are being dumped, such as keeping growth “incremental”, allowing only “few and minor” zoning changes for affordable housing, and limiting the island’s build-out population (when all existing lots are fully subdivided and developed) to “a little more than 17,000.”

Spelling out the implications of Bylaw 530 in this way could result in significant blowback from the public. It might also cause the bylaw to be rejected by the Minister of Municipal Affairs, leaving insufficient time for a remake prior to upcoming trustee elections.

In an attempt to downplay the significance of the bylaw, trustees are citing short-term housing studies showing little uptake of ADUs, while making no mention of long-term, negative consequences. All concerns are dismissed as “fear mongering”.

Trust staff, meanwhile, have started to use weasel words. “Densities” have now become “intensities”, and “rezoning” has been replaced by “adding a permitted accessory use”. But no word game can hide the fact that the bylaw will increase Salt Spring’s eventual build-out population far beyond the 17,000 now allowed – a number already deemed unsustainable by major scientific studies.

Lost in all this is the long-overdue public review of Salt Spring's OCP which would create a new vision for the future through extensive public consultation. Such a process would air key issues such as sustainability, limited resources and infrastructure, settlement patterns, rural character, the population cap, strategies for dealing with a never-ending housing crisis, and, of course, the preserve and protect mandate of the Islands Trust.

Rather than venture into such dangerous waters, trustees have decided to hire a consultant to engage with the public—but only after major changes have already been made to the island, and only to sell their own, narrow agenda.

Island residents are being herded like a flock of sheep toward a future they didn't choose. Public process has become public processing as laws are trampled and lobby groups try to impose their agenda.

Voters have an opportunity to clean house on October 15, but, in the meantime, must demand an answer to a single burning question: Where is the OCP amendment for Bylaw 530?



May 30, 2022

Clare Frater
Director, Trust Area Services
Islands Trust
Via e-mail: cfrater@islandstrust.bc.ca

RE: WSÁNEĆ INTERESTS IN ISLANDS TRUST POLICY STATEMENT

ÍY SŁÁĆEL Ms. Frater,

My name is Gordon Elliott, and I am Director of Operations for the WSÁNEĆ Leadership Council. We are an organization that advocates for the shared interests of the WSÁNEĆ people and those of the Tsartlip, Tsawout and Tseycum First Nations. I understand that Islands Trust is undergoing an update to its Policy Statement with the intention of enhancing preservation and protection within the Trust Area.

This is an admirable goal, and we all must work together to ensure our natural areas are protected. However, from the WSÁNEĆ perspective, the Southern Gulf Islands were never sold, and they are our TELETÁĆES (“Relatives of the Deep”). These islands were once WSÁNEĆ people, and they were thrown to their current locations by XÁLS. Once they had settled, XÁLS turned to the remaining WSÁNEĆ people and gifted us responsibilities and obligations for their care.

With that said, I understand that staff at the WSÁNEĆ Leadership Council have worked with WLC advisory committees to provide Islands Trust with information about WSÁNEĆ interests. Since then, Islands Trust staff have worked to embed these interests into the draft Policy Statement, and the next step of this work is community engagement. Near the end of summer, WLC staff will work again with WLC advisory committees to provide a fulsome review of the work completed to date on the draft Policy Statement.

It has come to my attention, however, that the Trust Council will meet in June to contemplate feedback received thus far from First Nations, other government agencies, and the public. In advance of that meeting, I wanted to reiterate, at a high-level, the importance of the feedback we have provided so far and outline some of the key areas of interest for WSÁNEĆ people.

- **Rights, Responsibilities, and Decision-Making:** While the province has recently recognized UNDRIP and has made progress toward reconciliation, municipalities,



regional districts, and the Islands Trust have not followed suit. WSÁNEĆ people have rights and responsibilities throughout our territory that are protected by the Constitution. These rights are impacted by decision-makers at all levels. As a result, through greater understanding of WSÁNEĆ interests and WSÁNEĆ involvement in decision-making, all parties can move toward reconciliation.

