



Executive Committee

Agenda

Date: Wednesday, May 24, 2023
Time: 9:00 am
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

	Pages
1. LAND ACKNOWLEDGEMENT / CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
2.2.1 Agenda Context Notes	5 - 5
3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING	
4. ADOPTION OF MINUTES	
4.1 May 3, 2023, draft minutes for adoption	6 - 14
5. FOLLOW UP ACTION LIST AND UPDATES	
5.1 Follow Up Action List/Director/CAO Updates	15 - 23
5.2 Local Trust Committee Chair Updates	
5.3 Islands Trust Conservancy Liaison Update	
6. BYLAWS FOR APPROVAL CONSIDERATION	
6.1 North Pender LTC Bylaw No. 233 FOI (administrative) - RFD	24 - 31
THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 233, cited as "North Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 233, 2023" in accordance with Section 27 of the <i>Islands Trust Act</i>.	
6.2 South Pender LTC Bylaw No. 128 FOI (administrative) - RFD	32 - 39
THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 128, cited as "South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 128, 2023" in accordance with Section 27 of the <i>Islands Trust Act</i>.	
6.3 Lasqueti LTC Bylaw No. 101 FOI (administrative) - RFD	40 - 48
That the Islands Trust Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 101, cited as "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 101, 2023" in accordance with Section 27 of the <i>Islands Trust Act</i>.	

1. THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 223, cited as "North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021" in accordance with Section 27 of the *Islands Trust Act*.
2. THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 224, cited as "North Pender Island Land Use Bylaw No. 224, 2022" in accordance with Section 27 of the *Islands Trust Act*.
3. THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 229, cited as "North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022" in accordance with Section 27 of the *Islands Trust Act*.

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1	June Trust Council 3-day draft schedule	210 - 210
7.1.2	June Trust Council draft agenda	211 - 214
7.1.3	Executive Committee Work Plan Updates - Briefing	215 - 218
7.1.4	Election of a Financial Planning Committee - Briefing	219 - 238
7.1.5	SWOT and Strategic Planning Session - Outline	239 - 240
7.1.6	Overview of Strategic and Corporate Planning Projects - Briefing	241 - 242
7.1.7	Accessibility Committee Membership Recommendation for Trust Council - Briefing	243 - 278

7.2 Planning Services

7.3 Administrative Services

7.4 Trust Area Services

8. EXECUTIVE COMMITTEE PROJECTS

8.1 Trust Council Initiated

8.1.1 Executive

8.1.2 Trust Area Services

8.1.2.1	2022/23 Annual Report Approval of Annual Report Sections - RFD	279 - 290
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That the Executive Committee approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

8.1.2.2	Education Session for Trustees on Forests - RFD	291 - 293
	That Executive Committee request staff to organize an education session for trustees by qualified former provincial forest ecologists, and provincial forest ecologists if available, to provide background on forest classifications, forest health, and the significance of forests in the Islands Trust Area.	
8.1.2.3	Website Database Improvements - Briefing	294 - 295
8.1.2.4	Census Infographics - Briefing	296 - 315
8.1.2.5	Additional Webpage to Address Inaccuracies and Provide Clarification - Briefing	316 - 317
8.1.3	Planning Services	
8.1.4	Administrative Services	
8.2	Executive Committee Initiated	
8.2.1	Executive	
8.2.2	Trust Area Services	
8.2.3	Planning Services	
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	Planning Services	
9.4	Administrative Services	
10.	CORRESPONDENCE (for information unless raised for action)	
10.1	2030 Biodiversity Strategy News Release dated May 15, 2023	318 - 320
	See Agenda Context Notes item 2.2.1	
10.2	Comments due June 26, 2023 for BCEAO Condition 39 Existing Shorelines Conditions Report	321 - 323
10.3	Cryptocurrency Mining engagement letter dated May 17, 2023	324 - 326
11.	WORK PROGRAM	
11.1	Review and amendment of current work program	
12.	NEXT MEETING	
	The next Executive Committee meeting is scheduled to be held in person on June 14th at the Victoria office boardroom, 1627 Fort Street, Victoria BC.	
13.	CLOSED MEETING (scheduled)	
	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
10.1	DTAS	2030 Biodiversity Strategy News Release Environment and Climate Change Canada is developing a 2030 Biodiversity Strategy to establish a shared vision for halting and reversing biodiversity loss in Canada, reflect Canada’s domestic priorities for biodiversity conservation and sustainable use, and guide how Canada implements the Global Biodiversity Framework domestically. There is a discussion paper available and a survey open to July 14, 2023. The survey contains eight detailed questions. Staff will include this information in the legislative monitoring chart. Executive Committee could receive the news release for information, request staff to forward the engagement information to trustees or could request staff to prepare an RFD to Trust Council to seek direction for an organizational response.
10.2	DTAS	Comments due June 26, 2023 for BCEAO Condition 39 Existing Shorelines Conditions Report Trans Mountain invited Islands Trust to participate in shoreline conditions workshops in May/June 2022 but the Trust did not participate due to other commitments. In response to the letter received on May 16, 2023, EC could request staff to draft a letter for the Chair by June 26, 2023 in response to the Existing Shoreline Conditions Report and coordinate with Bowen Island Municipality to explore whether it could be a joint letter. The letter could reference that the Trust has eelgrass, bull kelp and forage fish mapping as well as maps showing distribution of shoreline type, energy and sediment movement, shoreline values and vulnerabilities that may be of use during a response to an oil spill.



Executive Committee Minutes of Regular Meeting

Date: May 3, 2023, recessed then reconvened May 10, 2023
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

Members Present: Peter Luckham, Chair, Thetis Trustee (boardroom)
Tobi Elliott, Vice-Chair, Gabriola Trustee (boardroom)
David Maude, Vice-Chair, Mayne Trustee (boardroom)
Timothy Peterson, Vice-Chair, Lasqueti Trustee (electronic)

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (CAO) (boardroom)
David Marlor, Director, Legislative Services (DLS) (electronic)
Julia Mobbs, Director, Administrative Services (electronic)
Clare Frater, Director, Trust Area Services (DTAS) (boardroom)
Stefan Cermak, Director, Planning Services (DPS) (electronic)
Lori Foster, Executive Coordinator/Recorder (boardroom)

Others Present: 1 person attended electronically

1. CALL TO ORDER

Chair Luckham gave a First Nations land acknowledgement that the Islands Trust Area is home to Coast Salish Peoples since time immemorial stating gratitude to live and work here.

The meeting was called to order at 9:15 a.m.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

For consideration to add the following at:

- 7.1.1.1 Draft 3-day Trust Council June Schedule (circulated late item)
- 10.1.1 MP Patrick Weiler (West Van-Sunshine Coast-Sea to Sky Country) re: OPP's Abandoned Boats Program letter dated May 2, 2023

2.2 Approval of Agenda

By general consent, the agenda was approved as amended.

2.2.1 Agenda Context Notes - None

3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING – None

4. ADOPTION OF MINUTES

4.1 April 12, 2023 draft minutes

By general consent, the April 12, 2023, Executive Committee draft minutes were adopted as presented.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates

Chief Administrative (CAO) Hotsenpiller noted a deeper review of the FUAL will be addressed with item 11.1.

Staff gave the following verbal updates:

- Outreach with San Juan Country Council and Bowen Island Municipality, looking into meeting after June Trust Council,
- Human resources updates re: Senior Indigenous Relations Advisor interviews in progress and, Communications Specialist, Morgana van Niekerkwork has joined Trust Area Services,
- The Policy Statement Amendment Project has stalled due to staff vacancy/capacity,
- Reporting on the Financial Audit will not be coming to June Trust Council,
- Progress report on Cityview software update,
- Chair Luckham to put his name forward to sit on the new Accessibility Committee.

5.2 Local Trust Committee Chair Updates

Chairs of their local trust committees (LTC) provided updates on recently attended meetings, applications of note, LTC project updates and official community plan (OCP) reviews.

Verbal updates were heard on the following:

- Salt Spring Island LTC Strategic Planning session for next year's work in progress,
- Hornby and Denman Island LTC's focus on housing issues,
- Habitat for Humanity sessions held on Gabriola and Mayne,
- Attendance at the Rural Islands Economic Partnership held on Gabriola April 25-27,
- Community concern on North Pender regarding tree cutting in a development permit area,
- Concern regarding tree cutting on Saturna in the East Point area by highways contractor,
- Sunshine Coast Regional District/Islands Trust Annual Protocol electronic meeting held April 24.

5.3 Islands Trust Conservancy Liaison Update

Vice –Chair Elliott, Executive Committee (EC) Conservancy Liaison noted that two new staff have joined the Conservancy team, summer co-op student Eve Ruth and Communications Specialist, Micaela Yawney.

6. BYLAWS FOR APPROVAL CONSIDERATION

6.1 Denman Island LTC Bylaw No. 246 FOI (administrative) – RFD

Director of Legislative Services (DLS) Marlor spoke to the model “Freedom of Information (FOI) and Protection of Privacy bylaw” which Trust Council endorsed at its June 2022 meeting requesting all local trust committees consider adoption of a new FOI bylaw based on the model, which reflects changes in legislation.

EC-2023-045

It was Moved and Seconded,

That the Islands Trust Executive Committee approve Denman Island Local Trust Committee Bylaw No. 246, cited as “Denman Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 246, 2023” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.2 Galiano Island LTC Bylaw No. 290 FOI (administrative) – RFD

EC-2023-046

It was Moved and Seconded,

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 290, cited as "Galiano Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 290, 2023" in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.3 Hornby Island LTC Bylaw No. 171 FOI (administrative) – RFD

EC-2023-047

It was Moved and Seconded,

That the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 171, cited as “Hornby Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 171, 2023” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.4 Gabriola Island LTC Bylaw No. 315 FOI (administrative) - RFD

EC-2023-048

It was Moved and Seconded,

That the Islands Trust Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 315, cited as “Gabriola Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 315, 2023” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.5 Ballenas Winchelsea LTC Bylaw No. 37 FOI (administrative) – RFD

EC-2023-049

It was Moved and Seconded,

That the Islands Trust Executive Committee approve Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) Bylaw No. 37, cited as “Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) Freedom of Information and Protection of Privacy Bylaw No. 37, 2023” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

The meeting recessed for a break at 10:12 a.m. and reconvened at 10:17 a.m.

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1 Draft 3-day Trust Council June schedule

CAO Hotsenpiller introduced the draft Trust Council 3-day schedule.

Discussion ensued on the agenda sessions as presented.

The following comments were heard:

- First on-island meeting since March 2020,
- Governance Committee update with possibly, a focused event i.e SWOT analysis,
- More time for the Reconcili-Action proposed presentation,
- Remove finance’s audit report, will be delayed,
- Possible discussion on water zoning,
- Hard stop to delegation presentations of 10 minutes, including trustee questions,
- San Juan Country Council meeting deferred to possibly September,
- Structured decision-making process in concert with Strategic Planning process.

The 3-day draft schedule will be refined further at the May 24th and June 14th EC meetings.

7.1.2 March Quarterly Trust Council draft minutes

By general consent, forward to June Trust Council as presented.

7.1.3 AVICC Review – Discussion

Executive Committee members and Director Frater gave verbal reviews of their attendance at the Association of Vancouver Island Coastal Communities (AVICC) Conference held April 14-16 in Nanaimo.

7.1.3.1 Brent Mueller re: Trust Council reconciliation session

Discussion ensued to offer this as a presentation at June Trust Council with at least one hour allocated to the session.

7.1.4 San Juan County Council at June Trust Council – Discussion

It was discussed that the annual meeting with San Juan County Council be deferred to possibly, September Trust Council.

7.2 Planning Services

7.2.1 Vice-Chair Maude re: Mooring Buoy Regulations potential June Trust Council Session email – Discussion

It was discussed that this item be deferred to possibly, September Trust Council session.

7.3 Administrative Services - None

7.4 Trust Area Services - None

8. EXECUTIVE COMMITTEE PROJECTS

8.1 Trust Council Initiated

8.1.1 Executive

8.1.1.1 Bowen Island/Executive Committee Annual Protocol Meeting – Discussion

The setting of a meeting date is still in the works.

8.1.2 Trust Area Services

8.1.2.1 Trust Programs Committee re: Advocacy for Provincial Funding – Briefing

Executive Committee (EC) acknowledged receipt of Trust Programs Committee's request to pursue additional funding from the Province.

8.1.3 Planning Services - None

8.1.4 Administrative Services - None

8.1.4.1 2023/24 BCGEU raises at 6.75% - Briefing

Director of Administrative Services (DAS) Mobbs advised Executive Committee of the union increase and spoke to the briefing as presented.

Received for information.

8.2 Executive Committee Initiated

8.2.1 Executive

8.2.1.1 Request for EC Sponsorship of Development Application Fee re: HO-DP-2023.1 – RFD

Vice-Chair Peterson spoke to the request for application sponsorship received by the Arts Council on Hornby Island.

EC-2023-050

It was Moved and Seconded,

THAT the Executive Committee approve financial sponsorship of \$1,250.00 for development permit application HO-DP-2023.1 which would allow the Hornby Island Arts Council to continue with development of the land for a new Arts Centre for Hornby Island.

CARRIED

8.2.2 Trust Area Services - None

8.2.3 Planning Services - None

8.2.3.1 CMHC's Housing Accelerator Fund - Briefing

By general consent, Executive Committee requested item 8.2.3.1 be forward to all Trustees for information.

8.2.4 Administrative Services

8.2.4.1 Offices Open to the Public – Discussion

CAO Hotsenpiller is updating Islands Trust Communicable Disease Plan to reflect current changes.

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 gave verbal updates on local advocacy topics.

9.3 **Planning Services – None**

9.4 **Administrative Services – None**

10. CORRESPONDENCE (for information unless raised for action)

10.1 J. Roe re: Dead Boats Disposal Society update email dated April 27, 2023

10.1.1 MP Patrick Weiler (West Van-Sunshine Coast-Sea to Sky Country) re: OPP's Abandoned Boats Program letter dated May 2, 2023

By general consent, Executive Committee requested correspondence items 10.1 and 10.1.1 be forwarded to all trustees.

10.2 Decision made on the Roberts Bank Terminal 2 Project email dated April 28, 2023

By general consent, Executive Committee requested that item 10.2 be forwarded to all trustees.

10.3 You're Invited: Cowichan Housing Authority Workshop May 15th

Received for information.

The meeting recessed for lunch at 12:07 p.m. and reconvene at 12:31 p.m.

11. WORK PROGRAM

11.1 Executive Committee Strategy - Session Outline

11.1.1 Strategic Review of Executive Committee Work Plan – Briefing

CAO Hotsenpiller spoke to the briefing as presented.

11.1.2 Executive Committee Active and Future Projects Report

Executive Committee reviewed its Current Active Projects and Future Projects using criteria as outlined in the report.

Using the Zoom whiteboard application (electronic sticky notes), Executive Committee categorized/prioritized its work program.

11.1.3 Executive Committee FUAL

Received for information.

11.1.4 Trust Council FUAL

Received for information.

By general consent, the May 3rd business meeting will reconvene on Wednesday, May 10 at 9:00 a.m., to be held electronically.

The meeting recessed for the day at 3:00 p.m.

Wednesday, May 10, 2023

Chair Luckham reconvened the Executive Committee May 3rd business meeting at 9:01 a.m.

All members of the Executive Committee were present electronically; Vice-Chair Maude attended in the Victoria boardroom.

11.2 Review and amendment of current work program

Executive Committee reviewed the Zoom whiteboard graphic as presented and discussed on May 3rd and passed the following motions regarding EC's work program:

EC-2023-051

It was Moved and Seconded,

That the Executive Committee Current Active Projects be amended to the following:

- To update the Islands Trust Policy Statement
- To develop the Islands Trust First Nations Reconciliation and engagement planning
- To develop a strategy to increase the provincial financial contribution to the Islands Trust
- To guide the development and implementation of the Islands Trust Strategic Plan
- Development of an Islands Trust Communications Strategy

CARRIED

EC-2023-052

It was Moved and Seconded,

That the Executive Committee Future Projects be amended to the following:

1. To advance the preservation and protection of marine ecosystems
2. To engage with the Ministry of Transportation on a updated Memorandum of Understanding
3. Programming associated with the Climate Change declaration of the Islands Trust

CARRIED

EC-2023-053

It was Moved and Seconded,

That Executive Committee request the Chief Administrative Officer to prepare a report and request for decision (RFD) summarizing Executive Committee's Work Plan and Future Projects for June Trust Council.

CARRIED

EC-2023-054

It was Moved and Seconded,

That Executive Committee request direction from Trust Council on further action on the Climate Change Emergency and, include the materials from the trustee led messaging from last term.

CARRIED

EC-2023-055

It was Moved and Seconded,

That Executive Committee direct staff to provide to Trust Council in June, a proposal to develop an interim Strategic Plan that includes

1. A SWOT and external/internal review session at June Trust Council
2. Delivery of a plan outlining an interim Strategic Plan and
3. That a visioning/mission session be developed for September

CARRIED

EC-2023-056

It was Moved and Seconded,

That Executive Committee work with the Governance Committee and Corporate Planning working group (Financial Committee) to determine a visioning exercise for Trustees for September Trust Council and, request the Governance Committee add this to their agenda for May 29th.

CARRIED

Executive discussed the following Galiano Island Local Trust Committee (GL LTC) request that GL LTC passed at its May 6, 2023 Special Meeting:

"That the Galiano Island Local Trust Committee requests that Trust Council prioritize a review of the Islands Trust First Nations bylaw referral process and that an agenda item for this topic be placed on the June 27-29 Trust Council agenda for consideration."

Chair Luckham noted that LTC's should contact their regional planning manager (RPM's) regarding the bylaw referral process.

12. NEXT MEETING

The next Executive Committee meeting is scheduled to be held electronically, on May 24, 2023, from the Islands Trust Victoria office boardroom starting at 9:00 a.m.

13. CLOSED MEETING - None

14. ADJOURNMENT

By general consent, the meeting was adjourned at 10:48 a.m.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 That Trust Council direct Executive Committee to work with staff on a coordinated strategy and prepare a request that the Province revisit the provincial grant funding formula to the Islands Trust.	Russ Hotsenpiller	Meeting: 07-Mar-2023 Target: 27-Jun-2023	In Progress
2 Staff to provide a report on online viewership of Council Meetings.	Russ Hotsenpiller	Meeting: 22-Mar-2023 Target: 03-May-2023	In Progress
3 Staff to poll trustees regarding orientation sessions and its continuous learning.	Russ Hotsenpiller	Meeting: 22-Mar-2023 Target: 03-May-2023	In Progress
4 Executive Committee undertake a dedicated strategic priorities session to be held in-person for the May 3rd business meeting.	Russ Hotsenpiller	Meeting: 12-Apr-2023 Target: 03-May-2023	Completed
5 Deliver chair and vice-chair training via in-person session with Lisa Zwarn May 19th.	Russ Hotsenpiller	Meeting: 22-Mar-2023 Target: 24-May-2023	In Progress
6 THAT a reconciliation learning group be initiated comprised of trustees who indicate interest; and that a learning plan be developed and implemented through monthly, virtual meetings.	Clare Frater Russ Hotsenpiller	Meeting: 07-Mar-2023 Target: 28-Jun-2023	In Progress
7 Trust Council respond to Minister Kang to the effect that Trust Council will revisit the request for a review of Islands Trust mandate, governance and structure, at September Trust Council and provide the minister with an update.	Russ Hotsenpiller	Meeting: 08-Mar-2023 Target: 27-Sep-2023	In Progress

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
8 The Executive Committee is requested by the Governance Committee (April 17th meeting) to follow the SWOT (strengths, weaknesses, opportunities and threats) analysis process in developing the draft strategic plan that is to be submitted to Trust Council this year.	Russ Hotsenpiller	Meeting: 17-Apr-2023 Target: 27-Jun-2023	In Progress
9 Trust Council host a panel session about housing challenges and solutions in the Islands Trust Area as part of trustee education	Russ Hotsenpiller Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress
10 That Trust Council coordinate a round table on housing, to include BCHousing, key ministers, housing leaders from island communities, and others, within the first six months of the new term.	Russ Hotsenpiller Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress
11 Determine a visioning exercise for trustees at September Trust Council. EC, GC, and FPC subgroup to collaborate.	Julia Mobbs Russ Hotsenpiller	Meeting: 03-May-2023 Target: 26-Sep-2023	In Progress
12 Bring to TC in June, a proposal to develop an interim Strat Plan.	Russ Hotsenpiller	Meeting: 03-May-2023 Target: 14-Jun-2023	In Progress
13 Bring an RFD to June TC summarizing EC's Work Plan and Future Projects.	Russ Hotsenpiller	Meeting: 03-May-2023 Target: 14-Jun-2023	In Progress

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
14 Update Future Projects report with the following: - To advance the preservation and protection of marine ecosystems - To engage with the Ministry of Transportation on a updated Memorandum of Understanding - Programming associated with the Climate Change declaration of the Islands Trust	Russ Hotsenpiller	Meeting: 03-May-2023 Target: 24-May-2023	Completed
15 Amend Current Active Projects with the following: - To update the Islands Trust Policy Statement - To develop the Islands Trust First Nations Reconciliation and engagement planning - To develop a strategy to increase the provincial financial contribution to the Islands Trust - To guide the development and implementation of the Islands Trust Strategic Plan - Development of an Islands Trust Communications Strategy	Russ Hotsenpiller	Meeting: 03-May-2023 Target: 24-May-2023	Completed

Director Legislative Services

Activity	Responsibility	Dates	Status
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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: 13-Jun-2023	In Progress
2 Staff review the Executive Committee sponsorship policy and report back recommendations on local trust committee approvals, communications, and funding mechanisms.	David Marlor	Meeting: 14-Apr-2021 Target: 13-Sep-2023	In Progress
3 Staff to report back on recording of meetings by members of the public re clarity on recording and report on recording of electronic meetings.	David Marlor	Meeting: 22-Mar-2023 Target: 03-May-2023	In Progress
4 Staff to provide a briefing with respect to options for better understanding of the policy regarding Code of Conduct for vice-chairs, trustees and the public.	David Marlor	Meeting: 12-Apr-2023 Target: 03-May-2023	In Progress
5 Trust Council request Staff to seek a legal opinion regarding the Islands Trust's obligations to uphold collective and individual rights to housing.	David Marlor	Meeting: 08-Mar-2023 Target: 29-Jun-2023	In Progress

Director of Planning Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Executive Committee

Director of Planning Services

Activity	Responsibility	Dates	Status
1 Executive Committee to develop a communications strategy and materials to support awareness of the housing affordability advocacy request and rationale.	Clare Frater Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress
2 Trust Council host a panel session about housing challenges and solutions in the Islands Trust Area as part of trustee education	Russ Hotsenpiller Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress
3 That Trust Council coordinate a round table on housing, to include BCHousing, key ministers, housing leaders from island communities, and others, within the first six months of the new term.	Russ Hotsenpiller Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress
4 Director of Planning Services request the Office of the Ombudsperson to undertake a comprehensive review of the enforcement-related policies and practices of the Islands Trust, and recommend such improvements and changes to them as may be required to bring the policies and practices into conformity with best practices for local government bylaw enforcement.	Stefan Cermak	Meeting: 08-Mar-2023 Target: 27-Sep-2023	In Progress
5 The Galiano Island Local Trust Committee requests that Trust Council prioritize a review of the Islands Trust First Nations bylaw referral process and that an agenda item for this topic be placed on the June 27-29 Trust Council agenda for consideration."	Clare Frater Stefan Cermak	Meeting: 06-May-2023 Target: 06-Jun-2023	In Progress

Follow Up Action Report

Executive Committee

Director of Planning Services

Activity	Responsibility	Dates	Status
6 Inform LTC's of the following application/bylaw approvals: Horby Island Arts Council sponsorship application HO-DP-2023.1 BW LTC Bylaw No. 37 GB LTC Bylaw No. 315 HO LTC Bylaw No. 171 GL LTC Bylaw No. 290	Stefan Cermak	Meeting: 03-May-2023 Target: 24-May-2023	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: 20-Sep-2023	In Progress
2 Determine a visioning exercise for trustees at September Trust Council. EC, GC, and FPC subgroup to collaborate.	Julia Mobbs Russ Hotsenpiller	Meeting: 03-May-2023 Target: 26-Sep-2023	In Progress

Director, Trust Area Services

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 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: 06-Dec-2023	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 2023.	Clare Frater	Meeting: 23-Feb-2022 Target: 13-Sep-2023	In Progress
3 Staff to work with trustees to organize two film screenings of the movie Dust n Bones and reconciliation discussions subject to support of affected local trust committees. (A grant in aid of 4,500 (from History and Heritage Grants in Aid program was provided in 2020 to host screenings on three islands but due to Covid-19 restrictions only one screening occurred.) EC previously indicated interest from Gabriola and Salt Spring Islands.	Clare Frater	Meeting: 26-Feb-2020 Target: 28-Jun-2023	In Progress
4 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: 03-May-2023	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

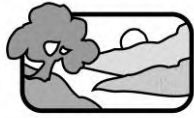
Activity	Responsibility	Dates	Status
5 Ask staff to investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.	Clare Frater	Meeting: 07-Oct-2021 Target: 06-Sep-2023	In Progress
6 Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act.	Clare Frater	Meeting: 12-Apr-2022 Target: 20-Sep-2023	In Progress
7 Initiate rekindling of the San Juan County/Islands Trust relationship, work with Chair for September	Clare Frater	Meeting: 11-Jan-2023 Target: 27-Sep-2023	In Progress
8 Staff advance the question of responding to delegates with thank you letters, for June Trust Council, and that staff prepare a briefing on practices in other local governments.	Clare Frater	Meeting: 11-Jan-2023 Target: 27-Jun-2023	In Progress
9 Briefing item 8.2.2.2 "Trust Council Decisions Related to Conservation from Islands Trust Conservancy be forwarded to the ITC/EC liaison meeting on July 18th.	Clare Frater	Meeting: 22-Mar-2023 Target: 18-Jul-2023	In Progress
10 THAT a reconciliation learning group be initiated comprised of trustees who indicate interest; and that a learning plan be developed and implemented through monthly, virtual meetings.	Clare Frater Russ Hotsenpiller	Meeting: 07-Mar-2023 Target: 28-Jun-2023	In Progress
11 Executive Committee to develop a communications strategy and materials to support awareness of the housing affordability advocacy request and rationale.	Clare Frater Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
12 The Galiano Island Local Trust Committee requests that Trust Council prioritize a review of the Islands Trust First Nations bylaw referral process and that an agenda item for this topic be placed on the June 27-29 Trust Council agenda for consideration."	Clare Frater Stefan Cermak	Meeting: 06-May-2023 Target: 06-Jun-2023	In Progress
13 Bring a report/briefing/RFD to get direction from TC on further action regarding the Climate Change Emergency include materials from last terms trustee led messaging.	Clare Frater	Meeting: 03-May-2023 Target: 26-Sep-2023	In Progress



REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: NP-BL-233

3900-03: FOI Bylaw

DATE OF MEETING: May 24, 2023
TO: Islands Trust Executive Committee
FROM: Jas Chonk, Legislative Clerk
SUBJECT: North Pender Island Local Trust Committee - Proposed Bylaw No. 233 – Freedom of Information and Protection of Privacy Bylaw

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 233, cited as "North Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 233, 2023" in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

North Pender Island Local Trust Committee has referred Bylaw No. 233 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:

Minimal staff time to update material on the website.

Financial:

Fees incurred can be charged current amounts for actual costs and reflect charges for various media formats, including digital records.

Policy: N/A

Implementation and Communications:

Staff would update the Islands Trust website with the new bylaws.

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.

PURPOSE

To adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

BACKGROUND

On November 25, 2021, the Government of British Columbia enacted Bill 22 bringing into force significant amendments to the *Freedom of Information and Protection of Privacy Act*. The *Act* governs how public bodies collect, use and disclose the personal information of individuals.

The current local trust committee freedom of information and protection of privacy bylaws have been unchanged since they were adopted in 1994. Since that time, amendments have been made to the *Act*, as well as fees updated.

At its regular business meeting June 21 to 23, 2022, Trust Council adopted a model Freedom of Information and Protection of Privacy Bylaw, and passed the following resolution:

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.

Staff has drafted a new Freedom of information and Protection of Privacy Bylaw for each Island Local Trust Committee based on the adopted model bylaw.