- **Environmental Protection:** To exercise WSÁNEĆ rights, WSÁNEĆ people require a healthy environment. Further, WSÁNEĆ people have obligations to care for the environment. The preservation and protection of the Trust Area must include WSÁNEĆ input and WSÁNEĆ Traditional Knowledge. We must preserve our forested areas and wetlands. And, we must protect our foreshores. Docks and other structures have both environmental and policy-based impacts on WSÁNEĆ harvesting. Further, although agriculture is important for our shared economy, agricultural run-off (along with other pollutants) have detrimental impacts on WSÁNEĆ marine harvesting. Consideration for these impacts—along with the creation of remediation plans and the involvement of WSÁNEĆ monitors—ought to be considered in any amendments to the Policy Statement.
- **Cultural Heritage:** WSÁNEĆ people lived, and live, all throughout the Gulf Islands. Colonialism has largely pushed our community toward the villages on the Saanich Peninsula, but the Southern Gulf Islands remain vitally important to us. Throughout these islands, records of our ancestors are preserved in our burial places, in middens, and in other archaeological sites. Provincial policies have not adequately protected or mapped these places. As a result, we are interested in increased scrutiny in sensitive cultural heritage areas.
- **WSÁNEĆ Presence in the Gulf Islands:** Throughout the late-1800s and early-1900s, WSÁNEĆ people were removed from the Gulf Islands. It is our sincere interest to reintroduce WSÁNEĆ culture and a WSÁNEĆ presence to the Gulf Islands. We envision this occurring through public education events, public art, and the renaming of significant features. Lastly, additional housing for WSÁNEĆ people is imperative and efforts toward this goal ought to be considered in any amendments to the Policy Statement.

With this high-level overview of WSÁNEĆ interests, I hope we can move together toward the protection and preservation of the Trust Area with special consideration for the unique WSÁNEĆ rights and responsibilities over these lands and waters.



Thank you for your time and consideration.

HÍSWŪE SIÁM,

Gordon Elliott
Director of Operations
WSÁNEĆ Leadership Council

cc: Peter Luckham, Chair, Islands Trust Council
Dilani Hippola, Senior Policy Advisor, Islands Trust
Daniela Murphy, Legislative Services Clerk, Islands Trust
Justin Fritz, Policy/Negotiations Manager, WLC
Kristen Bill, Tseycum First Nation
Christine Bird, Band Manager, Tsawout First Nation
Victor Rumbolt, Administrator, Tsartlip First Nation

From: Steve Wright <stwright@islandstrust.bc.ca>
Sent: Thursday, September 1, 2022 10:57 AM
To: Trustees <Trustees@islandstrust.bc.ca>
Cc: Lori Foster <lfoster@islandstrust.bc.ca>
Subject: Agenda item for Sept Council - considering carrying capacity

August 31, 2022

Hello all,

There has been the occasional reference to “carrying capacity” at Council and was raised by the consultants in the Governance Review.

I’m not sure if we have discussed the topic very thoroughly or arrived at any consensus of what it is, or what it means with respect to planning on these islands. Certainly, First Nations understood it and applied it to their living here. In that light, I’d like to have the attached added for discussion at Trust Council.

Thanks,

Steve Wright
South Pender

Carrying Capacity

The term Carrying capacity has been raised on several occasions during Council discussions. While we intuitively know its importance and its implications to our islands we have not had a debate on whether we should consider its role when making policies.

Carrying capacity is essentially the relationship between the ability of environment and its resources and the species that inhabit a given area. It can be applied to the earth itself or to a specific habitat. It tries to answer the question of how many people, or other species, can be sustained by the earth's resources. Scholars of all stripes disagree on the answer with some believing that the global carrying capacity for humans has been reached, and others believing that number has not been reached due to our the use of technology utilizes the earth's resources and how those resources are used although it doesn't always take into account other species. Any arguments regarding our unprecedented population growth seem to come down to which is considered finite: the earth's resources or the human technology and science that can reasonably resolve our impact. There are other implications with carrying capacity such as the displacement of other species or the appropriation of the space from a historically shared habitat.