RELEVANT POLICY(S): N/A

ALTERNATIVE

1. Determine that the bylaw is inconsistent with the Islands Trust Policy Statement:

THAT the Executive Committee request that staff advise North Pender Island Local Trust Committee in writing that the Executive Committee considers that North Pender Island Local Trust Committee Bylaw No. 233, cited as "North Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 233, 2023" is inconsistent or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the North Pender Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Jas Chonk Legislative Clerk	May 12, 2023
Concurrence:	Stefan Cermak, Director Planning Services	May 15, 2023

ATTACHMENTS

1. EC Submission Cover
2. EC General Checklist
3. Proposed North Pender LTC Bylaw No. 233



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-233

Bylaw Type: Freedom of Information and Protection of Privacy I

Date of resolution referring bylaw to Executive Committee: 05-May-2023

- ☒ 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

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: 05-May-2023

Reading: 05-May-2023

Third Reading

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 233

A Bylaw to designate the head of the North Pender Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the North Pender Island Local Trust Committee the authority to designate a person as the head of the North Pender Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the North Pender Island Local Trust Committee the authority to set any fees the North Pender Island Local Trust Committee requires to be paid under section 75 of the Act,

THE NORTH PENDER ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "North Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 233, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

"Act"	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
"Commercial Applicant"	means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit.
"Head"	means the person designated under Section 3 of this Bylaw as the head of the of the North Pender Island Trust Committee for the purposes of the Act.
"Request"	means a request for information under Section 5 of the Act.
"Records"	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

Designation of Head

3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the North Pender Island Local Trust Committee for the purposes of the Act.
4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

8. "North Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 90, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this 5TH DAY OF MAY 2023.

READ A SECOND TIME this 5TH DAY OF MAY 2023.

READ A THIRD TIME this 5TH DAY OF MAY 2023.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF 20

ADOPTED THIS _____ DAY OF _____ 20____

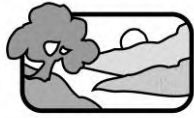
CHAIR

SECRETARY

North Pender Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 233 - Schedule 'A'

Schedule of Maximum Fees

Item	Description of Services		Fees
1	(a)	Application Fee	\$10.00 (non-refundable)
	(b)	An applicant's request for his/her own personal information is not subject to any fees.	
2	For applicants other than commercial applicants:		
	(a)	for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
	(b)	for producing a record manually	\$7.50 per ¼ hour
	(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record
	(d)	for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour
	(e)	for shipping copies	actual costs of shipping method chosen by applicant
	(f)	for copying records	
		(i) floppy disks	\$2 per disk
		(ii) CDs and DVDs, recordable or rewritable	\$4 per disk
		(iii) computer tapes	\$40 per tape, up to 2 400 feet
		(iv) microfiche	\$3 per fiche
		(v) microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
		(vi) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
		(vii) photographs, colour or black and white	\$5 to produce a negative \$12 each for 16" x 20" photograph \$9 each for 11" x 14" photograph \$4 each for 8" x 10" photograph \$3 each for 5" x 7" photograph
		(viii) photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
		(ix) dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(x) dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(xi) scanned electronic copy of a paper record	\$0.10 per page
		(xii) photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
		(xiii) slide duplication	\$0.95 each
		(xiv) audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
		(xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2		the actual cost to the public body of providing that service



REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: SP-BL-128

3900-03: FOI Bylaw

DATE OF MEETING: May 24, 2023
TO: Islands Trust Executive Committee
FROM: Jas Chonk, Legislative Clerk
SUBJECT: South Pender Island Local Trust Committee - Proposed Bylaw No. 128 – Freedom of Information and Protection of Privacy Bylaw

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve South Pender Island Local Trust Committee Bylaw No. 128, cited as "South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 128, 2023" in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

South Pender Island Local Trust Committee has referred Bylaw No. 128 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:

Minimal staff time to update material on the website.

Financial:

Fees incurred can be charged current amounts for actual costs and reflect charges for various media formats, including digital records.

Policy: N/A

Implementation and Communications:

Staff would update the Islands Trust website with the new bylaws.

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.

PURPOSE

To adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

BACKGROUND

On November 25, 2021, the Government of British Columbia enacted Bill 22 bringing into force significant amendments to the *Freedom of Information and Protection of Privacy Act*. The *Act* governs how public bodies collect, use and disclose the personal information of individuals.

The current local trust committee freedom of information and protection of privacy bylaws have been unchanged since they were adopted in 1994. Since that time, amendments have been made to the *Act*, as well as fees updated.

At its regular business meeting June 21 to 23, 2022, Trust Council adopted a model Freedom of Information and Protection of Privacy Bylaw, and passed the following resolution:

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.

Staff has drafted a new Freedom of information and Protection of Privacy Bylaw for each Island Local Trust Committee based on the adopted model bylaw.

RELEVANT POLICY(S): N/A

ALTERNATIVE

1. Determine that the bylaw is inconsistent with 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 South Pender Island Local Trust Committee Bylaw No. 128, cited as "South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 128, 2023" is inconsistent 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:	Jas Chonk Legislative Clerk	May 12, 2023
Concurrence:	Stefan Cermak, Director Planning Services	May 15, 2023

ATTACHMENTS

1. EC Submission Cover
2. EC General Checklist
3. Proposed South Pender LTC Bylaw No. 128



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: South Pender Island Local Trust Committee

Bylaw No.: SP-128

Bylaw Type: Freedom of Information and Protection of Privacy I

Date of resolution referring bylaw to Executive Committee: 05-May-2023

- ☒ 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

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: 05-May-2023

Reading: 05-May-2023

Third Reading

PROPOSED

SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 128

A Bylaw to designate the head of the South Pender Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the South Pender Island Local Trust Committee the authority to designate a person as the head of the South Pender Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the South Pender Island Local Trust Committee the authority to set any fees the South Pender Island Local Trust Committee requires to be paid under section 75 of the Act,

THE SOUTH PENDER ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 128, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

"Act"	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
"Commercial Applicant"	means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit.
"Head"	means the person designated under Section 3 of this Bylaw as the head of the of the South Pender Island Local Trust Committee for the purposes of the Act.
"Request"	means a request for information under Section 5 of the Act.
"Records"	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

Designation of Head

3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the South Pender Island Local Trust Committee for the purposes of the Act.
4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

8. "South Pender Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 63, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this 5TH DAY OF MAY 2023.

READ A SECOND TIME this 5TH DAY OF MAY 2023.

READ A THIRD TIME this 5TH DAY OF MAY 2023.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
DAY OF 20

ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

South Pender Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 128 - Schedule 'A'

Schedule of Maximum Fees

Item	Description of Services		Fees
1	(a)	Application Fee	\$10.00 (non-refundable)
	(b)	An applicant's request for his/her own personal information is not subject to any fees.	
2	For applicants other than commercial applicants:		
	(a)	for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
	(b)	for producing a record manually	\$7.50 per ¼ hour
	(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record
	(d)	for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour
	(e)	for shipping copies	actual costs of shipping method chosen by applicant
	(f)	for copying records	
		(i) floppy disks	\$2 per disk
		(ii) CDs and DVDs, recordable or rewritable	\$4 per disk
		(iii) computer tapes	\$40 per tape, up to 2 400 feet
		(iv) microfiche	\$3 per fiche
		(v) microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
		(vi) microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
		(vii) photographs, colour or black and white	\$5 to produce a negative \$12 each for 16" x 20" photograph \$9 each for 11" x 14" photograph \$4 each for 8" x 10" photograph \$3 each for 5" x 7" photograph
		(viii) photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
		(ix) dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(x) dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
		(xi) scanned electronic copy of a paper record	\$0.10 per page
		(xii) photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
		(xiii) slide duplication	\$0.95 each
		(xiv) audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
		(xv) video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2		the actual cost to the public body of providing that service

File No.: LA-BL-101
3900-03:LPS Admin Bylaw

To: Islands Trust Executive Committee **For the Meeting of:** May 24, 2023
From: Nadine Mourao, Legislative Clerk **Date Prepared:** May 11, 2023
SUBJECT: Lasqueti Island Freedom of Information and Protection of Privacy Bylaw No. 101

RECOMMENDATION:

1. That the Islands Trust Executive Committee approve Lasqueti Island Local Trust Committee Bylaw No. 101, cited as “Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 101, 2023” in accordance with Section 27 of the *Islands Trust Act*.

DIRECTORS COMMENTS:

Lasqueti Island Local Trust Committee has referred Bylaw No. 101 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.

1 PURPOSE:

To adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

2 BACKGROUND:

On November 25, 2021, the Government of British Columbia enacted Bill 22 bringing into force significant amendments to the *Freedom of Information and Protection of Privacy Act*. The *Act* governs how public bodies collect, use and disclose the personal information of individuals.

The current Local Trust Committee freedom of information and protection of privacy bylaws have been unchanged since they were adopted in 1994. Since that time, amendments have been made to the *Act*, as well as fees updated.

At its regular business meeting June 21 to 23, 2022, Trust Council adopted a model Freedom of Information and Protection of Privacy Bylaw, and passed the following resolution:

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.

Staff has drafted a new Freedom of information and Protection of Privacy Bylaw for each Island Local Trust Committee based on the adopted model bylaw.

3 IMPLICATIONS OF RECOMMENDATION

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW
SUBMISSION

ORGANIZATIONAL:

Minimal staff time to update material on the website.

FINANCIAL:

Fees incurred can be charged current amounts for actual costs and reflect charges for various media formats, including digital records.

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS:

Staff would update the Islands Trust website with the new bylaws.

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. EC Submission Cover
2. EC General Checklist
3. Proposed Lasqueti Island LTC Bylaw No. 101

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. 101, cited as "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 101, 2023", 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:	Nadine Mourao, Legislative Clerk	May 11, 2023
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 16, 2023



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Lasqueti Island Local Trust Committee

Bylaw No.: LA-101

Bylaw Type: Freedom of Information and Protection of Privacy P

Date of resolution referring bylaw to Executive Committee: 11-May-2023

- ☒ 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

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: Nadine Mourao

Status

Date Resolution Referred to Exective Committee: 11-May-2023

Reading:
08-May-2023

PROPOSED

LASQUETI ISLAND LOCAL TRUST COMMITTEE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 101

A Bylaw to designate the head of the Lasqueti Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the Lasqueti Island Local Trust Committee the authority to designate a person as the head of the Lasqueti Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the Lasqueti Island Local Trust Committee the authority to set any fees the Lasqueti Island Local Trust Committee requires to be paid under section 75 of the Act,

THE LASQUETI ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "Lasqueti Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 101, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

"Act"	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
"Commercial Applicant"	means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit.
"Head"	means the person designated under Section 3 of this Bylaw as the head of the of the Lasqueti Island Trust Committee for the purposes of the Act.
"Request"	means a request for information under Section 5 of the Act.
"Records"	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

PROPOSED

Designation of Head

3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the Lasqueti Island Local Trust Committee for the purposes of the Act.
4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

8. "Lasqueti Island Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 49, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this 8TH DAY OF MAY , 2023

READ A SECOND TIME this 8TH DAY OF MAY , 2023

READ A THIRD TIME this 8TH DAY OF MAY , 2023

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

RECONSIDERED AND FINALLY ADOPTED THIS
_____ DAY OF _____ , 20__

Chairperson

Secretary

PROPOSED

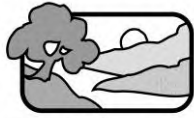
**Lasqueti Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 101 - Schedule 'A'**

Schedule of Maximum Fees

Item	Description of Services		Fees	
1	(a)	Application Fee	\$10.00 (non-refundable)	
	(b)	An applicant's request for his/her own personal information is not subject to any fees.		
2	For applicants other than commercial applicants:			
	(a)	for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours	
	(b)	for producing a record manually	\$7.50 per ¼ hour	
	(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record	
	(d)	for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour	
	(e)	for shipping copies	actual costs of shipping method chosen by applicant	
	(f)	for copying records		
		(i)	floppy disks	\$2 per disk
		(ii)	CDs and DVDs, recordable or rewritable	\$4 per disk
		(iii)	computer tapes	\$40 per tape, up to 2 400 feet
		(iv)	microfiche	\$3 per fiche
		(v)	microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
		(vi)	microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
		(vii)	photographs, colour or black and white	\$5 to produce a negative
				\$12 each for 16" x 20" photograph
				\$9 each for 11" x 14" photograph
				\$4 each for 8" x 10" photograph
			\$3 each for 5" x 7" photograph	
		(viii)	photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
	(ix)	dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")	
	(x)	dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")	
	(xi)	scanned electronic copy of a paper record	\$0.10 per page	
	(xii)	photomechanical reproduction of 105 mm cartographic record/plan	\$3 each	

PROPOSED

		(xiii)	slide duplication	\$0.95 each
		(xiv)	audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
		(xv)	video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2			the actual cost to the public body of providing that service



REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: NP_6500_2020_LUB-Review
(Bylaw Nos. 223, 224, 229)

DATE OF MEETING: May 24, 2023
TO: Islands Trust Executive Committee
FROM: Kim Stockdill, Island Planner
SUBJECT: North Pender Island Local Trust Committee – Bylaw Nos. 223, 224, and 229

RECOMMENDATIONS

1. **THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 223, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021” in accordance with Section 27 of the *Islands Trust Act*.**
2. **THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022” in accordance with Section 27 of the *Islands Trust Act*.**
3. **THAT the Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 229, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

North Pender Island Local Trust Committee (LTC) has referred Bylaw Nos. 223, 224, and 229 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaws as they are not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to **North Pender Island Local Trust Committee** regarding the Executive Committee decision by **May 26, 2023**.

PURPOSE

North Pender Island Local Trust Committee Bylaw No. 223, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021”, is intended to amend the North Pender Official Community Plan (OCP) in order to support and enable the amendments found in the Land Use Bylaw (LUB) amending Bylaw No. 229.

North Pender Island Local Trust Committee Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022”, is intended to replace the current North Pender LUB No. 103. Bylaw No. 224 includes technical amendments, new bylaw formatting, and numerous other bylaw amendments with the purpose to support policies in the OCP.

North Pender Island Local Trust Committee Bylaw No. 229, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022”, includes amendments to the LUB that require enabling policies in the OCP (Bylaw No. 223). Bylaw No. 229 also includes rezoning site specific properties and includes maximum floor area regulations for dwellings.

BACKGROUND

North Pender Island Local Trust Committee Bylaw Nos. 223, 224, and 229

The LUB Review Project was initiated in late 2019 with a focus to implement policies in the Official Community Plan by amending the Land Use Bylaw. Through the early stages, the LTC and staff identified six focus areas for the project: residential maximum floor area, agricultural regulations, industrial regulations, Commercial 2 (tourist accommodation) zoning, marine and shoreline regulations, and technical amendments which include a new bylaw format.

In the early stages of the project, a discussion paper was prepared for each topic outlining current regulations and policies, and options for the LTC to consider. After three community information meetings (CIM) in late 2020, the LTC and staff started to draft bylaws based on options in the discussions papers and from comments from the CIM. In 2021 to 2022 the bylaws were amended, which included rescinding bylaw readings, to address concerns raised by the community and the Agricultural Advisory Planning Commission. In total over the past three years the LTC has held approximately 12 community information meetings.

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

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

First Reading: March 11, 2023

Second Reading: March 11, 2023

Public Hearing: May 13, 2023

Third Reading: May 13, 2023

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

Issues Relating To Provincial Interest

No issues were raised by Provincial agencies.

Issues Relating To First Nation Interest

The bylaw was sent to the following First Nations for comment:

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
WSANEC Leadership Council

Lake Cowichan First Nation responded that they had no comment. Malahat First Nation responded that the proposed activity falls outside of core Malahat traditional territory and and Snuneymuxw First Nation responded by deferring comments regarding the referral.

Lyackson First Nation responded that “with respect to Bylaw 223, Lyackson First Nation has the following broad concerns: - The proposed Bylaw does not take into consideration UNDRIP, nor the desires for Indigenous Nations to be the stewards of their own territories; - The proposed bylaw does not appear to specifically consider and support the housing needs of local Indigenous peoples; and, - Lyackson First Nation is opposed to the creation of additional private moorages”. Although the purpose of this Project was not to address housing needs, the North Pender LTC is aware of the crucial need for affordable housing within the LTA. Staff also note that no bylaw regulations changes have been made to private moorage as part of this project. Although Bylaw No. 223 does include conditions for site-specific private moorage rezoning applications, the LTC has the discretion to not approve rezoning applications even if all conditions are met. Rezoning applications would also be referred to First Nations for comment.

No other comments were received by First Nations.

Issues Relating To Resources and Enforcement

No issues related to resources or enforcement anticipated.

Public Comments

There have been no public comments made directly to the Executive Committee on the potential approval of Bylaw Nos. 223, 224, and 229.

Staff Comments

Rationale for Recommendation:

- The proposed bylaws have been determined to be consistent with the ITPS by the LTC.
- The LTC has held numerous Community Information Meetings and has amended the bylaws to reflect comments and concerns raised by the community;
- 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 the three bylaws: Nos. 223, 224, and 229. Following Executive Committee approval, Bylaw No. 223 will be sent to the Minister for approval and then returned to the North Pender LTC for final approval. Bylaw No 229 will not be returned to the North Pender LTC for approval until Bylaw No. 223 has been approved by the Minister.

KEY ISSUES/CONCEPTS

- The amendments to the LUB are supported by policies in the OCP.
- The North Pender LUB (Bylaw No. 224) conforms to the new standardized bylaw formatting and include technical amendments.
- Bylaw No. 224 would establish maximum floor area for residential dwellings to preserve rural character.

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(s) is/are contrary to the Islands Trust Policy Statement:

THAT the Executive Committee request that staff advise North Pender Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 223, cited as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021” is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the North Pender Island Local Trust Committee on steps needed to address the specified issues.

THAT the Executive Committee request that staff advise North Pender Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022” is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the North Pender Island Local Trust Committee on steps needed to address the specified issues.

THAT the Executive Committee request that staff advise North Pender Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 229, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022” is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the North Pender Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Kim Stockdill, Island Planner	May 15, 2023
Concurrence:	Stefan Cermak, Director of Planning Services	May 17, 2023

ATTACHMENTS

1. EC Submission Covers
2. Bylaw Submission Checklists
3. Bylaw Referrals Reports
4. Islands Trust Policy Statement Directives Only Checklists
5. EC Policy Checklists
6. First Nations follow-up Tracking
7. Bylaw No. 223
8. Bylaw No. 224
9. Bylaw No. 229



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-223

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 13-May-2023

- ☒ 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



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-224

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 13-May-2023

- ☒ 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



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: North Pender Island Local Trust Committee

Bylaw No.: NP-229

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 13-May-2023

- ☒ 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: NP-223

Trust Area: North Pender Island Local Trust Committee

Type: Official Community Plan Bylaw

Bylaw No.: NP-223

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 26-May-2022

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web: 27-May-2022

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: 27-Apr-2023

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: 26-Apr-2023

Second Publish Date: 03-May-2023

Alternate Paper: The Pender Post

First Publish Date: 01-May-2023

Second Publish Date:

Mailout Date:

Delivery Notices:

Second Reading Date: 01-Sep-2022

Date Public Hearing Held: 13-May-2023

Third Reading Date: 13-May-2023

Bylaw: NP-224

Trust Area: North Pender Island Local Trust Committee
Type: Land Use Bylaw
Bylaw No.: NP-224
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 26-May-2022

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 30-May-2022

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: 27-Apr-2023

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: 26-Apr-2023

Second Publish Date: 03-May-2023

Alternate Paper: The Pender Post
First Publish Date: 01-May-2023

Second Publish Date:

Mailout Date:
Second Reading Date: 01-Sep-2022

Delivery Notices:
Date Public Hearing Held: 13-May-2023
Third Reading Date: 13-May-2023

Bylaw: NP-229

Trust Area: North Pender Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: NP-229

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 25-Jul-2022

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web: 29-Jul-2022

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: 27-Apr-2023

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: 26-Apr-2023

Second Publish Date: 03-May-2023

Alternate Paper: The Pender Post

First Publish Date: 01-May-2023

Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held: 13-May-2023

Second Reading Date: 01-Sep-2022

Third Reading Date: 13-May-2023

Referrals: Bylaw NP-223

Agency	Sent	Received
BC Assessment Authority <i>Policy, Audit and Legal Services: Cathie McIntyre</i>	25-Jul-2022	
Bylaw Enforcement <i>Islands Trust: Warren Dingman</i>	25-Jul-2022	
Capital Regional District - All Referrals Aggie Chan and Jessica Arnet <i>625 Fisgard Street: Aggie Chan</i>	25-Jul-2022	
Cowichan Tribes <i>5760 Allenby Rd: Tracey Flemming</i> <i>Comment: No Comment Received</i>	25-Jul-2022	
Halalt First Nation <i>7973 Chemainus Rd: Raven August</i> <i>Comment: No Comment Received</i>	25-Jul-2022	
Lake Cowichan First Nation <i>313B Deer Road: Carole Livingstone</i> <i>Comment: This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.</i>	25-Jul-2022	29-Nov-2022
Lyackson First Nation <i>8017 Chemainus Road: Linda Aidnell</i> <i>Comment: With respect to Bylaw 223, Lyackson First Nation has the following broad concerns: - The proposed Bylaw does not take into consideration UNDRIP, nor the desires for Indigenous Nations to be the stewards of their own territories; - The proposed bylaw does not appear to specifically consider and support the housing needs of local Indigenous peoples; and, - Lyackson First Nation is opposed to the creation of additional private moorages.</i>	25-Jul-2022	10-Aug-2022
Malahat First Nation <i>110 Thunder Road, RR4: Heather Adams</i>	25-Jul-2022	06-Sep-2022

Referrals: Bylaw NP-223

Agency	Sent	Received
<i>Comment:</i> 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 proposed bylaw.		
Mayne Island Local Trust Committee <i>Islands Trust:</i> Jas Chonk <i>Comment:</i> Interests unaffected.	25-Jul-2022	26-Sep-2022
Ministry of Forests, Lands, Natural Resource Operations and Rural Develo - Crown Lands and Resources <i>1080-A Labieux Road:</i> Mark Harvey <i>Comment:</i> We have no concerns regarding proposed Bylaws 223, 224 and 229.	25-Jul-2022	02-Aug-2022
Ministry of Municipal Affairs and Housing <i>Planning and Land Use Management:</i> Ron Burleson	25-Jul-2022	
Pauquachin First Nation <i>9010 West Saanich Road:</i> Darlene Henry <i>Comment:</i> No Comment Received	25-Jul-2022	
Pender Island Parks and Recreation Commission <i>PO Box 86:</i> Tom Bell	25-Jul-2022	
Penelakut Tribe <i>Box 360:</i> Denise James <i>Comment:</i> No Comment Received	25-Jul-2022	
Salt Spring Island Local Trust Committee <i>1 - 500 Lower Ganges Road:</i> Peter Luckham <i>Comment:</i> Interests Unaffected by Bylaw.	25-Jul-2022	12-Sep-2022
Saturna Island Local Trust Committee <i>200 - 1627 Fort Street:</i> Jas Chonk	25-Jul-2022	
Semiahmoo First Nation <i>16049 Beach Rd:</i> Chief & Council <i>Comment:</i> No Comment Received	25-Jul-2022	
Snuneymuxw First Nation <i>668 Centre Street:</i> Desiree Thomas	25-Jul-2022	26-Apr-2023

Referrals: Bylaw NP-223

Agency	Sent	Received
<i>Comment:</i> Thank you for referral details and application information. Currently, Snuneymuxw First Nation defers comments regarding the above-mentioned referral. Snuneymuxw's deferral is only applicable to initial notification and not transferrable. Furthermore, Snuneymuxw's deferral is not an acknowledgment of any potential impacts or infringements to the Snuneymuxw Treaty of 1854, Aboriginal rights, or title. It is not a derogation or interpretation of Snuneymuxw's treaty rights. Snuneymuxw First Nation reserves the right to review this deferral if new information arises. Please feel free to contact our Referrals Clerk at landsclerk@snuneymuxw.ca if you have any questions.		
South Pender Island Local Trust Committee 200 - 1627 Fort Street: Jas Chonk <i>Comment:</i> Interests unaffected.	25-Jul-2022	04-Nov-2022
Stz'uminus First Nation 12611A Trans Canada Hwy: Chenoa Akey	25-Jul-2022	
Tsartlip First Nation PO Box 70: Karen Harry <i>Comment:</i> No Comment Received	25-Jul-2022	
Tsawout First Nation Box 121: Cathy Webster <i>Comment:</i> No Comment Received	25-Jul-2022	
Tsawwassen First Nation 1926 Tsawwassen Drive: Victoria Williams <i>Comment:</i> No Comment Received	25-Jul-2022	
Tseycum First Nation 1210 Totem Lane: Chief Tanya Jimmy <i>Comment:</i> No Comment Received	25-Jul-2022	
WSANEC WSANEC Leadership Council Society: Joni Olsen	25-Jul-2022	



Base Bylaw - NP-224

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Print Report

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Agricultural Land Commission Rm. 133 4940 Canada Way: Bednard, Gordon Comments: ALC Staff Comments: ALC staff note that Section 3.3. "Siting and Setback Regulations" do not require the siting of a residential dwelling 30 meters from the ALR boundary. This is the best practice outlined in the Ministry of Agriculture Publication "Guide to Edge Planning" in order to minimize residential/farm conflicts. It is suggested that the bylaw be amended to reflect this recommendation. Section 3.13: Agri-Tourism and Agri-Tourist Accommodation Regulations - ALC staff find the Section 3.13 regulations outlined in the draft Bylaw to be consistent with the ALC Regulations. Schedule B Zoning Map - ALC staff confirm that the ALR is primarily designated as a single (AG) zone (with some exceptions*), as recommended, to ensure consistency of bylaw regulations in the ALR. (*these exceptions are understood to be subject to ALC application/reconsideration at this time) Section 5.6 Agriculture (AG) zone - ALC staff confirm that the permitted uses outlined in the AG zone are consistent with uses permitted in the ALC Act and Regulations. ALC staff also commend the Islands Trust on the large minimum lot size of 16 ha. This contrasts favourably with other minimum lot sizes permitted in the ALR in other South West BC local government Zoning Bylaws. However, be advised that Bylaw minimum lot sizes do not compel or require the ALC to make decisions consistent with the Bylaw minimums when subdivision applications are submitted to the ALC. Each application is reviewed on its merits within the context of the goals and purposes of the ALR Act. Additionally the following is noted under (9): "Despite Subsection 5.3(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 reconstructed 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. " The ALC Act does not support reconstruction of "legal" additional dwellings in the ALR that predate its 2019 legislative amendments. As such it is required that the section be eliminated or re-written/amended to clarify that in the ALR this provision does not apply. 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. 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.	25-Jul-2022	28-Jul-2022	
BC Assessment Authority Policy, Audit and Legal Services: McIntyre, Cathie Comments:	25-Jul-2022		
Bylaw Enforcement Islands Trust: Dingman, Warren Comments:	25-Jul-2022		
Capital Regional District - All Referrals Aggie Chan and Jessica Arnet 625 Fisgard Street: Chan, Aggie Comments:	25-Jul-2022		
Cowichan Tribes 5760 Allenby Rd: Flemming, Tracey Comments: No Comment Received	25-Jul-2022		
Halalt First Nation 7973 Chemainus Rd: August, Raven Comments: No Comment Received	25-Jul-2022		
Lake Cowichan First Nation 313B Deer Road: Livingstone, Carole Comments: This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or	25-Jul-2022	29-Nov-2022	

Agency	Sent	Received	View
decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.			
Lyackson First Nation 8017 Chemainus Road: Aidnell, Linda Comments: No Comment Received	25-Jul-2022		
Magic Lake Estates Water & Sewer Local Services Committee 479 Island Highway: Robbins, Ted Comments: There is no need for a limit on square footage of residential buildings as this limitation is already addressed under current bylaw(s). An important reason for undertaking the rezoning of Magic Lake was to provide more flexible criteria and process in approving secondary suites in residential and/or accessory buildings. This is not the case and, therefore, the MLPOS does not see the need to proceed with Bylaw 224 until it addresses this issue. There are very few waterfront lots in Magic Lake where docks are practical that don't already have them. Those properties in that situation should not be treated any differently than their neighbours. Therefore we feel that, in RR1, there should be no limit on docks and stairwells. There should be no restrictions specifically on yacht clubs and marinas for Pender Island organizations. Livestock, as defined in Bylaw 224, are not desired in Magic Lake and references need to be removed. This objection does not include chickens.	25-Jul-2022	23-Aug-2022	
Malahat First Nation 110 Thunder Road, RR4: Adams, Heather Comments: 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 proposed bylaw.	25-Jul-2022	06-Sep-2022	
Mayne Island Local Trust Committee Islands Trust: Chonk, Jas Comments: Interests unaffected.	25-Jul-2022	26-Sep-2022	
Ministry of Agriculture Capital Region - Southern Gulf Islands: Bisschop, Lindsay Comments: See EDM folder for response.	25-Jul-2022	31-Aug-2022	
Ministry of Forests, Lands, Natural Resource Operations and Rural Develo - Crown Lands and Resources 1080-A Labieux Road: Harvey, Mark Comments: We have no concerns regarding proposed Bylaws 223, 224 and 229.	25-Jul-2022	02-Aug-2022	
Ministry of Municipal Affairs and Housing Planning and Land Use Management: Burleson, Ron Comments:	25-Jul-2022		
Ministry of Transportation and Infrastructure Ministry of Transportation and Infrastructure: Page, Owen Comments: Interests Unaffected by Bylaw.	25-Jul-2022	04-Oct-2022	
Pauquachin First Nation 9010 West Saanich Road: Henry, Darlene Comments: No Comment Received	25-Jul-2022		
Pender Island Fire Rescue PO Box 61: Boyte, Charlie Comments:	25-Jul-2022		
Pender Island Parks and Recreation Commission PO Box 86: Bell, Tom Comments:	25-Jul-2022		
Penelakut Tribe Box 360: James, Denise Comments: No Comment Received	25-Jul-2022		
Razor Point Improvement District 6612A Harbour Hill Road: Improvement District, Razor Point Comments:	25-Jul-2022		
Salt Spring Island Local Trust Committee 1 - 500 Lower Ganges Road: Luckham, Peter Comments: Interests Unaffected by Bylaw.	25-Jul-2022	12-Sep-2022	

Agency	Sent	Received	View
Saturna Island Local Trust Committee 200 - 1627 Fort Street: Chonk, Jas Comments:	25-Jul-2022		
Semiahmoo First Nation 16049 Beach Rd: Council, Chief & Comments: No Comment Received	25-Jul-2022		
Snuneymuxw First Nation 668 Centre Street: Thomas, Desiree Comments: Thank you for referral details and application information. Currently, Snuneymuxw First Nation defers comments regarding the above-mentioned referral. Snuneymuxw's deferral is only applicable to initial notification and not transferrable. Furthermore, Snuneymuxw's deferral is not an acknowledgment of any potential impacts or infringements to the Snuneymuxw Treaty of 1854, Aboriginal rights, or title. It is not a derogation or interpretation of Snuneymuxw's treaty rights. Snuneymuxw First Nation reserves the right to review this deferral if new information arises. Please feel free to contact our Referrals Clerk at landsclerk@snuneymuxw.ca if you have any questions.	25-Jul-2022	26-Apr-2023	
South Pender Island Local Trust Committee 200 - 1627 Fort Street: Chonk, Jas Comments: Interests unaffected.	25-Jul-2022	04-Nov-2022	
Stz'uminus First Nation 12611A Trans Canada Hwy: Akey, Chenoa Comments:	25-Jul-2022		
Trincomali Improvement District 7903 Trincoma Place: MacDonald, Mel Comments:	25-Jul-2022		
Tsartlip First Nation PO Box 70: Harry, Karen Comments: No Comment Received	25-Jul-2022		
Tsawout First Nation Box 121: Webster, Cathy Comments: No Comment Received	25-Jul-2022		
Tsawwassen First Nation 1926 Tsawwassen Drive: Williams, Victoria Comments: No Comment Received	25-Jul-2022		
Tseycum First Nation 1210 Totem Lane: Jimmy, Chief Tanya Comments: No Comment Received	25-Jul-2022		
WSANEC WSANEC Leadership Council Society: Olsen, Joni Comments:	25-Jul-2022		
Save Update Cancel			

IP Address: 192.168.1.243
Tuesday May 16, 2023 10:33am

Referrals: Bylaw NP-229

Agency	Sent	Received
BC Assessment Authority <i>Policy, Audit and Legal Services: Cathie McIntyre</i>	25-Jul-2022	
Bylaw Enforcement <i>Islands Trust: Warren Dingman</i>	25-Jul-2022	
Capital Regional District - All Referrals Aggie Chan and Jessica Arnet <i>625 Fisgard Street: Aggie Chan</i>	25-Jul-2022	
Cowichan Tribes <i>5760 Allenby Rd: Tracey Flemming</i> <i>Comment: No Comment Received</i>	25-Jul-2022	
Halalt First Nation <i>7973 Chemainus Rd: Raven August</i> <i>Comment: No Comment Received</i>	25-Jul-2022	
Lake Cowichan First Nation <i>313B Deer Road: Carole Livingstone</i> <i>Comment: This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.</i>	25-Jul-2022	29-Nov-2022
Lyackson First Nation <i>8017 Chemainus Road: Linda Aidnell</i> <i>Comment: No Comment Received</i>	25-Jul-2022	
Malahat First Nation <i>110 Thunder Road, RR4: Heather Adams</i> <i>Comment: 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 proposed bylaw.</i>	25-Jul-2022	06-Sep-2022

Referrals: Bylaw NP-229

Agency	Sent	Received
Mayne Island Local Trust Committee <i>Islands Trust: Jas Chonk</i> <i>Comment: Interests unaffected.</i>	25-Jul-2022	26-Sep-2022
Ministry of Forests, Lands, Natural Resource Operations and Rural Develo - Crown Lands and Resources <i>1080-A Labieux Road: Mark Harvey</i> <i>Comment: We have no concerns regarding proposed Bylaws 223, 224 and 229.</i>	25-Jul-2022	02-Aug-2022
Ministry of Municipal Affairs and Housing <i>Planning and Land Use Management: Ron Burleson</i>	25-Jul-2022	
Ministry of Transportation and Infrastructure <i>Ministry of Transportation and Infrastructure: Owen Page</i> <i>Comment: Interests Unaffected by Bylaw.</i>	25-Jul-2022	04-Oct-2022
Pauquachin First Nation <i>9010 West Saanich Road: Darlene Henry</i> <i>Comment: No Comment Received</i>	25-Jul-2022	
Pender Island Parks and Recreation Commission <i>PO Box 86: Tom Bell</i> <i>Comment: I appreciate this opportunity to comment on Proposed Bylaw No. 229. Thank you for including the re-zoning of Magic Lake Park from Rural Residential to Community Park in this bylaw, as requested by the PIPRC. Although this property is actually a road allowance in the jurisdiction of the Ministry of Transport and Infrastructure, we have been maintaining this park area for many, many years. We have recently applied for an official License of Occupancy and expect to have that shortly. This, and the zoning change requested of the Islands Trust, will enable us to make some small improvements in this park. We have proposed the installation of a small dock at this site to make it easier for people to launch their canoes and rowboats and to minimize damage to the shore. We have done an Environmental Assessment which shows that this dock would have a very minimal impact on the flora and fauna of the area and that this impact can be minimized further by following several recommendations regarding construction and placement which were made by the biologist that did the report. If you have any questions about the PIPRC's plans for this park please get in touch any time.</i>	25-Jul-2022	29-Jul-2022
Penelakut Tribe <i>Box 360: Denise James</i> <i>Comment: No Comment Received</i>	25-Jul-2022	
Salt Spring Island Local Trust Committee <i>1 - 500 Lower Ganges Road: Peter Luckham</i> <i>Comment: Interests Unaffected by Bylaw.</i>	25-Jul-2022	12-Sep-2022
Saturna Island Local Trust Committee <i>200 - 1627 Fort Street: Jas Chonk</i>	25-Jul-2022	

Referrals: Bylaw NP-229

Agency	Sent	Received
Semiahmoo First Nation 16049 Beach Rd: Chief & Council Comment: No Comment Received	25-Jul-2022	
Snuneymuxw First Nation 668 Centre Street: Desiree Thomas Comment: Thank you for referral details and application information. Currently, Snuneymuxw First Nation defers comments regarding the above-mentioned referral. Snuneymuxw's deferral is only applicable to initial notification and not transferrable. Furthermore, Snuneymuxw's deferral is not an acknowledgment of any potential impacts or infringements to the Snuneymuxw Treaty of 1854, Aboriginal rights, or title. It is not a derogation or interpretation of Snuneymuxw's treaty rights. Snuneymuxw First Nation reserves the right to review this deferral if new information arises. Please feel free to contact our Referrals Clerk at landsclerk@snuneymuxw.ca if you have any questions.	25-Jul-2022	26-Apr-2023
South Pender Island Local Trust Committee 200 - 1627 Fort Street: Jas Chonk Comment: Interests unaffected.	25-Jul-2022	04-Nov-2022
Stz'uminus First Nation 12611A Trans Canada Hwy: Chenoa Akey	25-Jul-2022	
Tsartlip First Nation PO Box 70: Karen Harry Comment: No Comment Received	25-Jul-2022	
Tsawout First Nation Box 121: Cathy Webster Comment: No Comment Received	25-Jul-2022	
Tsawwassen First Nation 1926 Tsawwassen Drive: Victoria Williams Comment: No Comment Received	25-Jul-2022	
Tseycum First Nation 1210 Totem Lane: Chief Tanya Jimmy Comment: No Comment Received	25-Jul-2022	
WSANEC WSANEC Leadership Council Society: Joni Olsen	25-Jul-2022	



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: NP_6500_2020_LUB Review

File Name: Bylaw No. 223

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
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.
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
✓	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
✓	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

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



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: NP_6500_2020_LUB Review

File Name: Bylaw No. 224

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.

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- N/A if the policy is not applicable.

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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
✓	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
✓	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
✓	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.
✓	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.
✓	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
✓	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
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>



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: NP_6500_2020_LUB Review

File Name: Bylaw No. 229

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
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
✓	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	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
✓	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	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: 13-May-2023

Reading:

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 13-May-2023

Reading: 13-May-2023

Third Reading

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 13-May-2023

Reading:

First Nation Engagement

Referral of: North Pender Island Bylaw 223

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Halalt

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Ts'uubaa-asatx Nation (Lake Cowichan)

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
November 29, 2022	This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lyackson

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
August 10, 2022	Lyackson First Nation recognizes this referral as being in the Hul'qumi'num Treaty Group's Marine Statement of Intent area. As one of the five constituent members of the Quw'utsun Nation, Lyackson First Nation has had harvesting, hunting and culturally significant sites, trade, Nation to Nation relations and governance authority within this area since time immemorial. As you may be aware, we have never ceded title to the lands and waters of our territory.	JC

	Over the past decades, Lyackson First Nation has identified concerns with the Islands Trust's approach to referrals, including, among others, the adverse effects of your policies on our interests; the environmental, cultural and historical impacts to Lyackson's rights and interests related to development decisions; the lack of funding to support site visits, impact assessments and meaningful consultation on projects; our historical exclusion from our traditional territories (including in your decision-making and governance structures); and, the lack of cumulative effects assessment related to environmental, cultural, socioeconomic and historical values. This list is not exhaustive. It does not appear to us that your bylaw process is consistent with the Islands Trust Reconciliation Declaration, specifically Articles 29 and 32 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), as embedded in your Reconciliation Action Plan. Additionally, we would like to understand how this proposed bylaw takes into consideration Lyackson First Nation's previous feedback on similar referrals. With respect to Bylaw 223, Lyackson First Nation has the following broad concerns: • The proposed Bylaw does not take into consideration UNDRIP, nor the desires for Indigenous Nations to be the stewards of their own territories; • The proposed bylaw does not appear to specifically consider and support the housing needs of local Indigenous peoples; and, • Lyackson First Nation is opposed to the creation of additional private moorages.	
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Malahat

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
September 6, 2022	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 proposed bylaw.	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing..	JC

First Nation: Pauquachin

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Semiahmoo

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Snuneymuxw

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC
April 26, 2023	Thank you for referral details and application information. Currently, Snuneymuxw First Nation defers comments regarding the above-mentioned referral. Snuneymuxw's deferral is only applicable to initial notification and not transferrable. Furthermore, Snuneymuxw's deferral is not an acknowledgment of any potential impacts or infringements to the Snuneymuxw Treaty of 1854, Aboriginal rights, or title. It is not a derogation or interpretation of Snuneymuxw's treaty rights. Snuneymuxw First Nation reserves the right to review this deferral if new information arises.	JC

First Nation: Stz'uminus

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsartlip

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawout

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawwassen

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tseycum

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: WSANEC

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation Engagement

Referral of: North Pender Island Bylaw 224

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Halalt

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Ts'uubaa-asatx Nation (Lake Cowichan)

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
November 29, 2022	This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lyackson

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Malahat

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
September 6, 2022	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 proposed bylaw.	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Pauquachin

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Semiahmoo

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Snuneymuxw

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC
April 26, 2023	Thank you for referral details and application information. Currently, Snuneymuxw First Nation defers comments regarding the above-mentioned referral. Snuneymuxw's deferral is only applicable to initial notification and not transferrable. Furthermore, Snuneymuxw's deferral is not an acknowledgment of any potential impacts or infringements to the Snuneymuxw Treaty of 1854, Aboriginal rights, or title. It is not a derogation or interpretation of Snuneymuxw's treaty rights. Snuneymuxw First Nation reserves the right to review this deferral if new information arises.	JC

First Nation: Stz'uminus

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsartlip

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawout

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawwassen

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tseycum

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: WSANEC

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation Engagement

Referral of: North Pender Island Bylaw 229

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Halalt

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Ts'uubaa-asatx Nation (Lake Cowichan)

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
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April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lyackson

Date	Comment/Action	Initial
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First Nation: WSANEC

Date	Comment/Action	Initial
July 25, 2022	Sent Referral	JC
April 18, 2023	Sent Follow-up Email in regards to Public Hearing.	JC

PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 223

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

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

1. CITATION

This Bylaw may be cited for all purposes as “North Pender Island Official Community Plan Bylaw No. 171, 2007, Amendment No. 1, 2021”.

2. SCHEDULES

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

3. SEVERABILITY

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

READ A FIRST TIME THIS	11 TH	DAY OF	MARCH	2023.
READ A SECOND TIME THIS	11 TH	DAY OF	MARCH	2023.
PUBLIC HEARING HELD THIS	13 TH	DAY OF	MAY	2023.
READ A THIRD TIME THIS	13 TH	DAY OF	MAY	2023.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223**

SCHEDULE 1

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

1. By adding the following new policy to Section 2.1 Residential Land Uses:

“2.1.1 If the Local Trust Committee considers Development Variance Permit applications to vary the maximum floor area of residential dwellings, the following should be incorporated into the building proposal where feasible:

 - a) The design and construction of a dwelling should incorporate energy efficient features.
 - b) Installation of a freshwater collection and storage system with a minimum cistern storage capacity of 18,000 litres.
 - c) Buildings and other structures should utilize existing topography and vegetation to be sited in a manner that is relatively unobtrusive and blends into the surrounding landscape.
 - d) Limit site coverage of impermeable surfaces.
 - e) New buildings should be sited in a manner that results in minimal disturbance to existing vegetation and unnecessary removal of trees should be avoided.
 - f) Avoid locating development in areas containing important, rare or fragile sensitive ecosystems or habitat where reasonable alternative sites exist.
 - g) Maximize undisturbed areas and consider measures for protect sensitive ecosystems.
 - h) Use of drought resistant and native plants in landscaping should be encouraged. The planting or introduction of non-native plants should be avoided.”

2. By adding the following new polices to Section 2.3 Community Service Land Uses:

“2.3.31 The Local Trust Committee will encourage multi-family rental dwellings that are limited to residential rental tenure.

2.3.32 Zoning should regulate the density, size and siting of multi-family rental dwelling units in order to maintain rural character.

2.3.33 Developments shall be encouraged to incorporate water conservation measures and energy efficient building design elements.

2.3.34 Applications for rezoning to a higher density to permit multi-family dwelling units may only be supported by the Local Trust Committee if there is adequate quality and quantity of freshwater.

2.3.35 Multi-family rental dwellings should be located in close proximity and accessible to existing roads, transportation and services.”

3. By adding the following new policy to Section 4.2 Coastal Area Policies:

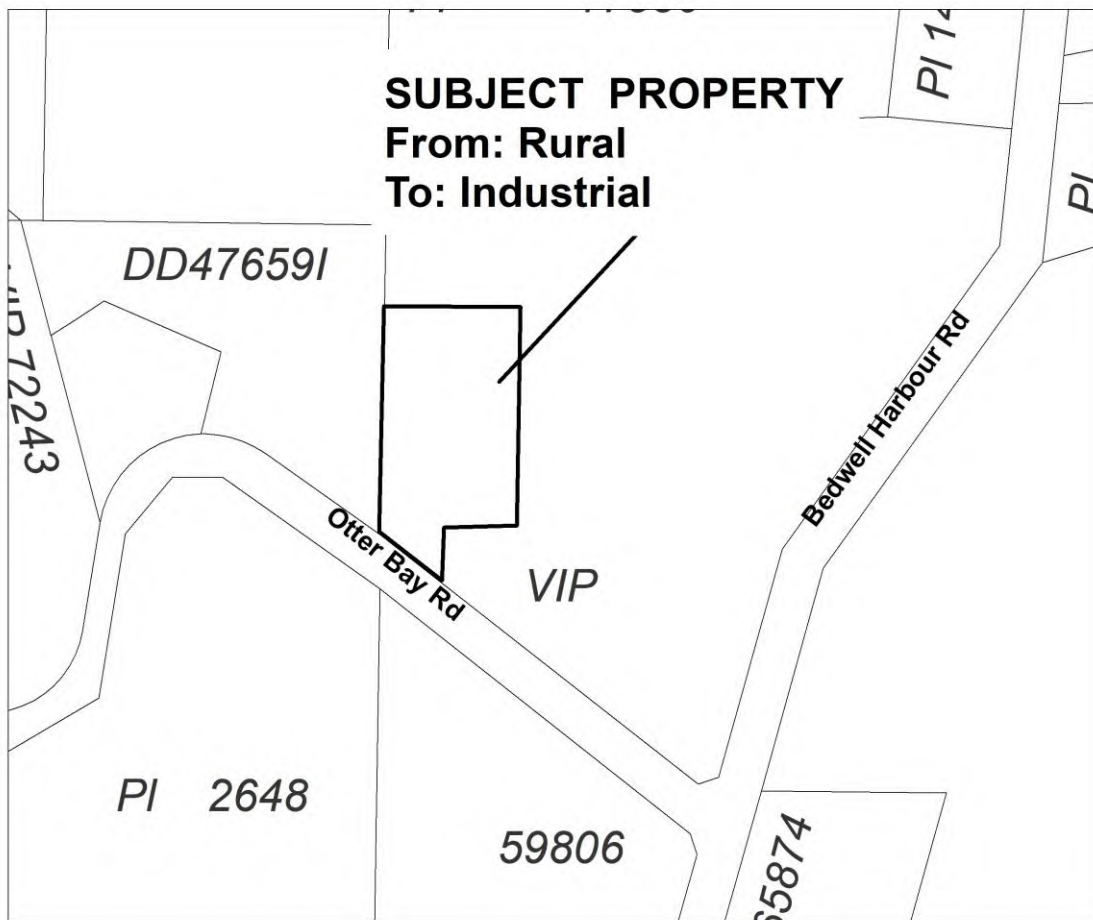
“4.2.11 Existing private moorage for docks permitted on a site-specific basis in those areas designated as Marine (M) on Schedule “B”. New applications for private moorage for docks may be considered by site-specific rezoning subject to:

 - a) the proposal demonstrating minimal impacts on the marine environment, including eelgrass, bull kelp, forage fish, or other important habitat;

- b) the proposal demonstrating minimal impacts on upland sensitive ecosystems or habitat;
 - c) the proposal demonstrating no impacts on archaeological or cultural sites or resources;
 - d) structures being appropriately sited and of a scale to minimize visual impacts;
 - e) structures incorporating current best practices for dock construction;
 - f) consideration being given to providing for shared or common moorage; and
 - g) consideration being given to the cumulative impacts of private moorage.”
4. Schedule “B” – LAND USE MAP is amended as shown on Plan Nos. 1, 2, 3 4, and 5 attached to and forming part of this bylaw.

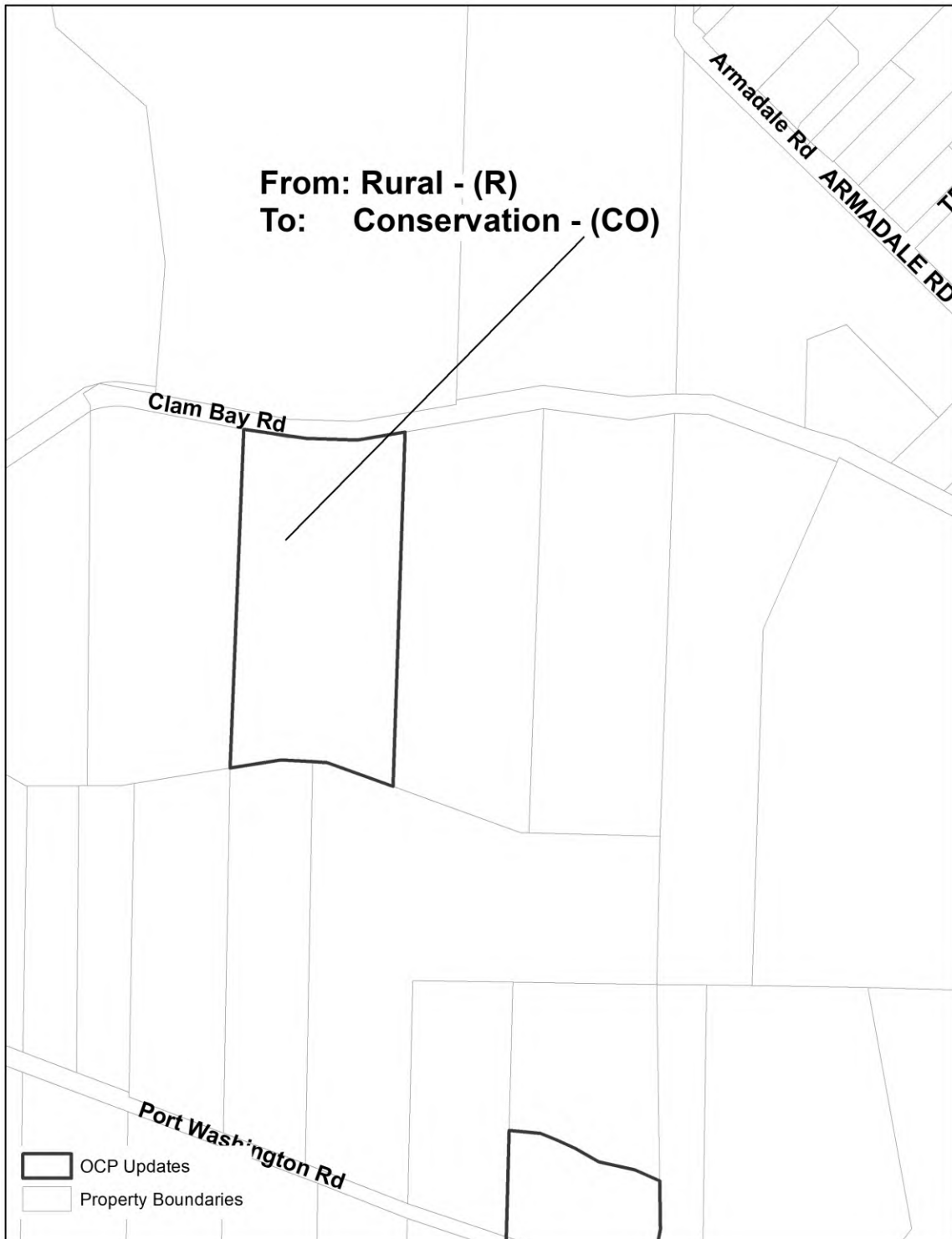
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 1



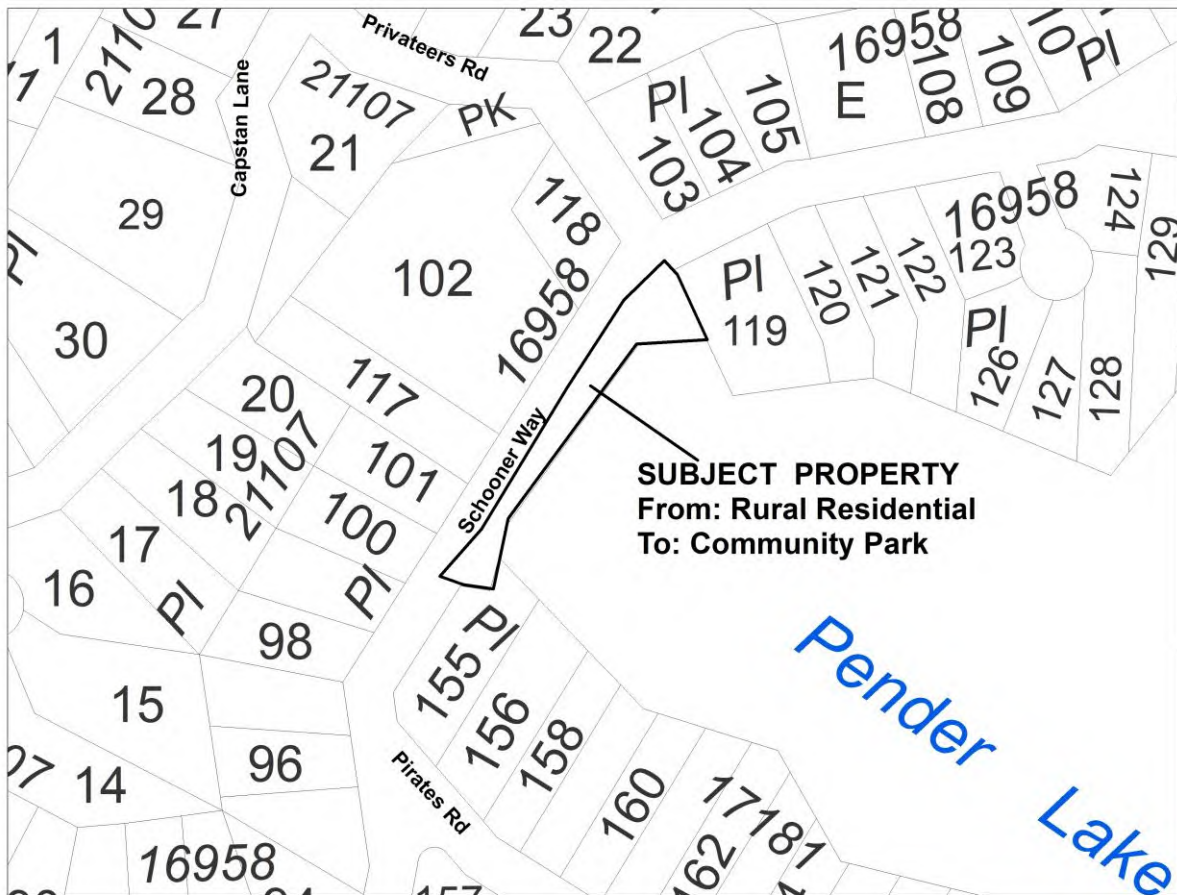
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 2



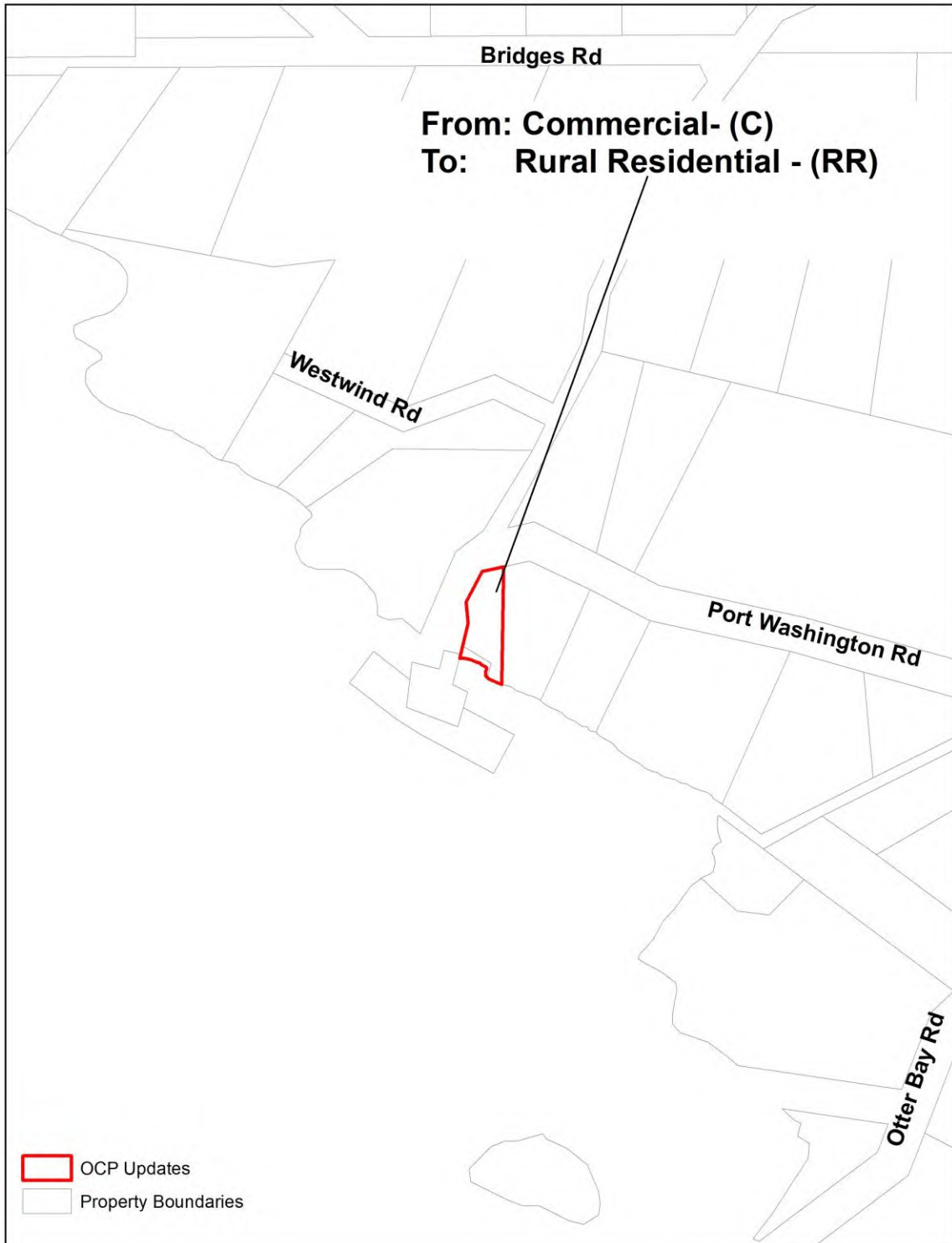
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 3