Carrying capacity is defined as the maximum number of individuals that the environment can sustain without destroying or degrading it. Sustainability is defined as the ability to maintain life at a certain rate or level, without depleting the natural resources for future generations. The two concepts are tied together but realistically, sustainability is no longer achievable. The determining factors for living in an area are food availability, water, and space. These "limiting factors" have dire consequences and can reduce populations or even extirpate them if those species can not migrate to other areas. The size of the population, and the resulting degradation of the habitat can make the area unable to support a community and result in goods and services and energy requirements having to be imported and their waste exported.

Food and water supply, habitat space, and competition with others, or other species, are not the only limiting factors affecting the carrying capacity for human populations. Economic factors also have influence if they are not equitably distributed. Because of increasing affluence, some residents consume more than others, thereby making carrying capacity neither static nor easy to calculate.

Carrying capacity does not have to be confined to the permanent habitation of an area. It can also apply to visitors and tourists. The carrying capacity of an area ought not be confined to the natural environment but also could take into account human factors. Overloading a destination with tourists using its resources impacts not only the environment but also its social, economic, and cultural characteristics. LTCs may want to seriously consider limiting tourism before the quality of the environment and the lifestyle of residents deteriorates irreparably.

While the recognition of the environment's carrying capacity has been accepted for more than 175 years, its use as a planning tool has waxed and waned because the limiting factors involved change regularly and differently in each locale. The arguments against using the concept of carrying capacity are generally based upon the lack of consistent "objective" scientific data. But that does not mean subjective appraisals or historical observations are not valid. When considering the challenge of sustainable growth, it is important to note that ignoring carrying capacity can result in several and various negative impacts that may risk long-term growth or our ability to exist.

In his book ,“Ways of Being Alive”, Baptiste Morizot, states:

“The ecological crisis we are going through is indeed a crisis for human societies; it endangers future generations, the very basis of our subsistence, and the quality of our existence in polluted environments. But it is also a crisis for something else, more discreet, and perhaps more fundamental. This blind spot-for such is my hypothesis – is that the current ecological crisis, more than a crisis in human societies on the one hand, or in living beings on the other hand, is a crisis in our relations with living beings.”

He then goes on to say:

We “consider living beings primarily as a backdrop, as a reserve of resources available for production, as a place of healing or as a prop for emotional and symbolic projection. by ‘crisis of sensibility’ I mean an impoverishment of what we can feel, perceive and understand of living beings, and the relations we can weave with them.”

If LTCs are to consider the carrying capacity of these islands, we must realize nature as an integral part of our lives and include all species of flora and fauna. We must also accept that not all people can live on these finite islands, or visit them at the same time. Some moderation needs to take place through an overall management plan. There currently exists several studies that can provide sufficient data and our long term residents, and First Nations, can provide the personal observations for all of us to begin including the principle of carrying capacity in our long term planning.

From: Sue Ellen Fast <sfast@islandstrust.bc.ca>
Sent: Wednesday, August 10, 2022 5:30 PM
To: EC <ec@islandstrust.bc.ca>; David Marlor <dmarlor@islandstrust.bc.ca>
Cc: Kate Emmings <kemmings@islandstrust.bc.ca>; Kate-Louise Stamford <kstamford@islandstrust.bc.ca>
Subject: RE: Park proposal for Cape Roger Curtis - Bowen

Hi again folks - this local article includes maps and shows ITC's Fairy Fen NR (the long triangle outside bold black line): <https://www.bowenlandundercurrent.com/local-news/metro-van-proposes-sweeping-new-regional-park-for-bowen-island-5680829>

Just heard an interview with chair of MV Parks Committee and Bowen's MetroVancouver RD director on CBC Radio Vancouver right before 5 pm, but not posted yet, good stuff!