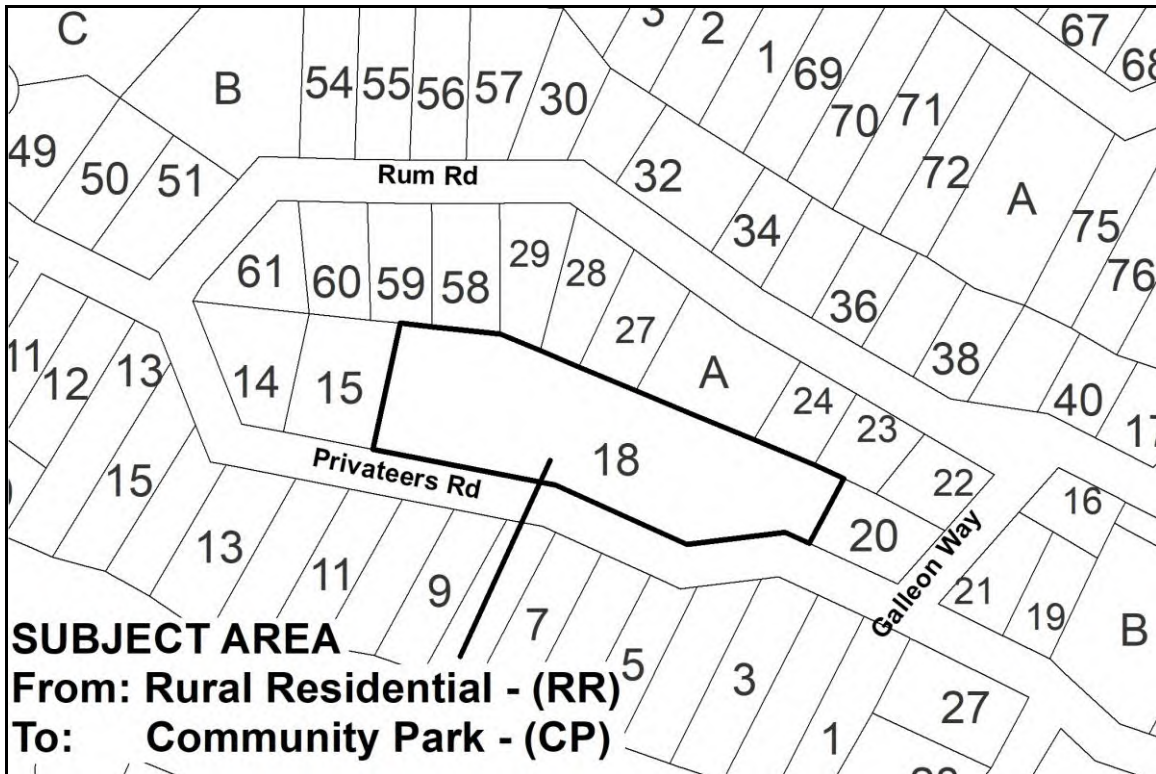
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 4



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 223

PLAN NO. 5





PROPOSED

NORTH PENDER ISLAND LAND USE BYLAW No. 224, 2022

Consolidation as of: ____, 202__

Note: Items in italics are explanatory notes to the template and are not intended to form part of any LUB

Table of Amendments		
Bylaw No.	Date of Adoption	Date of Bylaw Consolidation

**NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
LAND USE BYLAW No. 224, 2022**

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

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

AND WHEREAS the North Pender Island Local Trust Committee wishes to adopt a Land Use bylaw and other development regulations and to show by map the boundaries of the zones;

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

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

1. This Bylaw may be cited for all purposes as the “North Pender Island Land Use Bylaw No. 224, 2022”.
2. The following schedules attached hereto are hereby made part of this Bylaw and adopted as the Land Use Bylaw for that part of the North Pender Island Local Trust Area as shown on Schedule C:
 - (1) Schedule A (Land Use Bylaw Text)
 - (2) Schedule B (Zoning Map)
 - (3) Schedule C (Bylaw Area Map)
 - (4) Schedule D (Detailed Plans – R(b) Siting Plan)
 - (5) Schedule E (Detailed Plans – W3(a) Sewall Plan)
 - (6) Schedule F (Comprehensive Development Zones – Plan CD1(a))
3. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.
4. Bylaw No. 103 cited “North Pender Island Land Use Bylaw 103, 1996” and all of its amendments are repealed.

READ A FIRST TIME this 11th day of March , 2023.

READ A SECOND TIME this 11th day of March , 2023.

PUBLIC HEARING HELD this 13th day of May , 2023.

READ A THIRD TIME this 13th day of May , 2023.

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this
day of , 202_

ADOPTED this day of , 202_

SECRETARY

CHAIRPERSON

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PART 1 INTERPRETATION

1.1 Definitions

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

"accessory" in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot or, if the accessory use, building or structure is located on the common property in a bare land strata plan, on a strata lot in that strata plan.

"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 working farm operation for the purpose of accommodating commercial guests within specific structures on specific portions of a parcel of land.

"agriculture" means the use of land, buildings or structures for a farm operation.

"animal enclosure" means a pen or fenced area used for non-grazing in which animals are confined.

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

"aquifer" means a geological formation; or a group of geological formations, or a part of one or more geological formations that is groundwater bearing and capable of storing, transmitting and yielding groundwater.

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

"buffer area" means an area of a campground in which no camping space, service building, parking area, recreational vehicle sewage disposal station, or recreation area other than a waterfront recreation area is located.

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

"cafe" means a restaurant in which the service of alcoholic beverages is not provided.

"camp facility" means lands, buildings, and structures used periodically for eating, sleeping, recreation and education activities serving the needs of organizations or large groups and not intended for commercial guest accommodation or use by the travelling public.

"campground" means premises developed for the provision of commercial accommodation to campers in recreational vehicles and tents, for a maximum period of 21 consecutive days at any one camping space and 3 months in any calendar year in any one campground.

"camping space" means an area of a campground developed or laid out for the accommodation of a recreational vehicle or a maximum of two tents.

"community water system" means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, a regional district, a water utility, a

society, or a water supplier.”

“composting facility” means the use of land, buildings or structures for processing organic matter through the biological decomposition of organic materials in accordance with the *Environmental Management Act*, *Public Health Act*, *Organic Matter Recycling Regulation*, and the Capital Regional District Composting Facilities Regulation Bylaw.

“contractor yard” means the use of land, buildings, or structures for the storage of materials, equipment, and vehicles for a building, construction, landscaping business, or other trades.

“construction trailer” means a non-residential building which is manufactured and pre-assembled, which is designed to be moved from one place to another and which is designed not to be supported on a permanent foundation.

“cottage” means a dwelling with a limited floor area that is located on the same parcel as another dwelling.

“dock” means a structure or set of structures, accessory to an abutting upland lot, and may consist of a ramp, walkway, and float, constructed on or over the water that is connected to the shore, and that is used for the purpose of mooring private boats and for providing pedestrian access to and from the moored boats.

“dwelling” means a building used as a residence for a single household and containing a single set of facilities for food preparation and eating, sleeping and living areas.

“Engineer” means a member of the Association of Professional Engineers and Geoscientists of British Columbia.

“employee housing” means the use of a dwelling, either in a separate building or within a portion of a building, for occupation solely by an employee of a principal use on the same lot or premises, or by an individual related by blood, adoption, common-law marriage, foster parenthood to such an employee, or cohabiting with such an employee in a spousal relationship.

“Farm operation” means a farm use as defined under the *Agricultural Land Commission Act*.

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

“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.

“ferry terminal” means the use of land or water for marine ferry operations, including slips and marine structures, the embarkation/disembarkation of passengers and vehicles, terminal buildings, storage, vehicular queuing areas approaching the ferry slips, accessory vehicle storage, and accessory commercial services.

“float” means a floating non-roofed structure that is used as a landing or moorage place for marine transport or for recreational purposes and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea bed.

“floor area” means the total area of all storeys of a building measured to the interior surface of the exterior walls, exclusive of any floor area occupied by any cistern used for the collection of rainwater for domestic use or fire protection, and for this purpose, all areas of a building having a floor and a ceiling of at least 1.5 metres apart constitute a storey.

“floor area ratio” means the figure obtained by dividing the total floor area of all buildings and structures on a lot by the total lot area.

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

"Groundwater" means water naturally occurring below the surface of the ground.

"Guidelines for Canadian Drinking Water Quality" means the current edition of the publication of that name published by Health Canada.

"hazardous waste" means any chemical compound, mixture, substance or article which is defined as a hazardous waste in the *Hazardous Waste Regulation* enacted under the *Environmental Management Act*.

"height" means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls. In the case of buildings and structures on the surface of water, average natural grade shall be the natural boundary for a building or structure fixed to the bed of the water and the watermark of any floating building or structure. In the case of a fence, height means the vertical distance between the top of the fence and the grade at any point along the fence.

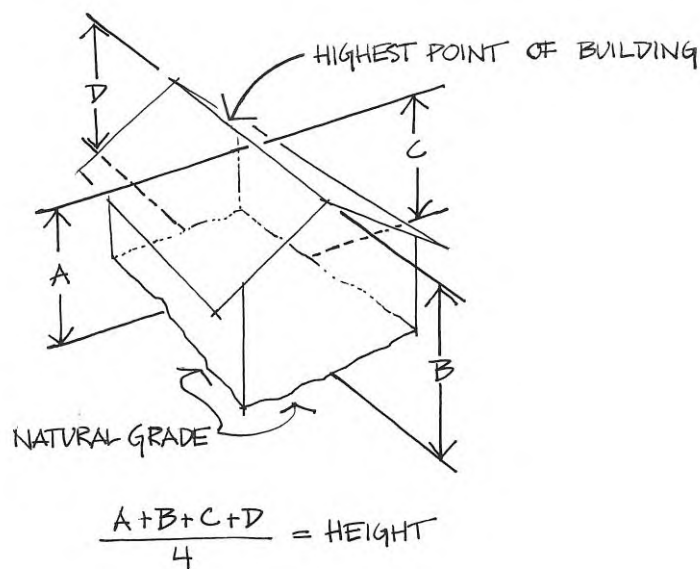


Figure 1-1 Illustration of calculation of height

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

"home business" means an accessory commercial use conducted on a residential lot and includes: short term vacation rentals, bed and breakfast and any profession, trade, business, artistic endeavour, where such activities are clearly accessory to a principal residential use.

"horticulture" means the use of land for the rearing of plants.

"Hydrogeologist" means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the *Professional Governance Act*, Engineers and Geoscientists Regulation.

"impermeable material" means buildings, structures, asphalt, concrete, brick, stone, and wood, grouted pavers and other surfaces that prevent water from penetrating into the ground beneath. Impermeable material does not include gravel, wood chips, bark mulch, soil pavement, wood decking with spaced boards,

and other materials which have permeable characteristics when in place and are not placed on a layer of material that is impenetrable by water such as plastic sheeting.

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

"landscape strip" means natural vegetation, trees, shrubs, fencing, or a combination of those elements, broken only by necessary access ways for pedestrians and vehicles and serving to protect the natural environment and prevent hazardous conditions.

"livestock" means grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, horses, goats, sheep, hogs, llamas, and alpacas.

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

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

"lot coverage" means the total area of those portions of a lot that are covered by buildings and structures, divided by the area of the lot, and for this purpose the area of a lot that is covered by a building or structure is measured to the drip line of the roof and "structures" includes impermeable material.

"lot line" means the boundary of a lot as shown on a plan of survey registered with the BC Land Titles Office, or the boundary of a lot as otherwise described under the *Land Title Act*; and

"front lot line" means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines the shortest (other than corner cuts) is deemed the front lot line;

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

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

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

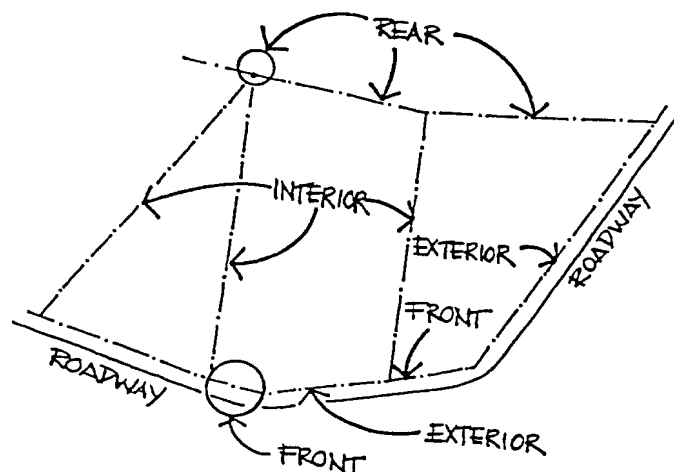


Figure 1-2 Illustration of lot lines

"manufacturing" means an industrial use involving the fabrication or assembly of articles or materials into new products.

"marina" means the use of a water area for the temporary storage of boats and includes the installation of docks, floats, wharves, ramps and walkways, breakwater, marine sewage pump-out stations and the provision of wharfage services to the boating public.

"marine geothermal loop" means a renewable geoexchange system (geothermal heat exchange) utilizing the natural occurring temperature of the ocean for the purpose of heating and cooling that:

- a. is a closed-loop system using only freshwater as the circulating heat transfer fluid,
- b. meets or exceeds the Canadian CSA design standards CAN/CSA-448-02, as amended from time to time, and
- c. is designed and installed by a Registered System Designer accredited by the Canadian Geoexchange Coalition, or the International Ground Source Heat Pump Association."

Information Note: *Installation of marine geothermal loops are also required to obtain the necessary permits or approvals from provincial and federal agencies.*

"mobile home" means a dwelling suitable for year-round occupancy, designed, constructed or manufactured to be moved from one place to another by being towed or carried and meets a minimum CSA-Z240 standard.

"moorage" means the tying or securing of a vessel to a fixed structure or mooring buoy.

"multiple-family dwelling" means a building used as a residence for two or more households.

"multiple-family rental dwelling" means residential use of attached dwelling units that are limited to residential rental tenure.

"multiple-family rental dwelling unit" means the use of a portion of a multi-family rental dwelling by a single household and is limited to residential rental tenure.

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

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

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

"personal service" means a commercial use of a building in which services are provided to the body or the clothing of a person, but does not include laundromats and dry cleaners.

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

"potable" means water that is safe to drink, fit for domestic purposes and meets the Health Canada Guidelines for Canadian Drinking Water Quality or any guidance documents or legislation which may be enacted in substitution."

"principal" in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot.

"pump/utility shed" means an accessory building containing only equipment for pumping and processing of water or sewage, or electrical equipment and communication service equipment.

"pumping test" means a flow test to determine the long-term sustainable yield of a well, conducted under supervision of a hydrogeologist, and that is consistent with the British Columbia Guide to Conducting Pumping Tests, Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia, other guidance documents which may be issued, applicable legislation, and consists of pumping groundwater from a well typically for 12 to 72 hours depending on *aquifer* characteristics.

"recreational vehicle" means a tent trailer, travel trailer, motor home or other self-propelled vehicle containing sleeping, cooking and sanitary facilities, but does not include a mobile home or manufactured home.

"recycling and reuse facility" means the use of land, *buildings* or *structures* for receiving, storing, sorting, compacting and transferring recyclable materials that originate from residential, commercial, institutional, demolition or construction sources, and includes public drop off.

"residential rental tenure" means the granting of a right to occupy a dwelling unit as living accommodation where the minimum occupancy period is thirty consecutive days, and where the dwelling unit is not owned by a dwelling unit occupant, but where regular payments are made to the owner for the use of the dwelling unit.

"restaurant" means the use of a building for the serving of meals and alcoholic beverages, and with a food-primary license.

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

"roadway" means the travelled portion of a highway.

"school" means a public or private educational institution that does not include residential accommodation or dormitories.

"secondary suite" means an accessory, self-contained dwelling, located within the principal dwelling on a lot and having a lessor floor area than the principal dwelling.

"setback" means the horizontal distance that a building or structure must be sited from a specified lot line, building or feature.

"short-term vacation accommodation" means the use of a dwelling or cottage, or a portion of a dwelling or cottage, as temporary commercial accommodation for a period of less than a month at a time by persons, other than the owner or a permanent occupier. For this purpose, a dwelling or *cottage* used as *short term vacation rental* shall be considered an accessory *home business*.

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

"structure" means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, but excludes fences, septic fields, concrete and asphalt paving, or similar surfacing of the land.

"tourist accommodation" means the provision of temporary accommodation for travellers in the form of successive occupancy by different persons where the same person shall not occupy any unit for a time period exceeding 30 days in any calendar year.

"tourist accommodation unit" means a detached cabin, a room, or a suite of rooms providing tourist accommodation.

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

"utility" means broadcast transmission, electrical, telecommunications, sewer or water services and facilities established or licensed by a government, or government agency, excluding private radio or television antennae, and includes navigational aids.

"waste transfer facility" means the use of a site, *buildings* and *structures* for receiving, storing, compacting, sorting, and transferring solid waste that originates from residential, commercial, institutional, demolition or construction sources, and includes public drop off.

"wetland" means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions supports, vegetation typically adapted for life in saturated soil conditions, including marshes, swamps and bogs.

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

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

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

1.2 Referencing

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

Part:	1
Section:	1.1
Subsection:	1.1(1)
Article:	1.1(1)(a)
Clause	1.1(1)(a)(i)

1.3 Units of Measure

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

1.4 Information Notes

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

PART 2 ADMINISTRATION

2.1 Application

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

2.2 Conformity

- (1) No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- (2) No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.
- (3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.
- (4) Any existing lot that is less than the minimum lot area specified in the applicable zone for the creation of new lots by subdivision may be used for any use permitted in that zone unless otherwise specified in this Bylaw.
- (5) No lot or area may be subdivided, no building, structure or land may be used, and no building or structure may be sited in a manner which renders any existing use, building or structure illegal or non-conforming

2.3 Inspection

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

2.4 Violation

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

2.5 Penalty

- (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty as provided in the *Offence Act* and the costs of prosecution. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.6 Covenants

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

2.7 Owner's Cost

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

2.8 Enforcement of Siting Regulations

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

2.9 Repeal and Replacement

- (1) Where this bylaw refers to other acts or regulations which have been repealed, amended, revised or consolidated, the reference in this bylaw must be construed as being a reference to the substituted enactment relating to the same subject matter. If there are no provisions in the substituted enactments relating to the same subject matter, the former act or regulations are construed as remaining in effect.
- (2) Where this bylaw refers to other government departments, ministries or agencies which have had a change in title or name, the reference in this bylaw must be construed as being a reference to the substituted title(s) or name(s) of the government departments, ministries or agencies relating to the same subject matter.

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

Except where specifically prohibited, the following uses, building and structures are permitted in any *zone* except the Ecological (ECO) Zone:

- (1) *uses, buildings and structures*, which are *accessory* to a *principal* permitted use, building or structure on the same lot, including accessory horticulture;
- (2) parks other than playgrounds and playing fields, hiking and bicycling paths, horse riding trails and ecological reserves;
- (3) *Construction trailers* solely for construction purposes on a *lot* being developed, and for a period not to exceed the duration of such construction or for one year, whichever is less;
- (4) One *pump/utility shed* with a maximum floor area of 10 m²;
- (5) water supply facilities, including reservoirs, treatment plants, pumping stations and intake structures;
- (6) electricity and telephone lines for the distribution of service to North Pender Island or South Pender Island, and water and sewer service lines;
- (7) solar collectors in any land *zone* for the purposes of supplying power to the *lot* on which the *structure* is located;
- (8) wind generators in any land *zone* for the purposes of supplying power to the *lot* on which the *structure* is located;
- (9) the use of land under the *Private Managed Forest Land Act* for forest management activities related to timber production or harvesting;
- (10) where *agriculture* is permitted in any *zone*, *farm retail sales* is permitted if the *lot* has *Farm Status* or is located within the Agricultural Land Reserve, and the total indoor and outdoor floor area for the *farm retail sales* shall not exceed 300 m²; and,
- (11) despite Subsection 3.1(10), road-side produce stands not exceeding 10 m² in floor area and used for the selling of farm products that are grown or reared on the land upon which the stand is located.

3.2 Prohibited in All Zones

The following *uses*, *buildings* and *structures* are prohibited in every zone:

- (1) yacht clubs and *marinas* the use of which is restricted to members of a private club;
- (2) disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the Sewage Disposal Regulation or the *Waste Management Act*;
- (3) the disposal or storage of hazardous or toxic waste, other than the temporary storage of such waste in the Recycling Facility (RF) Zone and the General Industrial (GI) Zone, and for the purposes of this exception "temporary" means that not more than 6 months' accumulation of such waste may be stored;
- (4) fur farming, except as permitted in the Agricultural Land Reserve by a person licensed under the *Fur Farm Act*;
- (5) the sale and rental of personal watercraft;
- (6) derelict or abandoned docks, floats, ramps or walkways;
- (7) airport and airstrip facilities and related accessory buildings and structures; and
- (8) heliports and helipad, other than for emergency evacuation use.

Information Note: All aeronautics uses are federally regulated under the *Aeronautics Act*.

3.3 Siting and Setback Regulations

- (1) No *building* or *structure*, other than those in Subsection 3.3(2), may be sited, nor fill placed to support a *building* or *structure*, within:
 - (a) 15 metres upland of the *natural boundary* of the sea;
 - (b) 1.5 metres from the *natural boundary* of the sea as measured on the vertical plane; and,
 - (c) 7.6 metres upland of the *natural boundary* of a lake, wetland or stream,and for the purpose of this subsection paved areas of asphalt, concrete or similar material are "*structures*".
- (2) The following *buildings* or *structures* are exempt from Subsection 3.3(1):
 - (a) Walkways, stairs or a ramp accessory to a permitted private *dock* in the Water 1 or Water 6 Zones and stairs to access the foreshore with a width less than 1.2 metres and a length less than 3 metres;
 - (b) Anchor pads or abutments up to 1.5 metres in width for the purpose of securing a permitted private or community *dock* or wharf to the upland *lot*;
 - (c) *Pump/utility shed* with a *floor area* of 10 m² or less; and,
 - (d) Fences.

- (3) *Pump/utility sheds* with a floor area of 10 m² or less, and utility poles are exempt from the setback provisions specified in this Bylaw.
- (4) No sewage disposal field or septage pit used for agricultural, commercial or industrial purposes may be sited within 60 metres of the *natural boundary* of the sea, nor within 30 metres of the *natural boundary* of a lake, wetland, stream or domestic water source.
- (5) No mushroom barn, or animal enclosure used or intended to be used to confine more than 4500 kilograms of livestock, poultry or farmed game, may be sited within 30 metres of any *lot* line.
- (6) No permanent animal enclosure use may be sited within 7.6 metres of any *lot* line and no agricultural waste storage area may be sited within 15 metres of any *lot* line.
- (7) No commercial storage of petroleum, pesticide or other chemical is permitted within 30 metres of any domestic water source or well nor within 15 metres of the *natural boundary* of any lake, wetland, stream or the sea, and no such substance may be stored on North Pender Island unless the storage area is bermed or otherwise equipped to contain a spill of the entire quantity of the substance stored.
- (8) No automobile repair, commercial boat repair, or commercial boat building *use* may be sited within 50 metres of the *natural boundary* of any lake, wetland, stream, or Ecological (ECO) Zone.
- (9) All siting measurements must be made on a horizontal plane from the *natural boundary*, *lot line* or other feature specified in this Bylaw to the nearest portion of the *building* or *structure* in question.
- (10) Despite Subsection 3.3(9), chimneys, cornices, leaders, gutters, pilasters, belt courses, sills, bay windows, ornamental features, steps, eaves, sunlight control projections, canopies, balconies, or porches that project beyond the face of a *building*, the minimum distances to a *lot line* or a natural feature specified in this Bylaw may be reduced by not more than 0.6 metres, but such reduction applies only to the projecting feature.

3.4 Height Regulations

- (1) A *dwelling* or *cottage* must not exceed 9.7 metres in *height*.
- (2) *Agriculture buildings* and *structures* located in the Rural, Rural Comprehensive 1, Rural Comprehensive 2, and Agriculture *zones* where *Agriculture* is a *principal use* must not exceed:
 - (a) 10 metres in *height* and two storeys if located 30 metres or less from any *lot line*; or
 - (b) 15 metres in *height* and two storeys if located greater than 30 metres from any *lot line*.
- (3) An *accessory building* or *structure* may not exceed 4.6 metres in *height* and one storey, except for:
 - (a) a *cottage* which may not exceed 9.7 metres in *height* and two storeys;
 - (b) a *pump/utility shed*, which may not exceed 3 metres in *height*; or
 - (c) a *building* used for forestry purposes on land classified as managed forest land under the *Private Managed Forest Land Act*, which may not exceed 10 metres in *height* and two storeys.

- (4) The *height* regulations for *buildings* and *structures* specified elsewhere in this Bylaw do not apply to radio and television antennas for reception of signals by individual households, spires on a church or other religious *building*, chimneys, flag poles, lightning poles, fire and hose towers, *utility* poles, roof-mounted solar collectors, farm silos and grain bins, and water storage tanks in the Community Service (CS) Zone.

3.5 Accessory Uses, Buildings and Structures

- (1) A *building* or *structure* accessory to a *dwelling* may not be used for human habitation except as permitted by Subsection 3.5.3.
- (2) Unless a *building* or *structure* on a *lot* is attached to a *principal building* on the *lot* by a completely enclosed *structure* having walls, roof and floor, it is for the purposes of this Bylaw deemed not to be part of the *principal building*, but is deemed to be an *accessory building* or *structure*.
- (3) An *accessory building* or *structure* may be constructed or placed and occupied as a temporary *dwelling* prior to the construction of a *principal building* or *structure* on the same *lot* provided that a building permit has been issued for the *principal building* or *structure* and the water supply and sewage disposal facilities for the *principal building* or *structure* have been installed.
- (4) One *outbuilding* and one *pump/utility shed* may be constructed or placed on a *lot* prior to the construction of a *dwelling* on the same *lot*, subject to:
 - (a) the *floor area* not exceeding 10 m²;
 - (b) a maximum of one *outbuilding* per *lot*; and
 - (c) the *height* not exceeding 4.6 metres.
- (5) On a *lot* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, and Rural Comprehensive 2, a maximum of one (1) accessory shipping container is permitted if the *lot* is greater than 0.4 hectares in area.
- (6) Shipping containers must be screened from neighbouring lots, roads, or the sea by use of landscape screening in compliance with Subsection 3.9.1.

3.6 Fence Regulations

- (1) Fences shall be permitted in any *zone* and shall not exceed 3 metres in *height* within the required setback area.

3.7 Home Business Regulations

- (1) *Home businesses* must be conducted entirely within a *dwelling*, *cottage* or permitted *accessory building* except that this restriction does not apply to the use of land for a pottery kiln or for outdoor activities associated with a kindergarten, nursery school, daycare or *horticulture*.
- (2) With the exception of *short term vacation rentals*, the combined *floor areas* of all *home businesses* on a *lot* must not exceed 65 m², except for a *lot* located within the Agricultural Land Reserve, in which case the combined *floor area* must not exceed 100 m².
- (3) Except for the *retail sale* of goods produced, processed or repaired as part of a *home business*, and *retail sale* of articles directly related to a *personal service* provided as a *home business*, the following activities are not permitted:
 - (a) retail or wholesale selling of any product or material; and
 - (b) the serving of food or drink products on the lot as part of a *home business* except for *bed and breakfast home business* in which case a morning meal may be served to paying guests.
- (4) Not more than four persons per *lot* may be employed in any *home business* in addition to any residents of the lot in which such business is carried on, and at least one of the employees of a *home business* must live on the *lot*. In the case of a *short term vacation rental*, the operator or another person responsible for the *short term vacation rental* must live in a permitted *dwelling* or *cottage* on the *lot*.
- (5) Except for one unilluminated nameplate not exceeding 0.6 m² in area in respect of each *home business*, no *sign* or other advertising matter may be exhibited or displayed on the lot where a *home business* is conducted, and no exterior artificial lighting may be installed or operated on the *lot* for a purpose associated with a *home business*.
- (6) No storage of materials, commodities or finished products is permitted in connection with the operation of a *home business*, other than within a permitted *building* in which case the total *floor area* used for such storage must not exceed 65 m².
- (7) In addition to the off-street parking spaces required for the *dwelling* as required by this Bylaw, in no event fewer than two such additional spaces must be provided for patrons of a *home business*, but no such additional spaces are required if the nature of the *home business* is such that patrons do not call at the lot.
- (8) The following additional regulations apply to *bed and breakfast home businesses*:
 - (a) not more than six (6) guests may be accommodated at any one time;
 - (b) not more than three (3) bedrooms may be used to accommodate guests;
 - (c) in addition to the two (2) parking spaces required for the dwelling, one additional parking space for each bedroom used for bed and breakfast accommodation must be provided, despite Subsection 3.7.7;
 - (d) no rental of equipment or material is permitted except to registered guests; and,
 - (e) a bed and breakfast home business must be conducted solely within a principal dwelling or cottage.

- (9) The operator of every *home business* must comply with all licensing, health and other applicable regulations of the Province of British Columbia and the Capital Regional District, including building, public health, noise, air quality, and water quality regulations.
- (10) No vehicle or equipment used by, or in the conduct of, a *home business* shall be stored in a required front yard setback or in a required side yard setback without being screened from view.
- (11) No more than one *dwelling* or one *cottage* may be used for a *short term vacation rental* on a *lot*.
- (12) A *home business use* must not generate any noise in the course of its operations that may be heard at any *lot line*.

3.8 Home Industry Regulations

- (1) The following uses and no others are permitted as home industries:
 - (a) boat building and repair;
 - (b) automobile repair;
 - (c) sawmilling, planning and manufacturing of wood products;
 - (d) *contractor yards* providing service within the North Pender, South Pender, Saturna, Mayne, Galiano and Salt Spring Island Local Trust Areas;
 - (e) processing of raw materials of any kind harvested or extracted from within the North Pender, South Pender, Saturna, Mayne, Galiano or Salt Spring Island Local Trust Areas;
 - (f) design, fabrication and assembly of automated packaging machinery and equipment; and,
 - (g) welding, machining and fabrication.
- (2) Not more than one home industry may be conducted on a *lot*, the combined *floor areas* of all *buildings* and *structures* used in the home industry must not exceed 185 m², and areas used for outdoor storage in connection with the home industry must not exceed 930 m².
- (3) A home industry use:
 - (a) is not permitted on any *lot* less than 2 hectares in area;
 - (b) must be sited not less than 50 metres from any *lot line* and not less than 30 metres from any lake, wetland, stream or the sea;
 - (c) must be screened from view by a *landscape screen* from abutting *lots* and from public lands and public road rights of way;
 - (d) may only be operated between the hours of 8 am to 8 pm, Monday through Friday;
 - (e) must not generate any noise in the course of its operations that may be heard at any *lot line*;
 - (f) no more than 5 vehicles used in the home industry may be stored on the *lot*; and,
 - (g) no vehicle or equipment used by, or in the conduct of, a home industry shall be stored in a required front yard setback or in a required side yard setback without being screened from view.
- (4) Not more than four persons per *lot* may be employed in any home industry in addition to any residents of the premises in which such business is carried on, and at least one of the employees of a home industry must live on the premises.

- (5) Except for one unilluminated nameplate not exceeding 0.6 m² in area in respect of each home industry, no *sign* or other advertising matter may be exhibited or displayed on the *lot* where a home industry is conducted, and no exterior artificial lighting may be installed or operated on the *lot* for a purpose associated with a home industry.
- (6) In addition to the off-street parking spaces required for the *dwelling* as required by this Bylaw, in no event fewer than two such additional spaces must be provided for patrons of a home industry, but no such additional spaces are required if the nature of the home industry is such that patrons do not call at the premises.
- (7) The operator of every home industry must comply with all licensing, health and other applicable regulations of the Province of British Columbia and the Capital Regional District, including building, public health, noise, air quality, and water quality regulations.

3.9 Landscape Screening and Landscape Strips

- (1) If this Bylaw requires *landscape screening* of outdoor storage areas or other *uses* or *structures*, the screening may be broken only by necessary access, and must be provided in the form of:
 - (a) existing native vegetation that provide a complete and permanent visual screen around the *uses* or *structures*; or
 - (b) a row of drought tolerant native evergreen plants that will attain a sufficient height and density to provide a complete and permanent visual screen around the *uses* or *structures*, planted and maintained continuously.
- (2) If this Bylaw requires *landscape screening* separating *uses*, the screening must be provided along the required *lot lines*, broken only by driveways or walkways necessary for access, in the form of:
 - (a) existing native vegetation that provide a complete and permanent visual screen between the *uses* being separated, to a width of at least 1.5 metres on *lots* less than 0.4 hectares in area and to a width of at least 3 metres on *lots* equal to or greater than 0.4 hectares in area; or
 - (b) a row of drought tolerant native evergreen plants that will attain a sufficient height and density to screen the *use* or *structure*, planted and maintained continuously so as to provide a complete and permanent visual screen between the *lot* being screened and the adjacent *lots*.
- (3) If this Bylaw requires a *landscape strip* to be provided, existing native vegetation, at least 3 metres in width, adjacent to at least two of the *lot lines*, other than the *rear lot line*, must be retained as a *landscape strip* so as to provide environmental protection, broken only by driveways or walkways necessary for access and any clearing necessary for the construction and maintenance of fencing.

3.10 Secondary Suite Regulations

- (1) There is a maximum of one *secondary suite* permitted per lot.
- (2) A *secondary suite* shall be entirely located within the *building* that contains the *principal dwelling*.
- (3) The maximum *floor area* for a *secondary suite* is 90m² (968 ft²) and it must not exceed 40 per cent of the *floor area* of the *principal dwelling*.
- (4) The entrance to a *secondary suite* from the exterior of the *building* must be separate from the entrance to the *principal dwelling*.
- (5) A *secondary suite* must not be subdivided from the *principal dwelling* under the *Land Title Act* or the *Strata Property Act*.
- (6) A *secondary suite* may not be used as a *short term vacation rental* or a *bed and breakfast home business*.
- (7) A building permit for a *lot* outside a *community water system* shall not be issued for a *secondary suite* unless a freshwater catchment and storage system having a capacity of at least 18,000 litres is installed on the lot.

3.11 Cistern Requirements

- (1) A building permit for a *lot* outside a *community water system* shall not be issued for a new *building* to be used as a *dwelling*, including a *cottage*, unless a cistern (or combination of cisterns) is located on the *lot* for the storage of freshwater having a total capacity of at least 18,000 litres.
- (2) The *floor area* occupied by any cistern located in a *building* and the housing provided for such cistern is excluded from the calculation of the *floor area* of the *building* and the *lot coverage* of the *lot* on which it is located.

3.12 Derelict Vehicle Regulations

- (1) Except as permitted in the General Industrial (GI) Zone, no *lot* may be used for:
 - (a) the storage of more than two unlicensed motor vehicles (other than farm and forest equipment and vehicles), unless the vehicles are stored within a permitted building that is completely enclosed;
 - (b) the wrecking or storage of derelict or abandoned vehicles, trailers or other discarded machinery or equipment; and
 - (c) the storage of detached or salvaged motor vehicle parts or scrap, unless the parts are stored within a permitted building that is completely enclosed.

3.13 Agri-tourism and Agri-tourist Accommodation Regulations

- (1) *Buildings or structures* used solely for *agri-tourism* are not permitted.
- (2) *Agri-tourism* must be in compliance with the Agricultural Land Reserve Use Regulation.
- (3) *Agri-tourism* and *agri-tourist accommodation* uses are only permitted on a *lot* with *Farm Status*.
- (4) *Agri-tourism* and *Agri-tourist accommodation* uses are only permitted on a *lot* located in the Agricultural Land Reserve.
- (5) *Agri-tourist accommodation* must be *accessory* to an active *agri-tourism* activity.
- (6) *Agri-tourist accommodation* must be *accessory* to a working *farm operation*.
- (7) *Agri-tourist accommodation buildings and structures* must not exceed a *lot coverage* of 5 percent.
- (8) *Agri-tourist accommodation* must not be in use for more than 180 days in a calendar year.
- (9) *Agri-tourist accommodation* may include associated *uses* such as meeting rooms and dining facilities for paying registered guests wholly contained within an *agri-tourist accommodation unit*, but may not include a *restaurant* or any commercial or retail goods and services other than those permitted by the *zone* in which the *agri-tourist accommodation* use is located within.
- (10) 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 and 10 bedrooms.

3.14 Lots Divided by a Zone Boundary

- (1) If a *lot* is divided by one or more *zone* boundaries, the number of *dwellings* and *cottages* permitted must be calculated by reference to the areas of the portions of the *lot* lying within each *zone*, and the *dwellings* and *cottages* may only be constructed on any portion of the *lot* if and to the extent that the minimum *lot* area or density regulation for that portion is complied with.
- (2) Despite Subsection 3.14.1, if one of the portions of the *lot* is in the Agricultural (AG) Zone, the *dwelling* or *cottage* permitted in respect of that portion of the *lot* may be sited on another portion of the *lot*.
- (3) If a *lot* is divided by one or more *zone* boundaries, and a portion of the *lot* is in the Agricultural (AG) Zone, the *lot coverage* for the *lot* may not exceed 35 percent.

3.15 Use of Common Property

- (1) Land comprising the common property in a strata plan is not a *lot* for the purposes of the use and density regulations in this Bylaw but may be used for *uses accessory* to *principal uses* located on strata *lots* in the same strata plan, other than *home businesses* and home industries.

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

- (1) The North Pender Island Local Trust Area is divided into the following zones, the geographic boundaries of which are as shown on the Zoning Map designated as Schedule "B" that forms part of this Bylaw and the regulations for which are set out in Part 5.

<u>Zone Name</u>	<u>Zone Abbreviation</u>
Rural Residential 1	RR1
Rural Residential 2	RR2
Rural	R
Rural Comprehensive 1	RC1
Rural Comprehensive 2	RC2
Agricultural	AG
Commercial 1	C1
Commercial 2	C2
Commercial 3	C3
General Industrial	GI
Community Service	CS
Community Housing	CH
Rental Housing	RH
Recycling Facility	RF
Service	SD
National Park	NP
Community Park 1	CP1
Community Park 2	CP2
Ecological	ECO
Water 1	W1
Water 2	W2
Water 3	W3

Water 4	W4
Water 5	W5
Water 6	W6
Comprehensive Development 1	CD1

4.2 Zone Boundaries

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

PART 5 ZONE REGULATIONS

5.1 Rural Residential 1 (RR1) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Secondary Suite*;
 - (d) *Accessory home business*;
 - (e) *Accessory rabbit, poultry raising*; and,
 - (f) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.
- (4) Despite Subsection 5.1(2), in those instances where a *dwelling* of 56.0 m² or less in *floor area* existed on September 23, 1999 on a lot 0.6 hectares or larger, one additional *principal dwelling* is permitted.

Siting and Size

- (5) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (6) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.1(5) must be increased by 3 metres.
- (7) All *buildings and structures* must not exceed 4.6 metres in *height* and one storey except for a *dwelling or cottage*.
- (8) *Lot coverage* may not exceed 25 percent.

- (9) [Placeholder]
- (10) The maximum *floor area* of a *cottage* must not exceed 80 m².
- (11) Despite Subsection 5.1(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.

Conditions of Use

- (12) Accessory rabbit and poultry raising is only permitted on a *lot* that does not abut a lake or reservoir used as a source of *potable* water supply.
- (13) A *lot* 2.4 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (14) No *lot* having an area less than 0.4 hectares, or in the case where a community water or community sewage system is provided, an area less than 0.25 hectares may be created by subdivision in the Rural Residential 1 Zone.
- (15) No subdivision plan shall be approved in the Rural Residential 1 Zone unless the *lots* created by the subdivision have an average area of at least 0.6 hectares.

Site-Specific Regulations

- (16) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.1			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	RR1(a)	Trincomali Improvement District	Despite 5.1(1)(c), <i>secondary suites</i> are not permitted.

5.2 Rural Residential 2 (RR2) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Secondary Suite*;
 - (d) *Horticulture*;
 - (e) Keeping of *livestock*;
 - (f) Keeping of bees;
 - (g) *Accessory home business*;
 - (h) *Accessory* rabbit, poultry raising, pig farming, dog breeding, and boarding kennels; and,
 - (i) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.
- (4) Despite Subsection 5.2(2), in those instances where a *dwelling* of 56.0 m² or less in *floor area* existed on September 23, 1999 on a lot 0.6 hectares or larger, one additional *principal dwelling* is permitted.

Siting and Size

- (5) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (6) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.2(5) must be increased by 3 metres.
- (7) All *buildings and structures* must not exceed 4.6 metres in *height* and one storey except for a *dwelling or cottage*.
- (8) *Lot coverage* may not exceed 25 percent.

- (9) [Placeholder]
- (10) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (11) Despite Subsection 5.2(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.

Conditions of Use

- (12) *Accessory* rabbit and poultry raising is only permitted on a *lot* that does not abut a lake or reservoir used as a source of *potable* water supply
- (13) *Accessory* pig farming, dog breeding, and boarding kennels is only permitted on a lot greater than 1.2 hectares in area.
- (14) Keeping of livestock is only permitted on a *lot* greater than 0.4 hectares in area that does not abut a lake or reservoir used as a source of *potable* water supply, or a wetland.
- (15) A *lot* 2.4 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (16) No *lot* having an area less than 0.4 hectares, or in the case where a community water or community sewage system is provided, an area less than 0.25 hectares may be created by subdivision in the Rural Residential 2 Zone.
- (17) No subdivision plan shall be approved in the Rural Residential 2 Zone unless the *lots* created by the subdivision have an average area of at least 0.6 hectares.

Site-Specific Regulations

- (18) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

		Table 5.2	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	RR2(a)	That Part of Amended Lot 7 (DD 90604-I) of Section 17, Pender Island, Cowichan District, Plan 2111, lying to the South East of a boundary extending South 24 degrees West from a point on the North East boundary of said amended lot, distant 7.242 chains along the said north east boundary from the most easterly corner of said amended lot, except that part in Plan 20481. PID: 006-646-981	(1) Despite Subsections 5.2(1) and 5.2(2), the only permitted uses are 2 (two) <i>dwelling</i> s, and the <i>uses</i> permitted by Articles 5.2(1)(a), (c), (d), (e), (f), (g), (h), and (i). (2) Despite Article 5.2(5)(a), no <i>building</i> or <i>structure</i> may be located within 5 metres of a <i>front lot line</i> .

5.3 Rural (R) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Agriculture*;
 - (d) *Secondary Suite*;
 - (e) *Accessory home business*;
 - (f) *Accessory home industry*;
 - (g) *Accessory pig farming, dog breeding, and boarding kennels*; and ,
 - (h) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.
- (4) Despite Subsection 5.3(2), in those instances where a *dwelling* of 56.0 m² or less in *floor area* existed on September 23, 1999 on a *lot* 0.6 hectares or larger, one additional *principal dwelling* is permitted.

Siting and Size

- (5) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (6) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.3(5) must be increased by 3 metres.
- (7) *Lot coverage* may not exceed 25 percent.
- (8) *[Placeholder]*
- (9) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (10) Despite Subsection 5.3(8), 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.

Conditions of Use

- (11) Accessory pig farming, dog breeding, and boarding kennels is only permitted on a lot greater than 1.2 hectares in area.
- (12) A *lot* 8.0 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (13) No *lot* having an area less than 0.6 hectares may be created by subdivision in the Rural Zone.
- (14) No subdivision plan shall be approved in the Rural Zone unless the *lots* created by the subdivision have an average area of at least 4.0 hectares.

Site-Specific Regulations

- (15) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.3			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	R(a)	A Portion of Lot 2, Sections 18 and 19, Pender Island, Cowichan District, Plan 14577 except that part in Plan VIP65874.	1) In addition to the uses permitted by Subsection 5.3(1), the following are permitted home industries: (a) the design, fabrication and assembly of automated packaging machinery and equipment; and (b) welding, machining and fabrication, provided that (b) is occasional, secondary to and operates in conjunction with (a). (2) The uses permitted in 1(a) and 1(b) above are limited to the existing 417m² floor area and 139m² storage area, employing at this location no more than 10 persons not residing on the property.
2	R(b)	That Part of Parcel K, (DD50314-I), Section 22 and 23, Cowichan Land District, lying west of District Plan 5063, Pender Island, lying within the Rural (R) Zone	(1) Despite Subsection 5.3(13), no lot having an area less than 8 hectares may be created by subdivision on the portion of the property zoned Rural (R(b)). (2) Despite Subsection 5.3(1), the only permitted <i>uses</i> in this location are <i>dwelling</i>s, one <i>secondary suite</i>, <i>cottages</i>, <i>agriculture</i> and <i>accessory agri-tourism</i> and <i>accessory agri-tourist accommodation</i>. (3) Despite Subsections 5.3(2) and 5.3(3), a maximum of two <i>dwelling</i>s and two <i>cottages</i> are permitted in the portion of the <i>lot</i> zoned Rural (R(b)). (4) Despite Subsection 5.3(8), the maximum permitted <i>floor area</i> for one <i>dwelling</i> is 700 m² on the portion of the lot zoned Rural (R(b)).

			(5) Despite Subsection 5.3(8), the maximum permitted <i>floor area</i> for one <i>dwelling</i> is 300 m² on the portion of the property zoned Rural (R(b)). (6) The two <i>dwellings</i> and two <i>cottages</i> permitted in the portion of the lot zoned Rural (R(b)) must be sited in accordance with “R(b) Siting Plan” attached as Schedule D. (7) Two <i>cottages</i> on the lot may be attached and if two <i>cottages</i> are attached, they are deemed to be two separate <i>buildings</i> for the purposes of density and <i>floor area</i>.
3	R(c)	That part of the South West ¼ of Section 11, Pender Island, Cowichan District, lying to the west of the westerly limit of Canal Road as said road was gazetted 22 nd June, 1955; except parts in plans 11907, 13416, 22618, 23566 and 27405. PID 009-674-292	(1) Despite Subsection 5.8(1), in no case may the frontage of any lot be less than 15 metres. (2) Despite Subsection 5.3(1), the only permitted <i>uses</i> in this location are the <i>uses</i> permitted by Article 5.3(1)(a), (b), (d), (e), (f), (g), and (h). (3) Despite Subsection 5.3(13), no <i>lot</i> having an area of less than 2.8 hectares may be created by subdivision.
4	R(d)	Lot 3, Section 11, Plan 7982 except Part in Plan 21227; and Lot 4, Section 11, Pender Island, Cowichan District, Plan 7982.	(1) In addition to the <i>uses</i> permitted by Subsection 5.3(1), the following <i>use</i> is permitted: (a) the treatment and disposal of sewage generated on Lot A (DDG54184), Section 11, Plan 7982.

5.4 Rural Comprehensive 1 (RC1) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Agriculture*;
 - (d) *Secondary Suite*;
 - (e) *Accessory home business*;
 - (f) *Accessory home industry*;
 - (g) *Accessory pig farming, dog breeding, and boarding kennel*;
 - (h) *Accessory agri-tourism and agri-tourist accommodation*; and,
 - (i) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.

Siting and Size

- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.4(4) must be increased by 3 metres.
- (6) Lot coverage may not exceed 25 percent.
- (7) *[Placeholder]*
- (8) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (9) Despite Subsection 5.3(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.

Conditions of Use

- (10) Accessory pig farming, dog breeding, and boarding kennels is only permitted on a *lot* greater than 1.2 hectares in area.
- (11) A *lot* 8.0 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (12) No *lot* having an area less than 0.85 hectares may be created by subdivision in the Rural Comprehensive 1 Zone.
- (13) No more than 26 *lots* may be created by subdivision in the Rural Comprehensive 1 Zone.
- (14) Despite Subsection 8.5(4), no *lot* in the Rural Comprehensive 1 Zone shall have an average depth greater than five times its average width.

5.5 Rural Comprehensive 2 (RC2) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Agriculture*;
 - (c) *Accessory home business*;
 - (d) *Accessory home industry*;
 - (e) *Accessory agri-tourism* and *agri-tourist accommodation*; and,
 - (f) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than ten (10) *dwelling*s in the Rural Comprehensive 2 Zone.
- (3) In the event of the subdivision of Lot A, of Section 23, Pender Island, Cowichan District, Plan 28410 or of Parcel D (DD 21950F) of Section 23, Pender Island, Cowichan District, Except Part in Plan 28410, the maximum density shall be one (1) *dwelling* per *lot*.

Siting and Size

- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.5(4) must be increased by 3 metres.
- (6) Lot coverage may not exceed 25 percent.
- (7) *[Placeholder]*
- (8) Despite Subsection 5.3(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.

Conditions of Use

- (9) A *lot* 8.0 hectares or larger must have a *landscape strip* for environmental protection complying with Subsection 3.9(3).

Subdivision Lot Area Requirements

- (10) No *lot* having an area less than 0.3 hectares may be created by subdivision in the Rural Comprehensive 2 Zone.
- (11) No subdivision plan may be approved in the Rural Comprehensive 2 zone unless the *lots* created by the subdivision have an average area of at least 3.26 hectares.
- (12) No subdivision may result in the creation of more than 10 lots in the Rural Comprehensive 2 zone.
- (13) No subdivision may result in the creation of additional *lots* within the Agricultural Land Reserve.

5.6 Agricultural (AG) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Dwelling*;
 - (b) *Cottage*;
 - (c) *Agriculture*;
 - (d) *Secondary Suite*;
 - (e) *Accessory home business*;
 - (f) *Accessory home industry*;
 - (g) *Accessory agri-tourism* and *agri-tourist accommodation*; and,
 - (h) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling*, one (1) *secondary suite* and one (1) *cottage* on any *lot*.
- (3) One (1) *cottage* is permitted on each *lot* with an area of 1.2 hectares or larger.

Siting and Size

- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) No *building or structure* associated with an *agriculture use*, other than an animal enclosure, may be located within 7.5 metres of any *lot line*.
- (6) Despite Article 5.6(4)(a), temporary road-side produce stands not exceeding 10 m² in *floor area* and used for the selling of farm products that are grown or reared on the *lot* upon which the stand is located on may be sited within the *front lot line setback*.
- (7) *Lot coverage* for *buildings or structures* may not exceed 35 percent, plus an additional 40 percent for commercial greenhouses only.
- (8) *[Placeholder]*
- (9) The maximum *floor area* of a *cottage* must not exceed 80 m², except for a *cottage* located in the Agricultural Land Reserve is permitted to have a *maximum floor area* of 90 m².
- (10) Despite Subsection 5.3(8), 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.

Conditions of Use

- (11) Every commercial greenhouse must be screened from view by a landscape screen complying with Section 3.9.

Subdivision Lot Area Requirements

- (12) No *lot* having an area less than 16 hectares may be created by subdivision in the Agricultural Zone.

Site-Specific Regulations

- (13) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.6			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	AG(a)	Parcel C, DD67638I, Section 19.	Despite Subsection 5.6(1), the only permitted uses in this location are <i>camp facility</i> and the uses permitted by 8.3.2 (1) (a), (c) and (d).
2	AG(b)	Lot A, Plan VIP52327, Section 17 and that Portion of Parcel F, DD78736I, Section 17	Despite Subsection 5.6(1), the only uses permitted in this location are those permitted by Article 5.6(1)(c) and a golf course, including an <i>accessory</i> golf club house containing an <i>accessory restaurant</i> and pro-shop and five (5) <i>accessory</i> golf course <i>buildings</i> , including one equipment shed, one maintenance building, two golf cart storage sheds and one <i>pump/utility shed</i> .
3	AG(c)	That Part of Parcel K, Section 22 and 23, Cowichan Land District, lying west of District Plan 5063, Pender Island, lying within the Agricultural (AG) Zone.	(1) Despite Subsection 5.6(1) the only permitted <i>uses</i> in this location are the <i>uses</i> permitted by 8.3.2(1)(a), (c), (e), (g), (h) and one manager's suite consisting of sleeping, cooking and sanitary facilities. (2) The manager's suite is not to exceed 55m² in <i>floor area</i>. (3) Despite Subsection 5.6(2), a maximum of one dwelling is permitted in the portion of the property zoned Agricultural (AG)(c). (4) Despite Subsection 5.6(12), no lot having an area less than 30 hectares may be created by subdivision on the portion of the property zoned Agricultural (AG)(c).

5.7 Commercial 1 (C1) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Retail Sales*;
 - (b) Motor vehicle and machinery sales;
 - (c) Offices, including banks;
 - (d) *Personal services*;
 - (e) Home appliance and small equipment repairs;
 - (f) *Restaurants*;
 - (g) *Cafes*;
 - (h) Bakeries;
 - (i) Printing and publishing business;
 - (j) Automobile service stations;
 - (k) *Accessory dwelling*; and
 - (l) *Accessory uses, buildings and structures*.

Density

- (2) Only one (1) *accessory dwelling* permitted per *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.7(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 25 percent.
- (7) On a *lot* less than 0.7 hectares in area, an *accessory dwelling* must be located in the same *building* as the *principal* commercial *use* and have a separate outside entrance.
- (8) On a *lot* equal to or greater than 0.7 hectares in area, an *accessory dwelling* may be located in a separate *building* from that accommodating the *principal* commercial *use*.

- (9) No *accessory dwelling* may have a *floor area* greater than 140 m².

Conditions of Use

- (10) An *accessory dwelling* is only for the *use* of a caretaker, owner, or operator of a permitted *principal use*.
- (11) Every external storage area must be screened from view by a landscape screen complying with Subsection 3.9(1).
- (12) Every *use* outlined in Subsection 5.7(1) must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (13) No *lot* having an area less than 0.8 hectares may be created by subdivision in the Commercial 1 Zone.

Site-Specific Regulations

- (14) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.7			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	C1(a)	Lot 1, Plan 3658 and Lot 1, Plan 73194, Section 23.	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a), (c), and (g), and the transfer, storage, and shipping of discarded goods and materials.
2	C1(b)	Portion of Part C, DD69864I, Section 18 lying to the south of the main highway from Hope Bay to Port Washington	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a), (g), and (h).
3	C1(c)	A portion of Lot B, Plan 23183, Section 23	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a) and (d), excluding laundromats and drycleaners.
4	C1(d)	A portion of Lot 6, Plan 1695, Section 7 lying east of a boundary parallel to and perpendicularly distant 260 feet from the easterly boundary of said lot	Despite Subsection 5.7(1), the only uses permitted in this location are those permitted by Articles 5.7(1)(a), (c), (f), (g), and (h).

5.8 Commercial 2 (C2) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Tourist Accommodation*;
 - (b) *Campground*;
 - (c) *Accessory dwelling*;
 - (d) *Accessory retail sales*;
 - (e) *Accessory* laundromat, *restaurant*, *café*, recreation facility, boat rental, and premises, other than a neighbourhood pub, licensed under the *Liquor Control and Licensing Act*;
 - (f) *Accessory* boat launching ramps and marina services when adjacent to Water 2 (W2) Zone; and,
 - (g) *Accessory uses, buildings and structures*.

Density

- (2) The maximum number of *tourist accommodation units* on a *lot* may not exceed the site-specific density limits as per Subsection 5.8(22).
- (3) No *tourist accommodation building* may contain more than 18 *tourist accommodation units*.
- (4) There may not be more than two (2) *accessory dwellings* on any *lot*.

Siting and Size

- (5) No *building* or *structure* may exceed 9.7 metres in *height*.
- (6) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (7) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.8(6) must be increased by 3 metres.
- (8) *Lot coverage* may not exceed 25 percent.
- (9) The maximum *floor area* for a *tourist accommodation unit* is 56 m².
- (10) Despite Subsection 5.8(9), the maximum *floor area* of a *tourist accommodation unit* is permitted to be 121 m² as long as the total *floor area* of all *tourist accommodation units* on the *lot* does not exceed the permitted number of *tourist accommodation units* as outlined in Subsection 5.8(22) multiplied by 56 m².
- (11) The *floor area* devoted exclusively to *accessory retail sales* must not exceed 140 m².

- (12) The total *floor area* devoted exclusively to the *accessory uses* permitted by Article 5.8(1)(e) must not exceed the total *floor area* devoted exclusively to the *principal uses* on the *lot*.
- (13) If two *accessory dwellings* are sited on a *lot*, the *floor area* of one *dwelling* must not exceed 140 m².

Conditions of Use

- (14) An *accessory dwelling* is only for the *use* of a caretaker, owner, operator, or employee of a permitted *principal use*.
- (15) At least one (1) *accessory dwelling* must be occupied by the caretaker, owner, operator, or employee while the *tourist accommodation use* is in operation.
- (16) If two (2) *accessory dwellings* are sited on a *lot*, one (1) *dwelling* must be *occupied by an* employee of the *tourist accommodation use*.
- (17) An employee may occupy one *tourist accommodation unit* with a maximum *floor area* no greater than 140 m².
- (18) The *accessory uses* as outlined in Subsection 5.8(1)(e) are only permitted on a *lot* with an area greater than 1.0 hectares.
- (19) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (20) Every *use* outlined in Subsection 5.8(1) must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (21) No *lot* having an area less than 0.6 hectares may be created by subdivision in the Commercial 2 Zone.