From earlier today: <https://globalnews.ca/news/9051005/new-regional-park-bowen-island-b-c/>

Bowen community Facebook group ranges from "unmitigated disaster" re camping and transportation (traffic and ferry overloads) to "super exciting", more positive than not I would say

The few Bowen Islanders I have heard from directly are very positive.

Video from Metro Vancouver with maps including Fairy Fen posted at [Facebook.com/bowenlandmunicipality](https://www.facebook.com/bowenlandmunicipality)

More direct link to the media release: <http://www.metrovancouver.org/media-room/media-releases/parks/743/metro-vancouver-proposal-for-new-regional-park-on-bowen-island-includes-camping-opportunities->

Public process lies ahead as an OCP amendment and rezoning from Residential to Park will be needed, and detailed park planning with opportunities for ITC input. MetroVancouver and BIM staff have been sharing information for some time about OCP language etc.

More from the BIM point of view:

- Ecological protection for rare area. Cape Roger Curtis was identified as a potential addition to the Metro Vancouver regional parks portfolio because of its uniqueness — a large ecologically diverse dry coastal bluff waterfront, a landscape rare in the Metro Vancouver region and makes up less than 1% of BC's land base. It contains 15 plant communities listed as provincially threatened or endangered. Along the shore, the coastal bluff plant communities are dominated by arbutus, shore pine, Douglas fir, and some 400-year-old maritime juniper.
- PWaterfront park for us all to enjoy. Without this park proposal, twenty-four ten-acre lots, including eight waterfront lots, would all be sold and unavailable for the public.
- Supervision and experienced, trusted management for large area currently vulnerable to illegal camping, fires, damage etc. Metro Vancouver has deep experience on Bowen, and will have on-site, overnight management to protect the area.

- Focus on alternative transportation, transit and shuttles to reduce ferry and on-island traffic impacts. Metro Vancouver is specifically focussing on alternatives to auto access for all of its parks, for reasons of both climate action and equity — access to parks for families without cars.
- Opportunities for Bowen businesses.
- Focus on youth nature education with the group camps. Metro Parks goal is to protect ecologically rich areas and connect people to nature. The group camps will focus on nature education for young people.
- Low-impact camping aligns with OCP (no RVs) and provides camping opportunity for Bowen families and their guests.
- Resolves long-term local issue about the future of these lands. Enhances local efforts by the Bowen Island Conservancy and many islanders to protect the area.
- Excellent Bowen contribution to UN Biosphere designation
- This new park is likely to accelerate funding opportunities to advance the cross-island multi-use path.
- An alternative access road/route may be explored to reduce traffic volumes on White Sails Drive.
- The focus on alternative transportation supports the increasing need for foot/bike passenger only ferry that will reduce the pressure on the ferry, and would also offer convenient alternatives for commuters.

Hope this is useful and interesting ;-) I am delighted

Sue Ellen

Sue Ellen Fast (she/her)

Nexwlélexwm (Bowen Island) Trustee | Municipal Councillor | Islands Trust Vice Chair
sfast@islandstrust.bc.ca sefast@bimbc.ca

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

Sue Ellen Fast (she/her)

Nexwlélexwm / Kwílákwm (Bowen Island) Municipal Trustee | Islands Trust Vice Chair

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

Thankful to live and work in the treaty and territories of the BOKEĆEN, Cowichan Tribes, Halalt, Homalco, K'ómoks, Klahoose, Ts'uubaa-asatx, Lək'wəŋən (SXIMELEL, Songhees, T'Sou-ke), Lyackson, MÁLEXEL, Penelakut, Qualicum, Scia'new, səliłwətaʔl, SEMYOME, shishálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, STÁUTW, Stz'uminus, Tla'amin, scəwəŋən məsteyəxʷ, We Wai Kai, Wei Wai Kum, WJOLELP, WSIKEM, and xʷməθkʷəy̓əm.