Site-Specific Regulations

- (22) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

		Table 5.8	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	C2(a)	Lot 1, Plan 23566, Section 11	The maximum number of <i>tourist accommodation units</i> permitted on the lot is 25.
2	C2(b)	Lot 1, Plan 4750, Section 17 excluding Plan 20404	The maximum number of tourist accommodation units permitted on the lot is 7.
3	C2(c)	Lot B, Plan VIP87395, Section 17	The maximum number of tourist accommodation units permitted on the lot is 8.
4	C2(d)	Lot A, Plan VIP87395, Section 17	(1) The maximum number of tourist accommodation units permitted on the lot is 20. (2) Despite Subsection 5.8(9) and 5.8(10), the lot may contain one tourist accommodation unit with a maximum floor area of 280 m ² which is excluded from the total floor area calculation for all tourist

			accommodation units on the lot.
5	C2(e)	Lot 2, Plan 8439, Section 17 excluding Plan 20404	The maximum number of tourist accommodation units permitted on the lot is 3.
6	C2(f)	Parcel C, DD82824I, Section 17 and a portion of Lot A VIP52864 Section 17	The maximum number of tourist accommodation units permitted on the lot is 33.
7	C2(g)	Portion of Lot 1, VIP 59811, Section 15	The maximum number of <i>tourist accommodation units</i> permitted on the lot is 27.

5.9 Commercial 3 (C3) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Tourist Accommodation*;
 - (b) *Campground*;
 - (c) *Marina*;
 - (d) *Accessory dwelling*;
 - (e) *Accessory* laundromat, *restaurant*, *café*, recreation facility, retail sales, boat rental, and premises, other than a neighbourhood pub, licensed under the *Liquor Control and Licensing Act*;
 - (f) *Accessory* boat launching ramps and marina services when adjacent to Water 2 (W2) Zone; and,
 - (g) *Accessory uses, buildings and structures*.

Density

- (2) The maximum number of *tourist accommodation units* permitted in the Commercial 3 Zone is 29.
- (3) No *tourist accommodation building* may contain more than 18 *tourist accommodation units*.
- (4) There may not be more than two (2) *accessory dwellings* on any *lot*.

Siting and Size

- (5) No *building* or *structure* may exceed 9.7 metres in *height*.
- (6) Despite Subsection 5.9(5), the maximum *height* for a *tourist accommodation building* is 10.7 metres.
- (7) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 6.1 metres from any interior or exterior side *lot line*.
- (8) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.9(7) must be increased by 3 metres.
- (9) *Lot coverage* may not exceed 15 percent.
- (10) The maximum *floor area* for a *tourist accommodation unit* is 56 m².
- (11) Despite Subsection 5.9(10), the maximum *floor area* of a *tourist accommodation unit* is 121 m², with the total *floor area* of all *tourist accommodation units* in the Commercial 3 Zone not exceeding 1876 m².
- (12) The *floor area* devoted exclusively to *accessory retail sales* must not exceed 140 m².

- (13) The maximum *floor area* of an *accessory dwelling* is 140 m².

Conditions of Use

- (14) An *accessory dwelling* is only for the *use* of a caretaker, owner, operator, or employee of a permitted *principal use*.
- (15) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (16) Every *use* outlined in Subsection 5.9(1) must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (17) No *lot* having an area less than 0.6 hectares may be created by subdivision in the Commercial 3 Zone.

5.10 General Industrial (GI) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Contractor Yard*;
 - (b) *Manufacturing*;
 - (c) Wholesale and *retail sales* of building, gardening, landscaping materials and supplies;
 - (d) Auto body repair;
 - (e) Indoor storage;
 - (f) Storage of motor vehicles, *recreational vehicles*, boats and trailers;
 - (g) Storage and handling of goods, materials, and equipment other than dangerous or hazardous materials, salvaged motor vehicle parts or scrap;
 - (h) *Accessory dwelling*;
 - (i) *Accessory uses, buildings and structures*.

Density

- (2) Only one (1) *accessory dwelling* permitted per *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 9.2 metres from any front or rear *lot line*; and,
 - (b) 15 metres from any interior or exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.10(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 33 percent.
- (7) The maximum *floor area* of an *accessory dwelling* is 140 m².

Conditions of Use

- (8) An *accessory dwelling* is only for the *use* of a caretaker, owner, operator, or employee of a permitted *principal use* located on the same *lot*.
- (9) Every *use* outlined in Subsection 5.10(1) must be screened from view by a *landscape screen* complying with Subsection 3.9(1).

- (10) Every commercial *use* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (11) No *lot* having an area less than 1.2 hectares may be created by subdivision in the General Industrial Zone.

Site-Specific Regulations

- (12) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	GI(a)	Parcel C, DD68964I, Section 18, except that part thereof lying south of the main highway from Hope Bay to Port Washington	Despite Subsection 5.10(1), the only uses permitted in this location are those permitted by Articles 5.10(1)(c) and (g), propane sales, and <i>accessory buildings and structures</i> .
2	GI(b)	Portion of the NW ¼ of Section 11 except the south 26.364 chains and except Parcel A (DD143808I) and except those parts shown outlined in red on Plan 5632 and 262R and except those parts in Plans 5856, 7982 and 20898	Despite Subsection 5.10(1), the only <i>uses</i> permitted in this location is covered boat storage and <i>accessory buildings and structures</i> and all covered boat storage <i>buildings and structures</i> and <i>accessory building and structures</i> must not exceed a height of 4.6 metres
3	GI(c)	Portions of Lot 8 & 9, Plan 6294, Section 18	Despite Subsection 5.10(1), the only <i>uses</i> permitted are: (a) the storage and processing of materials, including dangerous or hazardous materials, supplies and equipment used for, or generated from, the construction, maintenance and repair of <i>highways</i> ; (b) the storage of materials, including dangerous or hazardous materials, supplies and equipment used for telecommunications networks and the supply of electricity; (c) the servicing and repairing of goods, materials and equipment; and the processing, crushing and storage of gravel; and, (d) <i>Accessory buildings and structures</i> .
4	GI(d)	Portion of Parcel G, DD47659I, excluding Plans 2648, 9912 and 37908 and VIP54314	Despite Subsection 5.10(1), the only uses permitted in this location are: (a) The processing, fabricating, assembly, manufacturing, servicing and repairing of goods, materials and equipment; (b) <i>Contractor Yard</i> ; and, (c) <i>Accessory buildings and structures</i> .
5	GI(e)	Westerly portion of land legally described as a portion of Parcel G,	Despite Subsection 5.10(1), the only uses permitted in this location are:

		DD47659I excluding Plans 2648, 9912 and 37908 and VIP54314	(a) <i>Contractor Yard</i> ; (b) Storage of gravel; and, (c) <i>Accessory buildings and structures.</i>
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5.11 Community Service (CS) Zone

Permitted Uses

The uses permitted in the Community Service Zone are established by site specific regulations in Subsection 5.11(8).

Density

The density permitted in the Community Service Zone are established by site specific regulations in Subsection 5.11(8).

Siting and Size

- (1) No *building* or *structure* may exceed 9.7 metres in *height*.
- (2) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*; and,
 - (b) 3 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (3) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.11(2) must be increased by 3 metres.
- (4) Lot coverage may not exceed 25 percent.

Conditions of Use

- (5) Every external storage area and works yard must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (6) Every community service *use* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, and Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (7) No *lot* having an area less than 2.0 hectares may be created by subdivision in the Community Service Zone.

Site-Specific Regulations

- (8) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

	Table 5.10		
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations

1	CS(a)	Lot 1, Section 11, Plan 27405	The only <i>use</i> permitted in this location is church.
2	CS(b)	Lot A, Section 18, Plan 14409	The only <i>uses</i> permitted in this location are library, preschool and charity retail stores.
3	CS(c)	Lot 8, Section 10, Plan 24778	The only <i>uses</i> permitted in this location are public emergency services and public works yard.
4	CS(d)	Lot 20, Section 10, Plan 24777	The only <i>use</i> permitted in this location is water tank.
5	CS(e)	Lot 20, Section 10, Plan 24777	The only <i>use</i> permitted in this location is church.
6	CS(f)	Lot A, Section 18 Plan 22835	The only <i>uses</i> permitted in this location are public utility.
7	CS(g)	Lot 1, Plan 29572, Section 11	The only <i>use</i> permitted in this location is <i>school</i> .
8	CS(h)	Lot A, Plan 40871, Section 11	The only <i>uses</i> permitted in this location are health clinic, public emergency services.
10	CS(i)	Lot A, Plan 65874, Section 18	The only <i>use</i> permitted in this location is community hall.
11	CS(j)	Lots 1, Plan 30765, Section 15	The only <i>uses</i> permitted in this location are public emergency and protection services, and one (1) <i>accessory dwelling</i> .
12	CS(k)	Lot 2, Plan 30765, Section 15	The only <i>uses</i> permitted in this location are public emergency services.
13	CS(l)	Lot 2, Plan 18611, Section 15	The only <i>use</i> permitted in this location is cemetery.
14	CS(m)	Parcel A (DD47774W) of Lot 6 Plan 7196 Section 17	(1) The only <i>uses</i> permitted in this location are private clubs including club hall rentals. (2) The gross <i>floor area</i> of the <i>uses</i> permitted in (1) may not exceed 483 m ² .
15	CS(n)	Lot 131, Sections 8 and 10, Pender Island, Cowichan District, Plan 17181	The only <i>use</i> permitted in this location is church.
16	CS(o)	A portion of Lot 3, Section 2, Pender Island, Cowichan District, Plan VIP54822	(1) The only <i>uses</i> permitted in this area is the <i>retail sale</i> of used goods where all proceeds from sales are donated to community organizations and projects on North Pender Island. (2) Despite Subsection 5.11(7), no lot having an area less than 0.6 hectares may be created by subdivision in the Community Service CS (o) zone.
17	CS(p)	Portion of THAT PART of Lot 6, Section 7, Pender Island, Cowichan District, Plan 1695, Lying of the East of a Boundary Parallel to and Perpendicularly Distant 260 feet from the Easterly Boundary	The only <i>use</i> permitted in this area is: the housing of equipment for the supply and distribution of telecommunications and cable service as a regulated service utility, not to include retail or office uses.
18	CS(q)	Lot A, Section 17, Pender Island, Cowichan District, Plan VIP75211 and Lot 2, Section 17, Pender Island, Cowichan District, Plan 31869	The only permitted <i>use</i> in this location is <i>ferry terminal</i> .

5.12 Community Housing (CH) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) Two-family *dwelling*s managed by a non-profit society; and,
 - (b) *Accessory uses, buildings and structures*.

Density

- (2) There may not be more than one (1) *dwelling* per 0.1 hectares of lot area, to a maximum of 20 *dwelling*s per *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3.0 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.
- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.12(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 25 percent.

Conditions of Use

- (7) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (8) Every *multi-family dwelling* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (9) No *lot* having an area less than 2.0 hectares may be created by subdivision in the Community Housing Zone.

5.13 Rental Housing (RH) Zone

[Placeholder]

5.14 Recycling Facility (RF) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) Community or local non-profit society owned recovery, storage, processing and shipping of discarded materials; and,
 - (b) *Accessory uses, buildings and structures.*

Density

- (2) *Lot coverage* may not exceed 80 percent.

Siting and Size

- (3) No *building* or *structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* shall be:
 - (a) 7.0 metres from any front *lot line*; and
 - (b) 3.0 metres from any rear *lot line*, interior or exterior side *lot line*; and,

Conditions of Use

- (5) Every external storage area and works yard must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (6) Every *use* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (7) No *lot* having an area less than 0.2 hectares may be created by subdivision in the Recycling Facility Zone.

5.15 Service (SD) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
- (a) Treatment and disposal of sewage.

Siting and Size

- (2) No *building* or *structure* may exceed 4.6 metres in *height*.
- (3) The minimum *setback* for any *building* or *structure* shall be:
- (a) 7.6 metres from any front or rear *lot line*; and,
- (b) 6.1 metres from any interior or exterior side *lot line*.

Conditions of Use

- (4) Every sewage treatment system located above ground must be screened from view by a *landscape screen* complying with Subsection 3.9(1).

Subdivision Lot Area Requirements

- (5) No *lot* having an area less than 0.4 hectares may be created by subdivision in the Service Zone.

Site-Specific Regulations

- (6) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

		Table 5.15	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	SD(a)	Part of Lot 3, Section 11, Plan 7982 except Part in Plan 21227	Despite Subsection 5.15(1), the only use permitted in this location is the treatment and disposal of sewage generated on Lot A (DDG54184), Section 11, Plan 7982.

5.16 National Park (NP) Zone

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

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
- (a) Informational, interpretive, cultural, and historical uses and facilities;
 - (b) Natural and cultural resource management and protection;
 - (c) Camping and picnicking areas; and
 - (d) Park operations and maintenance facilities;

Density

- (2) Lot coverage may not exceed 10 percent.

Siting and Size

- (3) No *building* or *structure* may exceed 9.0 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* is 7.6 metres from any *lot line*.

Subdivision Lot Area Requirements

- (5) No *lot* having an area less than 65 hectares may be created by subdivision in the National Park Zone.

Site-Specific Regulations

- (6) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

		Table 5.16	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	NP(a)	Lot 1, Plan 15769, Section 16	(1) Despite Subsection 5.16(1), one <i>dwelling</i> is permitted in this location. (2) The maximum <i>floor area</i> of the <i>dwelling</i> may not exceed 140 m ² .

5.17 Community Park 1 (CP1) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
- (a) Playgrounds and playing fields; and,
 - (b) Picnic facilities.

Density

- (2) Lot coverage may not exceed 5 percent.

Siting and Size

- (3) No *building* or *structure* may exceed 9.0 metres in *height*.
- (4) The minimum *setback* for any *building* or *structure* is 7.6 metres from any *lot line*.

Conditions of Use

- (5) Despite Section 3.1, *buildings* or *structures*, other than playground structures, playing field fences and goalposts, picnic tables and toilets, are not permitted.

Subdivision Lot Area Requirements

- (6) No *lot* may be subdivided in the Community Park 1 Zone.

Site-Specific Regulations

- (7) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

	Table 5.17		
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	CP1(a)	The WEST 1/2 of Section 10, Pender Island, Cowichan District, Except Parts in Plans 16459, 16958, 21107, 21811, 2149, 22273, 22424, 22932, 23175, 23433, 23487, 24776, 30587, 30589 And 31146 (Thieves Bay Community Park)	(1) In addition to the buildings and structures permitted in Subsection 5.17(1), the following are permitted: (a) picnic shelter (1) The maximum size of a picnic shelter is 80.2 m ² measured to the drip line of the roof in accordance with <i>lot coverage</i> . (2) No <i>building</i> or <i>structure</i> , with the exception of playing field fences and picnic tables, may be located: (a) within 7.6 metres of any front or rear <i>lot line</i> measured to the drip line of the roof; or (b) within 3 metres of any interior side <i>lot line</i> ,

			nor within 4.5 metres of any exterior side <i>lot line</i> measured to the drip line of the roof. (3) No <i>building</i> or <i>structure</i>, with the exception of playing field fences, may exceed 4.6 metres in <i>height</i>.
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5.18 Community Park 2 (CP2) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
- (a) Playgrounds and playing fields; and,
 - (b) Picnic facilities.

Density

- (2) Lot coverage may not exceed 5 percent.

Conditions of Use

- (3) Despite Section 3.1, the only *buildings* or *structures* permitted are playground structures, playing field fences and goalposts, picnic tables, toilets, and *accessory buildings* and *structures* to sports events.

Subdivision Lot Area Requirements

- (4) No *lot* may be subdivided in the Community Park 2 Zone.

Site-Specific Regulations

- (5) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

		Table 5.18	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	CP2(a)	The westerly upland portion of Magic Lake to the westerly road boundary.	(1) In addition to the uses permitted in Subsection 5.18(1), one (1) structure to store non-motorized boats is also permitted.

5.19 Ecological (ECO) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section, and all other *uses* are prohibited:
 - (a) Ecological reserves and nature reserves.

Conditions of Use

- (2) Despite Section 3.1, no other *uses*, *buildings* or *structures*, except for those permitted in Subsection 5.19(1), are permitted in the Ecological Zone.

Subdivision Lot Area Requirements

- (3) No *lot* may be subdivided in the Ecological Zone.

5.20 Water 1 (W1) Zone

Permitted Uses

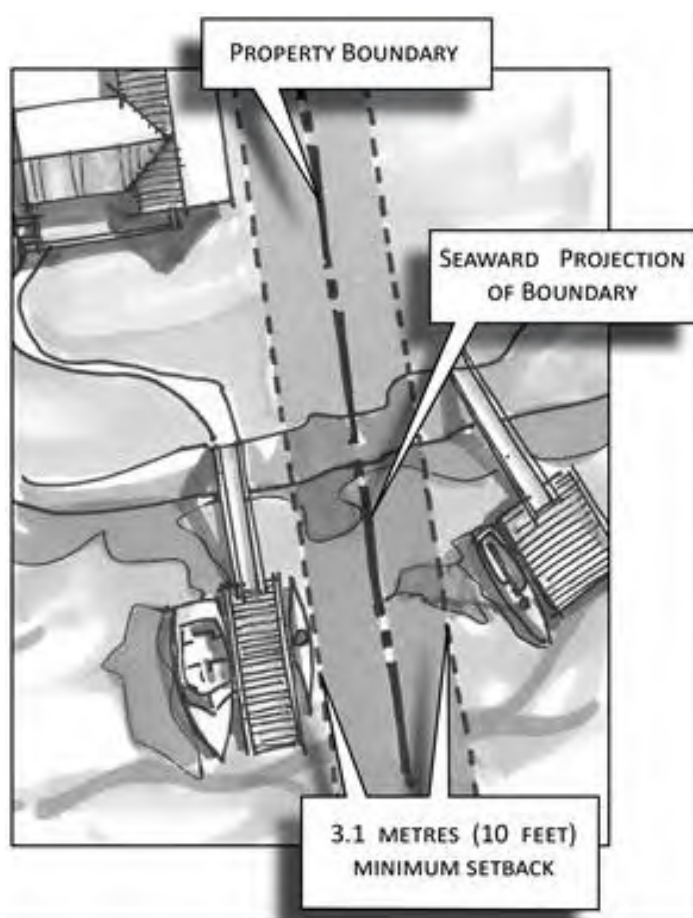
- (1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Private docks accessory to the residential use of an abutting upland *lot* or *lots* abutting the sea, and providing access to that *lot* or those *lots*;
 - (b) Pilings necessary for the establishment or maintenance of the *uses* permitted by Article 5.20(1)(a); and,
 - (c) Marine navigation, marine navigation aids and marker buoys.

Density

- (2) A maximum of one (1) private *dock* is permitted per abutting upland residential *lot*.

Siting and Size

- (3) No structure may be located within 3 metres of the seaward projection of any side lot line of the abutting upland lot.



- (4) The maximum water area that may be covered by *floats* and *wharves* is 37 m².

- (5) The width of any ramp or walkway, including handrails, used to access any *dock*, *float* or *wharf* permitted in Subsection 5.20(1) shall not exceed 1.5 metres.

Conditions of Use

- (6) No *building*, including a boat house, may be constructed or erected on any *float* or *wharf* in the Water 1 Zone.
- (7) No person may reside on any structure or on any boat or vessel moored or wharfed in the Water 1 Zone.
- (8) For certainty, no commercial or industrial activity or *use* is permitted in the Water 1 Zone.

Site-Specific Regulations

- (9) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

		Table 5.10	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W1(a)	The land covered with water fronting Lot 23, Section 6, Pender Island, Cowichan District, Plan 1084, Except part in Plan 19554.	(1) Despite Subsection 5.20(4) the maximum water area that may be covered by a float is 83.6 m ² . (2) Despite Subsection 5.20(2), a maximum of one (1) private dock is permitted in the W1(a) Zone.

5.21 Water 2 (W2) Zone

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Marinas;
 - (b) Yacht clubs;
 - (c) Wharfage facilities for water taxis, ferries, fishing boats, sea planes and similar craft;
 - (d) Boat launch ramps;
 - (e) Marine navigation, marine navigation aids and marker buoys;
 - (f) Accessory breakwaters, piers, dolphins and pilings necessary for the establishment or maintenance of any *use* permitted in this *zone*;
 - (g) Accessory sale and rental of boats and sporting equipment, except personal watercraft;
 - (h) Accessory fuelling stations; and,
 - (i) Accessory *buildings* located on *docks*.

Density

- (2) A maximum of one (1) private *dock* is permitted per abutting upland residential *lot*.

Siting and Size

- (3) No building or structure may exceed 4.5 metres in *height*.
- (4) The maximum *floor area* of all accessory buildings on located *docks* is not to exceed 37m² within any one location in the Water 2 Zone.
- (5) No *dock* or other *structure* may be located outside of the boundaries of a water lease or licence of occupation.

Conditions of Use

- (6) No person may reside on any building, structure, boat or vessel moored or wharfed, in the Water 2 Zone.

Site-Specific Regulations

- (7) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.21			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W2(a)	Part of District Lot 107, Cowichan District and Unsurveyed Crown Land covered by water being part of the bed of Port Browning, Cowichan District.	Despite Subsection 5.21(1), the only <i>use</i> permitted in this area are floating wave attenuators.

5.22 Water 3 (W3) Zone

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
- (a) Marine navigation, marine navigational aids and marker buoys and no other *uses* are permitted in the Water 3 Zone.

Site-Specific Regulations

- (2) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W3(a)	The land covered with water fronting a portion of Lot 1, Sections 17 and 23, Pender Island, Cowichan District, Plan EPP12506 and Lot 1, Section 17 and 23, Pender Island, Cowichan District, Plan 10989	(1) In addition to the uses permitted in Subsection 5.20(1) the following are permitted: (a) Erosion protection in the form of seawalls. (2) Despite Subsection 5.20(3), siting of a seawall is permitted only within the identified “Construction Area” lying seaward of the present <i>natural boundary</i> of the sea, and projecting no further than 2.28 metres from said boundary, as shown on “W3(a) Seawall Plan” of Schedule E. (3) The maximum <i>height</i> of a seawall is 5.5 metres, measured from the base on the downslope side, and at no point can a seawall project more than 0.3 metre above the finished grade on the upslope side.
2	W3(b)	The land covered with water fronting Lot B, Section 11, Pender Island, Cowichan District, Plan 32264, Except part in Plan VIP68515.	(1) In addition to the uses permitted in Subsection 5.20(1), the following is permitted: (a) Placement of a <i>marine geothermal loop</i> for the purpose of domestic heating and cooling accessory to the upland residential property.

5.23 Water 4 (W4) Zone

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this Section, and all other uses are prohibited:
 - (a) Marine navigation, marine navigation aids and marker buoys;
 - (b) *Ferry terminal*;
 - (c) Public port facilities; and,
 - (d) Accessory breakwaters, docks, piers, dolphins, and pilings necessary for the establishment or maintenance of such port facilities.

5.24 Water 5 (W5) Zone

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

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this Section, and all other uses are prohibited:
 - (a) Marine navigation aids;
 - (b) Natural resource management and protection; and,
 - (c) *Dock, wharfage, and moorage accessory* to the Upland National Park lands.

5.25 Water 6 (W6) Zone

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Community water supply facilities, including reservoirs, treatment plants, pumping stations, intake *structures*, water and sewer lines;
 - (b) Private *floats* and ramps accessory to the residential *use* of an abutting upland *lot*;
 - (c) Pilings necessary for the establishment or maintenance of *uses* permitted by Subsection 5.25(1); and,
 - (d) Navigation aids and marker buoys.

Density

- (2) A maximum of one (1) private *float* is permitted per abutting upland residential *lot*.

Siting and Size

- (3) No *building* or *structure* may exceed 4.5 metres in *height*.
- (4) No *structure* may be located within 3 metres of any side *lot line*.
- (5) Where the *structure* cannot be constructed entirely within the *lot* boundaries of the residential *lot*, no *structure* may be located within 3 metres of the projection of any side *lot line* of the abutting upland *lot* and must receive written authorization from the Capital Regional District.
- (6) The maximum water area that may be covered by a *float* is 15 m².
- (7) The maximum size of any float is 6 metres in any dimension.
- (8) The maximum length of any ramp is 6 metres and shall be constructed in compliance with Subsection 3.3(2).

Conditions of Use

- (9) No *building*, including a boat house, may be constructed or erected on a private *float* in the Water 6 Zone.
- (10) No derelict or abandoned *floats*, ramps or walkways are permitted in the Water 6 Zone.
- (11) No person may reside on any structure, boat or vessel in the Water 6 Zone.
- (12) For certainty, no commercial or industrial activity or *use* is permitted in the Water 6 Zone.

Site-Specific Regulations

- (13) The following table denotes locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location where the specific regulations cited in column three apply:

		Table 5.25	
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
1	W6(a)	Gardom Pond	Despite Subsection 5.25(6), the maximum water area that may be covered by a float is 3 m ²

5.26 Comprehensive Development 1 (CD1) Zone

Permitted Uses

- (1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:
 - (a) *Retail Sales*;
 - (b) Offices, including banks;
 - (c) *Personal services*;
 - (d) Home appliance repairs;
 - (e) *Restaurants*;
 - (f) *Cafes*;
 - (g) Bakeries;
 - (h) Printing and publishing business;
 - (i) Sale and rental of boats and sporting equipment, except *personal watercraft*;
 - (j) Seawalls and pilings necessary for the establishment or maintenance of any *use* permitted in this Zone;
 - (k) *Accessory dwelling*; and
 - (l) *Accessory uses, buildings and structures*.

Density

- (2) *Lot coverage* may not exceed 25 percent.
- (3) Only one (1) *accessory dwelling* is permitted.

Floor Area

- (4) The maximum *floor area* of an *accessory dwelling* is 140 m².

Setbacks

- (5) The *setbacks* from all *lot lines* and the *natural boundary* of the sea for the *building* and for the surfaced courtyard and pathway shown on Plan CD1(a) of Schedule F shall be those shown on Plan CD1(a) of Schedule F, exclusive of roof overhangs, stairs, landings, ramps and septic disposal systems.
- (6) Roof overhangs may in no case project more than 0.8 metres into the *setbacks* shown on Plan CD1(a) of Schedule F. Stairs, landings and ramps may in no case be sited closer than 2.5 metres to a *lot line*.

- (7) Portions of the sewage treatment system consisting of a contained package treatment plant, grease interceptors, emergency overflow tank and the associated *utility* lines may be sited as close as 1.0 metre to a *lot line*.
- (8) Despite Subsection 3.3(4), portions of the sewage treatment system consisting of a contained package treatment plant, grease interceptors, emergency overflow tank and the associated *utility* lines may be sited as close as 1.0 metres upland from the *natural boundary* of the sea.
- (9) The *setbacks* for any *buildings* or *structures* not shown on Plan CD1(a) of Schedule F shall be those for the Commercial 1 Zone on any upland *lot* and those for the Water 2 Zone within a water lease or license of occupation.

Height

- (10) The maximum *height* above the *natural boundary* of the sea for the *building* shown on Plan CD1(a) of Schedule F shall be 12 metres;
- (11) The maximum *height* of any *buildings* or *structures* not shown on Plan CD1(a) of Schedule F shall be those for the Commercial 1 Zone on the upland lots and those for the Water 2 Zone within a water lease or license of occupation.
- (12) The number of storeys of any *building* shall not exceed two (2) above finished grade.

Signs

- (13) Despite Subsection 6.1(2), no *signs* may be erected, or affixed to the outside of any *structure*, except:
 - (a) One wall *sign*, provided that:
 - (i) the area covered by the *sign* does not exceed 8m² ;
 - (ii) the top edge of the *sign* does not project above the top of the *building*; and,
 - (iii) the *sign* is placed flush against the side of the *building*.
 - (b) One freestanding *sign*, not exceeding a total area of 1.1 m².
 - (c) One *sign*, not exceeding a total area of 1.1 m², on each business premise, advertising the type of business, occupation or trade conducted on the premises or the principal product or service sold.
 - (d) One *sign*, not exceeding a total area of 0.6 m², pertaining to the lease, sale, name of owner, name of lot or *use* of the *accessory dwelling* permitted in Article 5.26(1)(k).

Parking

- (14) Despite Subsection 7.5(2), the minimum number of parking spaces required in the Comprehensive Development 1 Zone for the accessory dwelling is one (1) parking space.
- (15) In addition to the parking spaces provided, a minimum of 5 bicycle parking spaces must be provided in the form of a fixed structure that supports the bicycle frame and permits the bicycle wheels to be locked to the frame.
- (16) Despite Sections 7.1 and 7.2, the required off-street parking spaces may be accessed directly from a *highway*.
- (17) Despite Subsection 7.1(4), a parking area may be located within the *setback* from the front *lot line*.
- (18) Despite Subsection 7.1(5), a parking area may be sited 0.0 metres from an interior or exterior side *lot line*.

- (19) Despite Subsection 3.3(1), *structures* and paved areas associated with a parking area may be sited as close as 7.0 metres upland from the *natural boundary* of the sea.

Conditions of Use

- (20) An *accessory dwelling* is only for the *use* of a caretaker, owner, or operator of a permitted *principal use* located on the same *lot*.
- (21) An *accessory dwelling* must be located in the same *building* as a *principal commercial use* and have a separate outside entrance.
- (22) Every external storage area on the upland *lots* must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (23) Every commercial *building* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2)

Subdivision Lot Area Requirements

- (24) No *lot* having an area less than 0.4 hectares may be created by subdivision in the Comprehensive Development 1 Zone.

PART 6 SIGN REGULATIONS

6.1 Permitted Signs

- (1) In the Rural Residential 1 Zone, Rural Residential 2 Zone, Rural Comprehensive 1 Zone, Rural Comprehensive 2 Zone, or Rural (R) Zone, no *sign* may be erected on any *lot* or affixed to the outside of any *building* or *structure* except:
 - (a) one (1) *sign* in respect of any *home business* or home industry or combination of them;
 - (b) one (1) *sign* pertaining to the lease, sale, name of owner or property or use of a lot or building on which they are placed; and,
 - (c) no sign may exceed a total area of 0.6 m².
- (2) In any Commercial, Agricultural, Institutional or Industrial zones, no *signs* of any kind or nature may be erected on any premises or affixed to the outside of any *building* or *structure*, except for:
 - (a) one (1) *sign* not exceeding a total area of 1.1 m² within 7.5 metres of the front or side lot line;
 - (b) one (1) *sign* on each business premise, advertising the type of business, occupation or trade conducted on the premises or the principal produce or service sold; and,
 - (c) one (1) *sign* not exceeding the area specified in Subsection 6.1(1) in respect of any *accessory dwelling* permitted on the *lot*.

For the purpose of this subsection, two identical *signs*, back to back and facing opposite directions, are considered to be one *sign*.

6.2 Prohibited Signs

- (1) Any *sign* that is internally illuminated; any *sign* with moving parts; and any noise making *sign* is prohibited.

6.3 Exempt Signs

- (1) Nothing in this Bylaw prohibits the erection of a *sign* by an agency of government for purposes of public health or safety, or by a candidate in a municipal, provincial or federal election during the period prior to the election.

6.4 Lighting of Signs

- (1) Any light illuminating a *sign* must be controlled so as not to cast light onto neighbouring *lot* or into the eyes of oncoming motorists.

6.5 Obsolete Signs

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

PART 7 PARKING REGULATIONS

7.1 Location

- (1) Any parking space must be wholly provided on the same *lot* as the *building* or *use* in respect of which it is required.
- (2) Despite Subsection 7.1(1), if required parking spaces cannot physically be accommodated on the same *lot* as the *building* or *use* in respect of which they are required, they may be provided on a different *lot* within 100 metres, if that *lot* is in the same *zone* or another *zone* in which parking is a permitted *principal use*.
- (3) If, under Subsection 7.1(2), parking spaces are provided on a *lot* other than the one on which the *use* is located in respect of which they are required, the owner of the *lot* must grant a covenant restricting the *use* of the *lot* or a portion of the *lot* to motor vehicle parking spaces for the *lot* on which the *use* is located.
- (4) No parking area may be located within the required front yard *setback* area for the *zone* within which the *lot* is located, except where Subsection 7.1(5) applies.
- (5) If a parking area is located on a *lot*, it must be sited at least 3 metres from any side *lot line*.
- (6) If a parking area is located on the same *lot* as a *dwelling* but not within the *dwelling*, it must be sited at least 1.5 metres from the *dwelling*.
- (7) Every off-street parking area provided or required on any *lot* with an industrial *use*, the access to such area must have a hard surface if such area is between the *principal building* on the *lot* and the *highway* giving access to the *lot*. Any area at the rear or the side of the *principal building* provided or required for off-street parking need must be surfaced so as to minimize the carrying of dirt or foreign matter onto the *highway*.
- (8) For the purpose of Subsection 7.1(7) the term "hard surface" means a durable, dust free surface constructed of concrete block, compacted crushed gravel, or similar material, and permeable by water.
- (9) If a parking area is provided in respect of a *home business* or industry and the parking area abuts a *lot* on which a residential *use* is permitted, the parking area must be screened by a *landscape screen* complying with Section 3.9.

7.2 Design Standards

- (1) Each required off-street parking space must be a minimum of 2.6 metres in width, and a minimum of 5.5 metres in length, exclusive of access drives or aisles, ramps, columns, or similar obstructions, and have vertical clearance of at least 2 metres. For parallel parking, the length of the parking spaces must be increased to 7.3 metres except end spaces, which must be a minimum length of 5.5 metres.
- (2) Manoeuvring aisles must be a minimum of 7.3 metres wide for 90 degree parking, 5.5 metres wide for 60 degree parking, and 3.6 metres wide for 45 degree parking and parallel parking. Where parking is directly off a lane, the lane may be considered part of the aisle and in such cases the combined width of the aisle and parking spaces must be a minimum of 12.8 metres.

- (3) Each parking space provided under Subsection 7.3(1) must have a width of at least 3.7 metres; be clearly identified for use only by persons with disabilities; and be located so as to provide the most convenient access to an accessible building entrance or, if the parking area serves several premises, so as to provide equally convenient access to all such premises.
- (4) Adequate access to and exit from individual parking spaces must be provided at all times by means of unobstructed manoeuvring aisles.
- (5) Any lighting must be so arranged as to direct or reflect the light exclusively on the parking area at illumination levels of 11 Lux or less.

7.3 Calculation

- (1) If a *use* requires more than 30 parking spaces, one additional parking space for persons with disabilities and one space for a pick up/drop off area must be provided.

7.4 Number of Off-Street Parking Spaces

- (1) When any new *use* of land or *buildings* or *structures* takes place or when any existing *use* of land or *buildings* or *structures* is enlarged or increased in capacity, provision must be made for off-street vehicular parking spaces in accordance with the standards set out in this section.
- (2) The number of off-street parking spaces required in respect of particular *uses* is set out in Table 7.1, and where a particular *use* is not listed the number required for the most similar listed *use* applies.

Table 7.1 : Number of Off-Street Parking Spaces	
Use of Building or Lot	Minimum Number of Parking Spaces Required
Dwelling	2 per <i>dwelling</i>
Cottage	1 per <i>cottage</i>
Secondary Suite	1
Home Business (other than Bed & Breakfast) Home Industry	2
Bed & Breakfast	1 per room
Community Housing Rental Housing	1 per
Retail Stores Personal Services Banks Repair Shops in commercial zones Medical Office Single Tenant Office	1 per 35 m ² of <i>floor area</i>
Multi-Tenant Office	1 per 30 m ² of <i>floor area</i>
Restaurants Cafes Premises licensed under the <i>Liquor Control and Licensing Act</i>	1 per 3 seats
Tourist Accommodation	1 per <i>Tourist Accommodation Unit</i>
Campground	2 plus 1 per camping space
Private Clubs Churches Libraries Museums Fire Hall	1 per 35 m ² of <i>floor area</i>
Community Halls Lodge Halls Churches	1 per 4 seats
Indoor Recreation Facilities	1 per 35 m ² of <i>floor area</i>
Industrial Use Warehouses Wholesale and Storage Buildings Servicing and Repair - Industrial zones Recycling Facilities Printing and Publishing	1 per 35 m ² of <i>floor area</i>
Ferry Dock Facilities	100
Marinas Yacht Clubs	1 per 5 Berths
Fish Buying Stations Wharfage of Sea Planes Water Taxis and Fishing Boats Marine Fuel Sales	1 per Berth
Storage and Sale of Petroleum Fuels	1
Cemeteries	15
Golf Courses	2 per Tee

PART 8 SUBDIVISION REGULATIONS

8.1 Lot Area Calculations

- (1) Subdivisions must comply with the minimum and average *lot* area regulations set out in Part 5 of this Bylaw except that a park to be dedicated upon deposit of the subdivision plan need not comply with those regulations and the Approving Officer may approve a subdivision creating a single *lot* not complying with those regulations if the owner grants to the North Pender Island Local Trust Committee a covenant restricting the use of the *lot* to park use. For the purposes of this Bylaw, the average *lot* area is the sum of the gross areas of the proposed *lots* divided by the number of proposed *lots*, subject to Subsection 8.1(2).
- (2) If an owner of *lot* being subdivided dedicates as parkland more than 5 percent of the land being subdivided, the area greater than 5 percent may, for the purpose of determining compliance with average lot area regulations set out in Part 5 of this Bylaw, be included in the total area of *lots* being created, and the park or parks are deemed not to be *lots*.
- (3) No lot having an area of less than 16 hectares may be subdivided under the *Local Government Act* to provide a residence for a relative of the owner unless the lot is entirely within the Agricultural Land Reserve.

8.2 Exemptions from Average and Minimum Lot Area Requirements

- (1) The average and minimum *lot* areas specified in Part 8 do not apply:
 - (a) if the *lot* being created is to be used solely for the unattended equipment necessary for the operation of facilities referred to in Subsection 3.1(5) and 3.1(6) of this Bylaw or for ambulance or fire protection facilities, a community sewer system, a community gas distribution system, a community radio or telephone receiving antenna, a radio or television broadcasting antenna, a telecommunication relay, an automatic telephone exchange, an air or marine navigational aid, or an electrical substation or generating station, and the owner grants a covenant complying with Subsection 2.6(1) of this Bylaw restricting the use of the *lot* to that use and prohibiting residential and manufacturing uses on that *lot*;
 - (b) if the *lot* being created is for park use, and ecological reserve, or dedication to the Crown;
 - (c) to the consolidation of two or more *lots* into a single parcel; or,
 - (d) to a boundary adjustment subdivision, provided that the subdivision would not increase the area of any *lot* to the point where the new *lots* created could be subdivided into more *lots* than would be permitted under this Bylaw without the boundary adjustment.

8.3 Covenants Prohibiting Further Subdivision and Development

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

- (a) one or more of the *lots* being created has an area equal to or greater than twice the applicable average *lot* area; and
- (b) one or more of the *lots* being created has an area less than the applicable average *lot* area;

the applicant must grant a covenant complying with Subsection 2.6(1) of this Bylaw in respect of every *lot* referred to in Article 8.3(2)(a) prohibiting:

- (c) the subdivision of the *lot* so as to create a greater total number of *lots* by subdivision and re-subdivision of the original *lot* than would have been created had the first subdivision created the maximum number of *lots* permitted by the applicable minimum and average *lot* areas specified by this Bylaw; and
 - (d) the construction, erection, or occupancy on the *lot* of *dwelling*s and, if permitted by this Bylaw, *cottages* so as to create greater density of such development on the original *lot* than would have been created had the original *lot* been developed to the greatest density permitted by this Bylaw.
- (3) If the approval of a bare land strata plan would create common property on which this Bylaw would permit the construction of a *dwelling* or *cottage* if the common property were a *lot*, the applicant must grant a covenant complying with Subsection 2.6(1) of this Bylaw in respect of the common property prohibiting the further subdivision of the common property, the construction of any *dwelling* or *cottage* on the common property, and the disposition of the common property separately from the strata *lots*.

8.4 Boundary Adjustment Subdivisions

- (1) The Approving Officer must not approve a boundary adjustment, which would increase the area of any *lot* to the point where the new *lots* created could be subdivided into more *lots* than would be permitted under this Bylaw without the boundary adjustment unless the applicant grants a covenant complying with Subsection 2.6(1) of this Bylaw in respect of every such *lot*, prohibiting further subdivision of the *lot*.

8.5 Lot Frontage and Lot Shape

- (1) The frontage of any *lot* in a proposed subdivision must be at least 10 percent of its perimeter, provided that in no case may the frontage be less than 20 metres.

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

- (2) If a panhandle *lot* is not capable of being further subdivided under the provisions of this Bylaw, the minimum width of the access strip at any point must be 10 metres.
- (3) If a panhandle *lot* is capable of being further subdivided under the provisions of this Bylaw, the minimum width of the access strip at any point must be 20 metres.
- (4) No *lot* shall have an average depth greater than three times its average width, except where otherwise specified in the *Zone* regulations.

8.6 Split Zoned Lots

- (1) The creation of an additional *lot* lying within two or more *zones* is prohibited.
- (2) If a *lot* proposed to be subdivided is divided by a *zone* boundary, a separate calculation of the number of *lots* permitted must be made for each portion, and no *lot* may be created in respect of any fractional area resulting from such calculation.
- (3) A boundary adjustment subdivision resulting in a *lot* lying in two or more *zones* is prohibited except where the *lot* being subdivided is located in two or more *zones*.

8.7 Split or Hooked Lots

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

8.8 Double Frontage Lots

- (1) No *lot* having frontage on more than one *highway* may be created by subdivision, unless it is a corner *lot*.

8.9 Water Access Subdivisions

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

8.10 Public Access to Water Bodies

- (1) The Approving Officer may require that *highways* giving access to the shore of any body of water, dedicated to the Crown at the time of subdivision, be consolidated into one or more larger areas and should require that such a *highway* be located in an area of high recreational value or so as to provide access to such an area.

8.11 Highway Standards

- (1) The purpose of the standards set out in Subsections 8.11(2) through 8.11(10) is to ensure that the construction of roadways in connection with the subdivision of land does not result in the alteration of the land to an extent that is inconsistent with the object of the Islands Trust under the Islands Trust Act, the Islands Trust Policy Statement, or the North Pender Island Official Community Plan.
- (2) Proposed roadway centreline and pedestrian path locations must be surveyed and flagged at maximum 15 metre intervals prior to subdivision application to facilitate inspection by the Approving Officer. No trees or other vegetation may be removed from the highway right-of-way prior to application and inspection by the Approving Officer.

- (3) No trees or other vegetation may be removed from the right-of-way without written permission of the Approving Officer, and in no case may trees or other vegetation be removed beyond the extent of earthworks directly required for the construction of the roadway.
- (4) No obstructions of any kind, including utility poles and hydrants, may be located within 1.5 metres measured horizontally of the edge of the shoulder of the roadway.
- (5) All culverts must be provided with local rock head walls to the height of adjacent shoulders. Head walls may be dry stone or set in mortar provided sufficient stability under water runoff is assured. Culverts must be adequately sized to carry 20 year estimated flows with a minimum diameter of 300 mm at driveways and 400 mm under intersecting roads.
- (6) Fragmentation of land in any Agriculture (AG) Zone by roads or other service corridors is prohibited.
- (7) No roadway may be located or constructed so as to connect North Pender Island to any other island except South Pender Island.
- (8) No roadway may be located so as to divert the flow of a surface watercourse or divert or contaminate in any way a groundwater aquifer, but this subsection does not prohibit the culverting of a surface watercourse for a roadway crossing or the construction of a stormwater retention facility provided that such culverting or construction is in accordance with the "Standards and Best Practices for Instream Works", the *Water Sustainability Act*, and the *Fisheries Act*.
- (9) The design of roadways must to the greatest extent possible follow the natural contours of the land so as to minimize the extent of cutting and filling required to construct the roadway.
- (10) Native vegetation must be reinstated in all portions of a highway not comprising the roadway, following the completion of construction of a roadway and any associated utilities.

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

8.12 Standard for Potable Water Supply

Information Note: If more than one dwelling is connected to the same source of water, the water system may be subject to the *Drinking Water Protection Act*, the *Water Utility Act* or other regulations pertaining to water supply systems.

Information Note: Water obtained from a stream, or non-domestic groundwater use requires a licence under the *Water Sustainability Act*.

- (1) Where potable water is proposed to be supplied to lots in a subdivision by an established community water system, the applicant for subdivision must provide written confirmation from the community water system that it is able to supply potable water for the permitted principal use and density to each lot.
- (2) Where potable water is proposed to be supplied to lots in a subdivision by creating a

community water system, the applicant for subdivision must provide proof of all authorizations required under the *Drinking Water Protection Act*, the *Water Utility Act* or any other enactment pertaining to water supply systems.

- (3) Where potable water is proposed to be supplied to lots in a subdivision from a stream, the applicant for subdivision must provide proof of authorization in the form of a water licence confirming that the total volume of water granted to the licence holder is able to supply potable water for domestic uses at the volume specified in Table 1 to each lot.
- (4) Where potable water is proposed to be supplied to lots in a subdivision by drilled wells the applicant for subdivision must provide written certification under seal of a hydrogeologist that:
 - a. Each well has been constructed in accordance with the *Groundwater Protection Regulation*;
 - b. Each well has been constructed in accordance with Subsections 8.12(6), 8.12(7) and 8.12(8);
 - c. Each well has sufficient available groundwater to provide the daily required volume of potable water for the permitted domestic uses on each lot in accordance with Table 1;
 - d. Each well for which a water licence has not been issued has sufficient available groundwater volume for all permitted non-domestic, non-agricultural, non-park, non-conservation area principal uses for each lot at the permitted density of use; and
 - e. Includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.

TABLE 1 DOMESTIC POTABLE WATER SUPPLY STANDARDS FOR SUBDIVISION	
USE	VOLUME (per day per lot)
<i>Per lot (including one dwelling)</i>	2000 litres
<i>Each additional permitted dwelling and cottage per lot</i>	2000 litres

- (5) Where the potable water is proposed to be supplied to lots in a subdivision by drilled wells, for any well where a water licence has not been issued the applicant for subdivision must also provide written certification under seal of a hydrogeologist:
 - a. Results of a water quality analysis, completed by an accredited laboratory;
 - b. A plan of the proposed subdivision indicating the location where each water sample was taken;
 - c. A statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
 - d. Confirmation, based on the accredited laboratory water quality analysis, that each proposed water supply source is potable, or can be made potable, with a treatment system; and
 - e. Confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that each drilled well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with the Province of British Columbia guidance documents.

- (6) Where a water license has not been issued and where potable water is proposed to be supplied to lots in a subdivision by a drilled well, a pumping test shall be carried out on each well in a proposed subdivision by:
 - a. pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
 - b. withdrawing the total daily required volume specified in Subsection 8.12(4) over a maximum period of 24 hours; and
 - c. monitoring groundwater levels continuously during the pumping test and during the recovery period.
- (7) Where potable water is to be supplied by a drilled well a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.
- (8) Drilled wells used for the purposes of subdivision must not be located within 50 metres of the natural boundary of the sea.
- (9) If the daily required volume of potable water cannot be supplied in accordance with Subsection 8.12(1) or if the certification in Articles 8.12(4)(c) and 8.12(4)(d) cannot be made, the Approving Officer may nonetheless approve the subdivision provided that the applicant grants a s.219 covenant to the North Pender Island Local Trust Committee and the Capital Regional District that restricts the development of the subdivision to the uses or density of the uses for which a certification has been made under Subsections 8.12(1) or 8.12(4).
- (10) Where the certification under Article 8.12(5)(d) states that a water supply is not potable but can be made potable with a treatment system, the Approving Officer may approve subdivision provided that the applicant grants a s. 219 covenant under the *Land Title Act* to the North Pender Island Local Trust Committee and the Capital Regional District that requires on-going treatment of the water to potable water standards recommended by a hydrogeologist.
- (11) For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of potable water.
- (12) For the purposes of subdivision, alternative potable water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of potable water.
- (13) The requirements of Subsections 8.12(1) and 8.12(2) do not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of lots or permitted dwelling units, provided that all lots in the subdivision are currently serviced by existing wells, community water system connection or water licence.

8.13 Sewage Disposal Standards

- (1) Each *lot* that is proposed to be created by subdivision must be demonstrated by the applicant to contain an area or areas of sufficient size and appropriate characteristics to satisfy the requirements of the Sewerage System Regulation under the *Public Health Act* for conventional septic tank or package treatment plan sewage disposal systems in respect of the *buildings, structures* and uses that are permitted on the lot by this Bylaw, if no other acceptable septic system is available.
- (2) The information referred to in Subsection 8.13(1) must be provided to the Building Inspector where an application for a building permit is made and the information has not previously been provided in respect of the subdivision of the *lot* on which the *building* is proposed to be constructed, except that the information need only be provided in respect of the *building* or *structure* that is the subject of the permit application.
- (3) No sewage may be disposed of by means of discharge to a watercourse or the sea or, in the case of a residential zone, on a *lot* other than that on which it was generated, except where that *lot* is used only for the purpose of sewage disposal.

8.14 Drainage Standards

- (1) Every subdivision must be designed and constructed so as to maximize the proportion of precipitation, which is percolated into the ground and to minimize direct overland runoff.
- (2) Every surface drainage system must be designed to provide for the continuity of any existing surface drainage system serving the drainage basin in which the lot to be subdivided is located.
- (3) No watercourse or water body may be diverted, altered or used for surface drainage purposes so as to transfer water between watershed basins.
- (4) Every surface drainage system must be designed so that the system is capable of conveying the peak rate of runoff from a 10 year storm for the entire drainage basin within which the subdivision or development is located when such basin is fully developed.
- (5) Every surface drainage system must be designed and constructed so as to minimize scouring and erosion of ditch banks.
- (6) All drainage works, ditches, culverts and appurtenances must be located in statutory rights of way granted to the Crown, or in dedicated *highways*.
- (7) If storm water is discharged from a surface drainage system to the sea or a watercourse on or adjacent to the *lot* being subdivided or developed, the system must be constructed and designed to retain storm water for the period of time necessary to allow for the settling of silt and other suspended solids.
- (8) To the extent that is practicable, surface drainage systems must be designed so as to permit withdrawal of water for fire suppression from storm water retention facilities and drainage ditches, and the use of storm water to recharge fire protection cisterns.

- (9) Every applicant for subdivision must provide the written certification under seal of an Engineer with experience in storm water management that the drainage system for the subdivision has been designed in accordance with Subsections 8.14(1) to 8.14(8).
- (10) The certification required in Subsection 8.14(9) must be provided to the Building Inspector if an application for a building permit is made and the certification has not previously been provided in respect of the subdivision of the lot on which the building is proposed to be constructed, and the provisions of Subsections 8.14(1) through 8.14(8) apply with the necessary changes, except that the certification need only be provided in respect of the *lot* that is the subject of the permit application.
- (11) In addition to the matters referred to in Subsection 8.14(10), if the building permit application indicates that more than 185 m² of impervious surfaces excluding roof areas are proposed to be developed on the *lot*, the Engineer must certify that neither the annual volume of runoff from the lot, nor the pattern of runoff, will be altered as a result of the development.

PART 9 CAMPGROUND REGULATIONS

9.1 Campground Standards - Zoning

- (1) The minimum lot area for a campground is 1.2 hectares.
- (2) Camping spaces must not cover more than 22 percent of the *lot* and no campground may have more than 50 camping spaces.
- (3) Camping spaces must have an area of at least 110 m², or 84m² in the case of spaces for tents only, and must be clearly identified by a unique number or other identification.
- (4) No area of a campground other than a camping space complying with the requirements of this section may be occupied by a tent or *recreational vehicle*.
- (5) Accessory retail sales uses in a campground may not exceed 18.6 m² in *floor area*.
- (6) No camping space may be located less than 30 metres from a front lot line, 15 metres from any other lot line, or 3 metres from any driveway.

9.2 Campground Building Standards

- (1) Every campground must have access to a *highway* by way of a single hard-surfaced or gravelled driveway access route at least 6.7 metres in width, on which motor vehicle parking is not allowed.
- (2) All camping spaces and service buildings must have direct driveway access to the driveway referred to in Subsection 9.2(1), except that tent spaces may have access by trails not exceeding 2 metres in width and such driveways must be hard-surfaced or gravelled to a width of at least 3 metres in the case of one-way roadways, 4.3 metres in the case of two-way driveways, and 12 metres in the case of a turning circle at the end of a cul-de-sac.
- (3) Every campground must have a buffer area at least 30 metres wide adjacent to the front lot line and 15 metres wide adjacent to every other lot line, and driveways in the buffer area must be of the shortest length practicable.
- (4) Every campground must have an outdoor recreation area for playground, sports and games uses, comprising at least 5 percent of the area of the campground, and such area must be exclusive of any buffer or parking area, camping space, or other campground facility.
- (5) One camping space may, despite any other provision of this Bylaw, be occupied for up to 6 months in any 12 month period by a campground owner or operator, and such space may include office and retail sales facilities.
- (6) Every camping space must be clearly identified as a space for a *recreational vehicle* or tents or as a space for tents only.
- (7) Camping spaces for *recreational vehicles* or tents may be occupied by only one *recreational vehicle* and up to two tents, and camping spaces for tents only may be occupied by up to two tents.
- (8) One motor vehicle parking space must be provided in respect of each camping space, located adjacent to the driveway giving access to the space, except in the case of camping spaces for

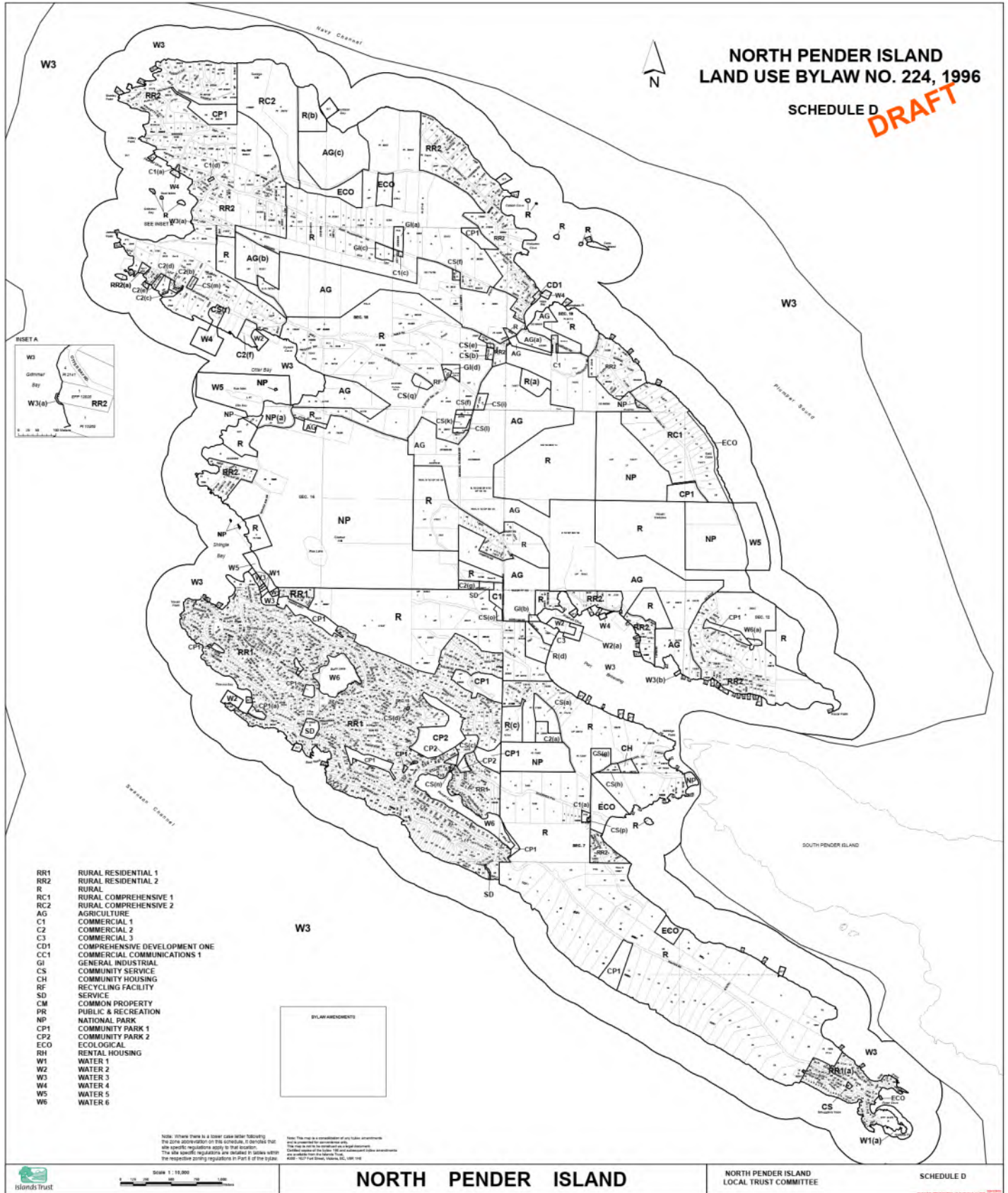
tents only in which case the parking space may be in a common parking area from which access is provided to the camping spaces by trails.

- (9) Every camping space must be equipped with a garbage container that is durable, watertight, insect-proof and rodent-proof.
- (10) Every campground must be furnished with a constant supply of fresh water in compliance with the *Drinking Water Protection Act*
- (11) Every campground must be equipped with sewage disposal facilities in the form of a connection to a community sewer system or an on-site sewage disposal system, as defined in the Sewerage System Regulation under the *Public Health Act*, but no individual camping space may be connected to a community sewer system or sewage disposal system.
- (12) Every campground must be provided with a service building equipped with flush type toilet and urinal fixtures, washbasins and showers as follows:

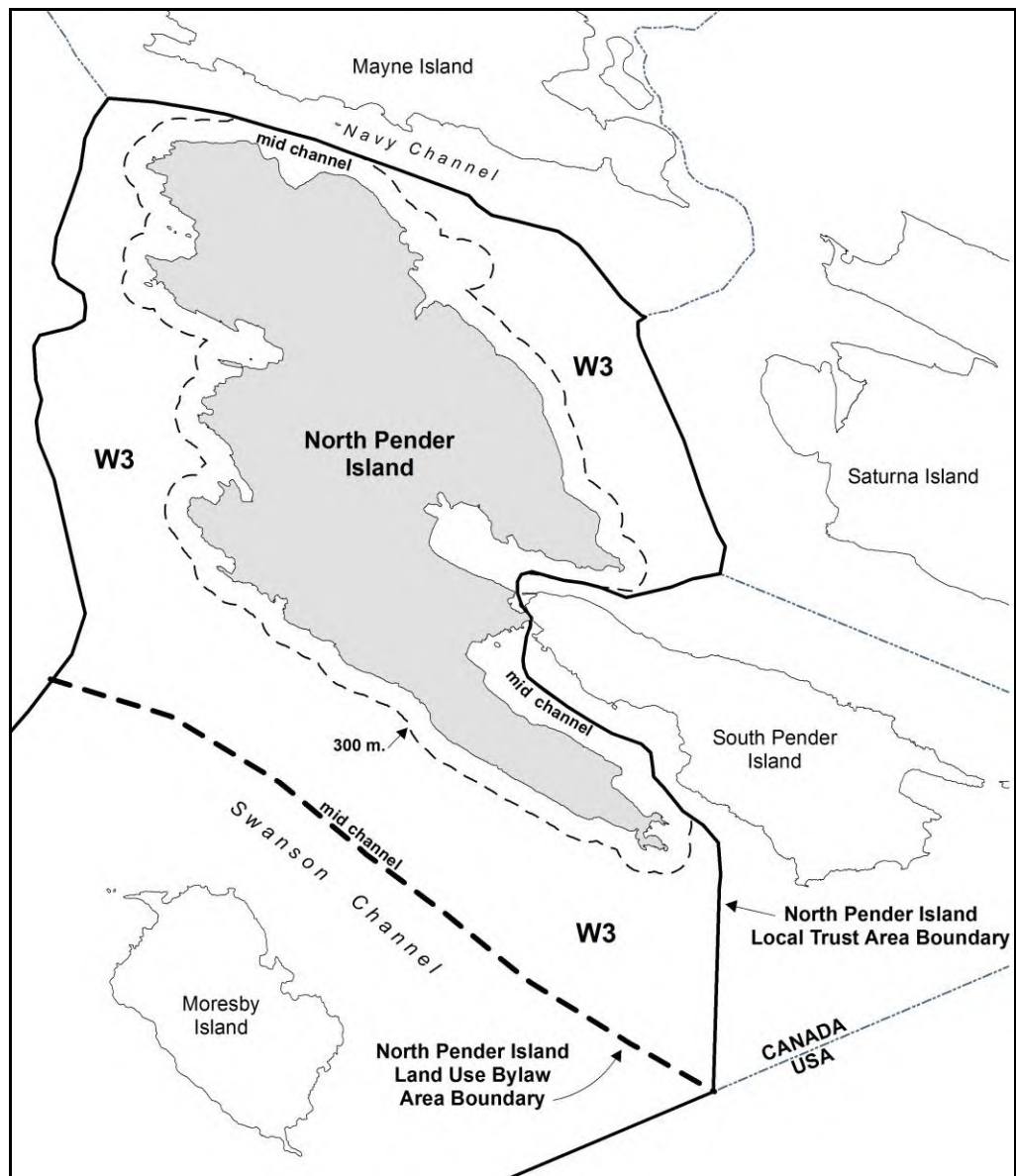
Number of Camping Spaces	Toilets		Urinals	Washbasins		Showers	
	Men	Women	Men	Men	Women	Men	Women
1 to 15	1	1	1	1	1	1	1
16 to 30	1	2	1	2	2	1	1
31 to 45	2	2	1	3	3	1	1
46 to 50	2	2	2	3	3	2	2

- (13) Every service building must be equipped with a conveniently located kitchen - type sink for the disposal of dishwashing water and similar water wastes.
- (14) Every service building must be of permanent construction and comply with the following requirements:
 - (a) all rooms must be adequately lighted and ventilated, and all ventilation openings adequately screened;
 - (b) all walls, floors and partitions must be constructed of materials that are easily cleaned and not subject to damage from frequent cleaning or disinfecting;
 - (c) all showers and toilets must be installed in separate compartments and facilities designated for males and females separated by tight partitions; and
 - (d) all such *buildings* must be located at least 4.5 metres from any camping space, but not more than 150 metres from any camping space except such camping spaces as may be designated and used exclusively by recreational vehicles equipped with a toilet and facilities for washing.
- (15) Campgrounds providing camping spaces for *recreational vehicles* must be furnished with a sewage disposal station adjacent to a driveway in compliance with the Sewerage System Regulation.

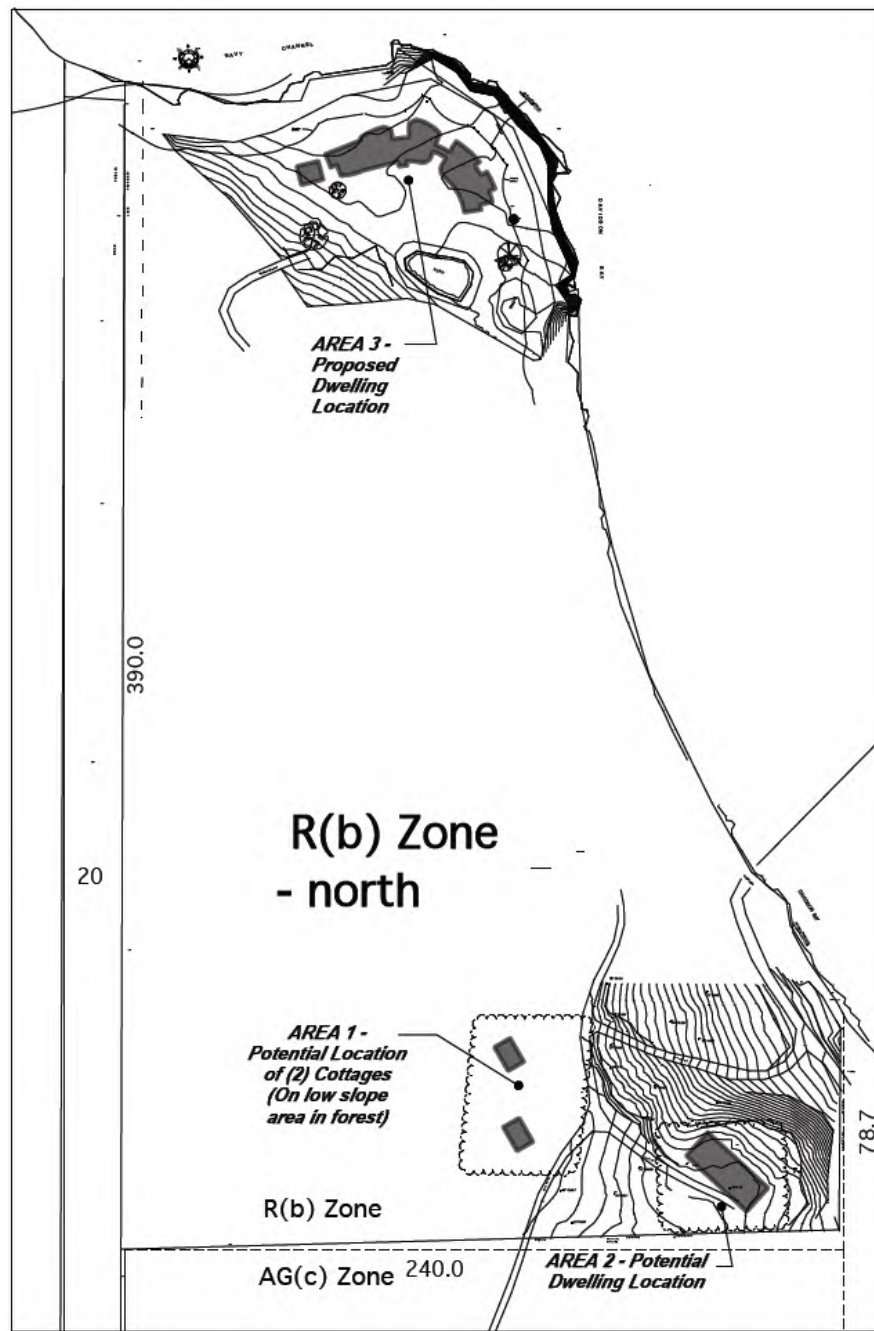
SCHEDULE B (ZONING MAP)



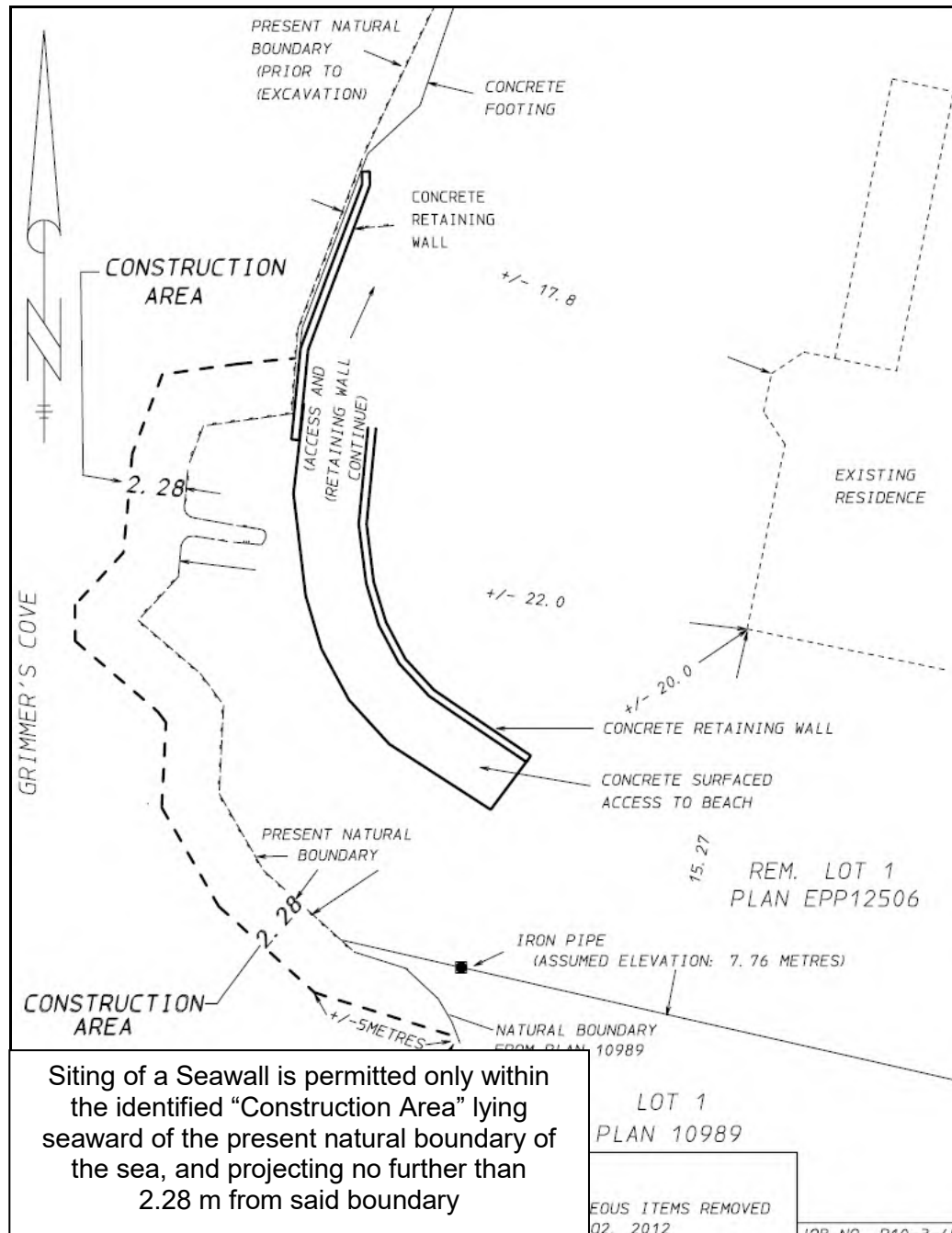
SCHEDULE C (BYLAW AREA MAP)



SCHEDULE D (Detailed Plans – R(b) Siting Plan)



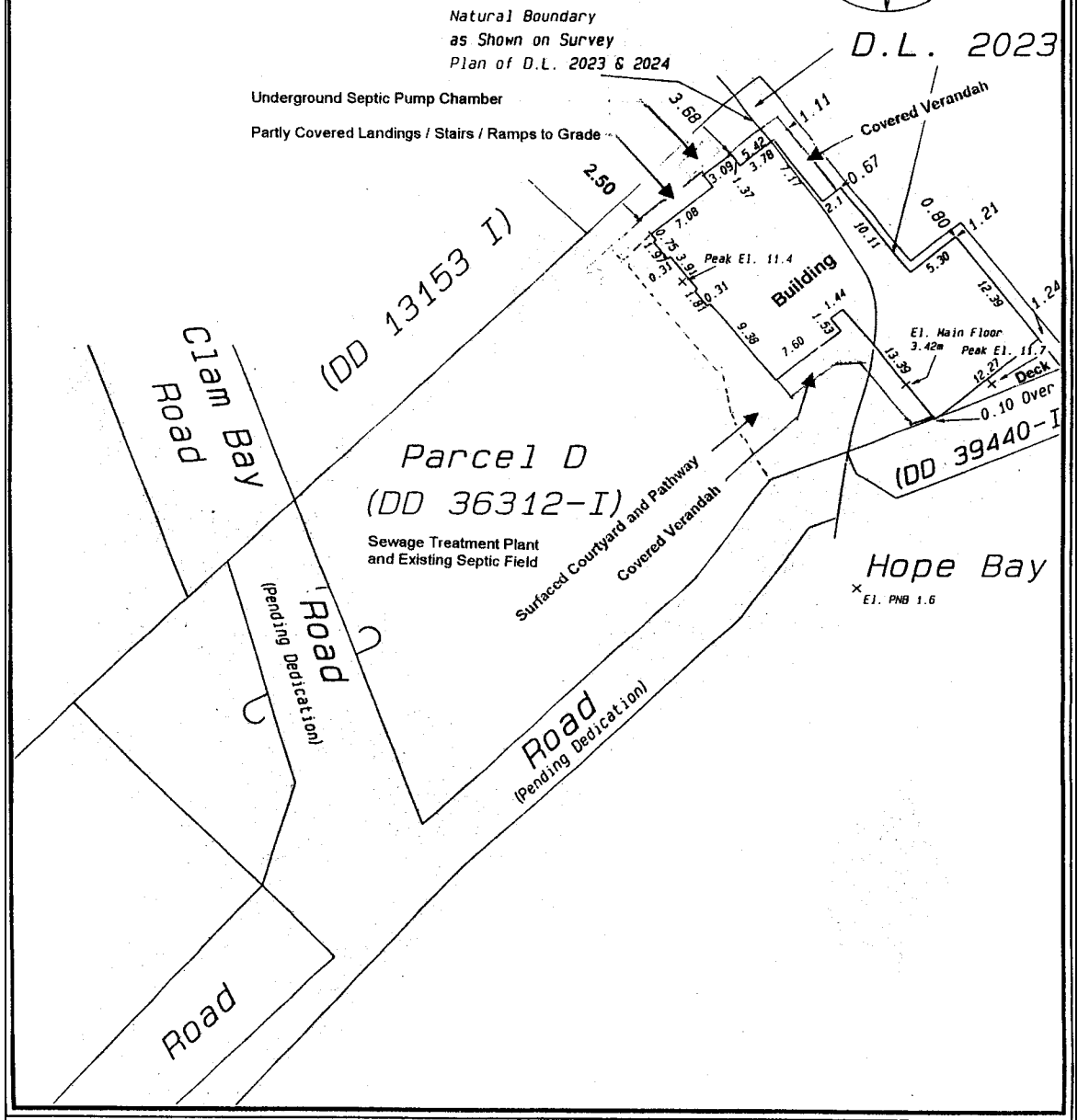
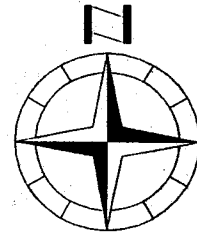
SCHEDULE E (Detailed Plans – W3(a) Sewall Plan)



SCHEDULE F (Comprehensive Development Zones – Plan CD1(a))

This drawing is adapted from a survey by
Richard J. Wey and Associates Land Surveying Inc.,
dated the 11th day of September 2003.

Distances shown are in metres.
Scale = approximately 1:500.
Elevations are to an assumed datum.
Dimensions are to building framing.



PROPOSED

NORTH PENDER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 229

A BYLAW TO AMEND NORTH PENDER ISLAND LAND USE BYLAW NO. 224, 2022

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

1. Citation

This bylaw may be cited for all purposes as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2022”.

2. North Pender Island Local Trust Committee Bylaw No. 224, cited as “North Pender Island Land Use Bylaw No. 224, 2022,” is amended as follows:

2.1 Schedule “B” – Zoning Map, is amended by changing the zoning classification of:

- (1) a portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806 from Rural (R) to General Industrial (GI(e));
- (2) a portion of land northeast of Magic Lake from Rural Residential 1 (RR1) to Community Park 2 a ((CP2(a)));
- (3) Lot 1, Section 23, Pender Island, Cowichan District, Plan 3658 from Commercial 1a (C1(a)) to Rural Residential 2 b (RR2(b));
- (4) Lot 1, Section 23, Pender Island, Cowichan District, Plan VIP73194 from Commercial 1a (C1(a)) to Rural Residential 2 b (RR2(b)); and,
- (5) Lot 18, Section 10, Pender Island, Cowichan District, Plan 22424 from Rural Residential 1 (RR1) to Community Park 2 b ((CP2(b))).

as shown on Plan Nos. 1, 2, 3 and 4 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” to Bylaw No. 224 as are required to effect these changes.

2.2 By adding the following to Subsection 5.1(9):

The maximum *floor area* per *lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)

2.3 By adding the following to Subsection 5.2(9):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed:	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)

2.4 By adding the following new site specific regulation to Table 5.2 in Subsection 5.2(18):

Table 5.2			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
2	RR2(b)	Lot 1, Section 23, Pender Island, Cowichan District, Plan 3658 and Lot 1, Section 23, Pender Island, Cowichan District, Plan VIP73194	Despite Subsection 5.2(2), there may not be more than one (1) dwelling the RR2(b) zone.

2.5 By adding the following to Subsection 5.3(8):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
16 ha or greater (40 acres or greater)		500 m ² (5382 ft ²)

2.6 By adding the following to Subsection 5.4(7):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

2.7 By adding the following to Subsection 5.5(7):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

2.8 By adding the following to Subsection 5.6(8):

The maximum *floor area per lot*:

Lot Area	The total floor area of all buildings, excluding the floor area of a secondary suite, may not exceed::	The floor area of a dwelling may not exceed:
Less than 0.4 ha (Less than 1 acre)	500 m ² (5382 ft ²)	325 m ² (3500 ft ²)
0.4 ha to < 1.2 ha (1 to 3 acres)	1000 m ² (10,764 ft ²)	372 m ² (4000 ft ²)
1.2 ha or greater (3 acres or greater)	3000 m ² (32,292 ft ²)	418 m ² (4500 ft ²)
For dwelling located within the Agricultural Land Reserve		500 m ² (5382 ft ²)

2.9 By adding the following new site specific regulation to Table 5.10 in Subsection 5.10(12):

Table 5.10			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
5	GI(e)	Portion of Lot 1, Section 18, Pender Island, Cowichan District, Plan VIP59806	Despite Subsection 5.10(1), the only uses permitted in this location are: (a) <i>waste transfer facility</i> ; (b) commercial composting; (c) commercial recycling; (d) <i>Accessory</i> storage of a maximum of five (5) motorized or non-motorized trucks; and five (5) construction containers; and, (e) <i>Accessory buildings and structures</i> .

2.10 By adding the following new site specific use to General Industrial b ((GI(b)) zone:

“Commercial Boat Maintenance”

2.11 By adding the following to Section 5.13 ‘Rental Housing (RH) Zone’:

“Permitted Uses

(1) The following *uses* are permitted, subject to the regulations set out in this Section and the general regulations, and all other *uses* are prohibited:

- (a) *Multi-family rental dwelling*; and,
- (b) *Accessory uses, buildings and structures*.

Density

(2) There may not be more than 16 *multiple-family rental dwelling units* per lot.

Siting and Size

- (3) No *building or structure* may exceed 9.7 metres in *height*.
- (4) The minimum *setback* for any *building or structure* shall be:
 - (a) 7.6 metres from any front or rear *lot line*;
 - (b) 3.0 metres from any interior side *lot line*; and,
 - (c) 4.5 metres from any exterior side *lot line*.

- (5) If a *lot line* adjoins the Agricultural (AG) Zone, the *setbacks* in respect of that *lot line* required by Subsection 5.13(4) must be increased by 3 metres.
- (6) *Lot coverage* may not exceed 25 percent.
- (7) The maximum *floor area* of a *multiple-family rental dwelling unit* must not exceed 93 m².

Conditions of Use

- (8) Every external storage area must be screened from view by a *landscape screen* complying with Subsection 3.9(1).
- (9) Every *multi-family rental dwelling* must be screened from adjacent residential *uses* along lot lines abutting *lots* zoned Rural Residential 1, Rural Residential 2, Rural, Rural Comprehensive 1, Rural Comprehensive 2 and Agricultural, complying with Subsection 3.9(2).

Subdivision Lot Area Requirements

- (10) No *lot* having an area less than 1.2 hectares may be created by subdivision in the Rental Housing Zone.”

2.12 By adding the following new site specific regulation to Table 5.18 in Subsection 5.18(5):

Table 5.18			
	1	2	3
	Site-Specific Zone	Location Description	Site Specific Regulations
2	CP2(b)	Lot 18, Section 10, Pender Island, Cowichan District, Plan 22424	(1) In addition to the uses permitted in Subsection 5.18(1), tennis courts are also permitted.

2.13 By adding the following new article to Section 5.25 ‘Water 6 (W6) Zone’ and renumbering accordingly:

“5.25(1)(c) Community dock accessory to the upland community park use.”

2.14 By adding the following new subsection after Subsection 5.25(2) under the heading ‘Density’:

“(3) A maximum of one (1) community dock is permitted in the Water 6 Zone.”

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.

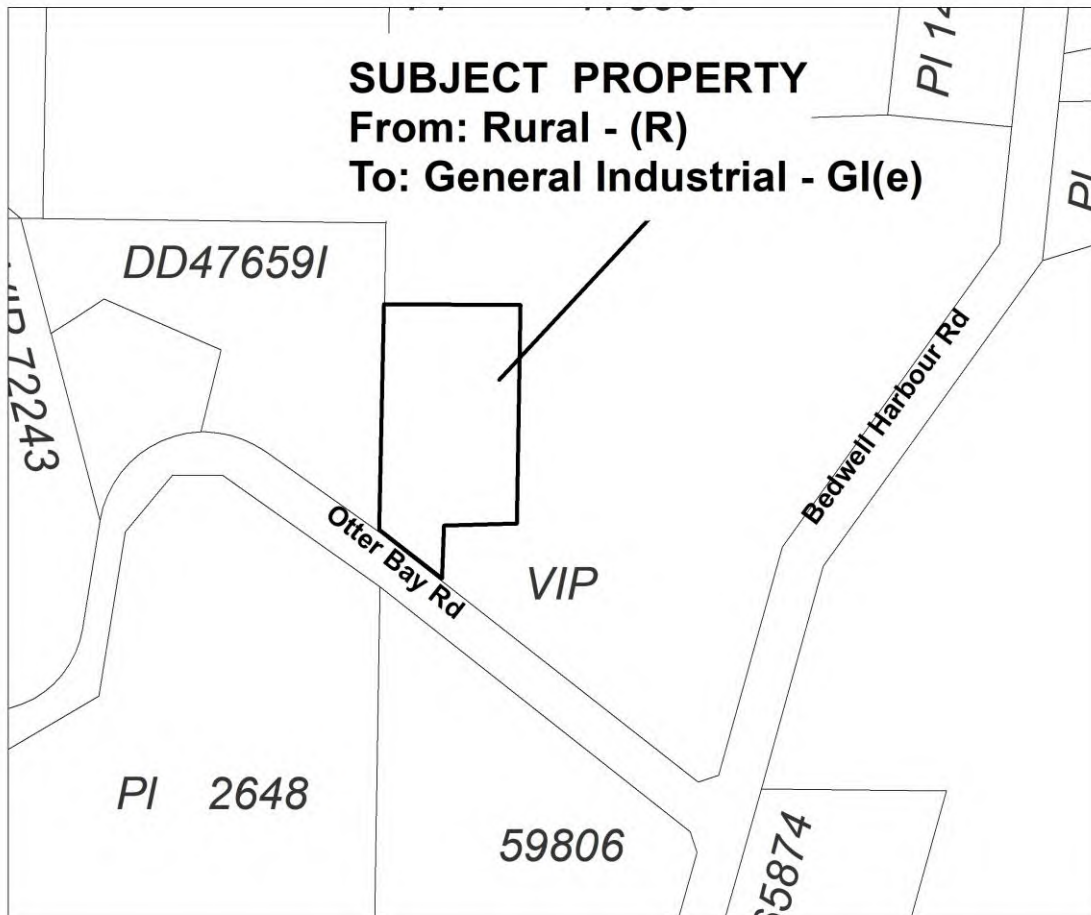
READ A FIRST TIME THIS	11 TH	DAY OF	MARCH	2023.
READ A SECOND TIME THIS	11 TH	DAY OF	MARCH	2023.
PUBLIC HEARING HELD THIS	13 TH	DAY OF	MAY	2023.
READ A THIRD TIME THIS	13 TH	DAY OF	MAY	2023.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	_____	DAY OF	_____	20____
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

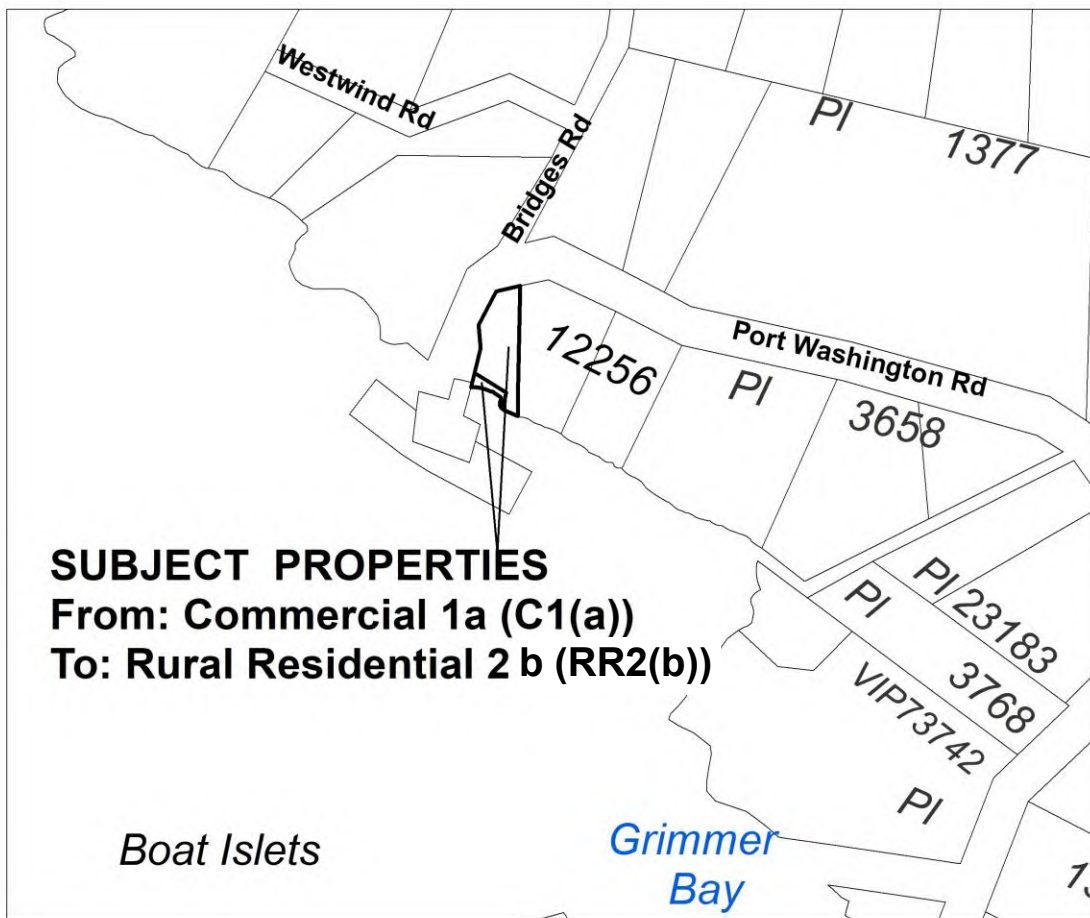
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 229

Plan No. 1



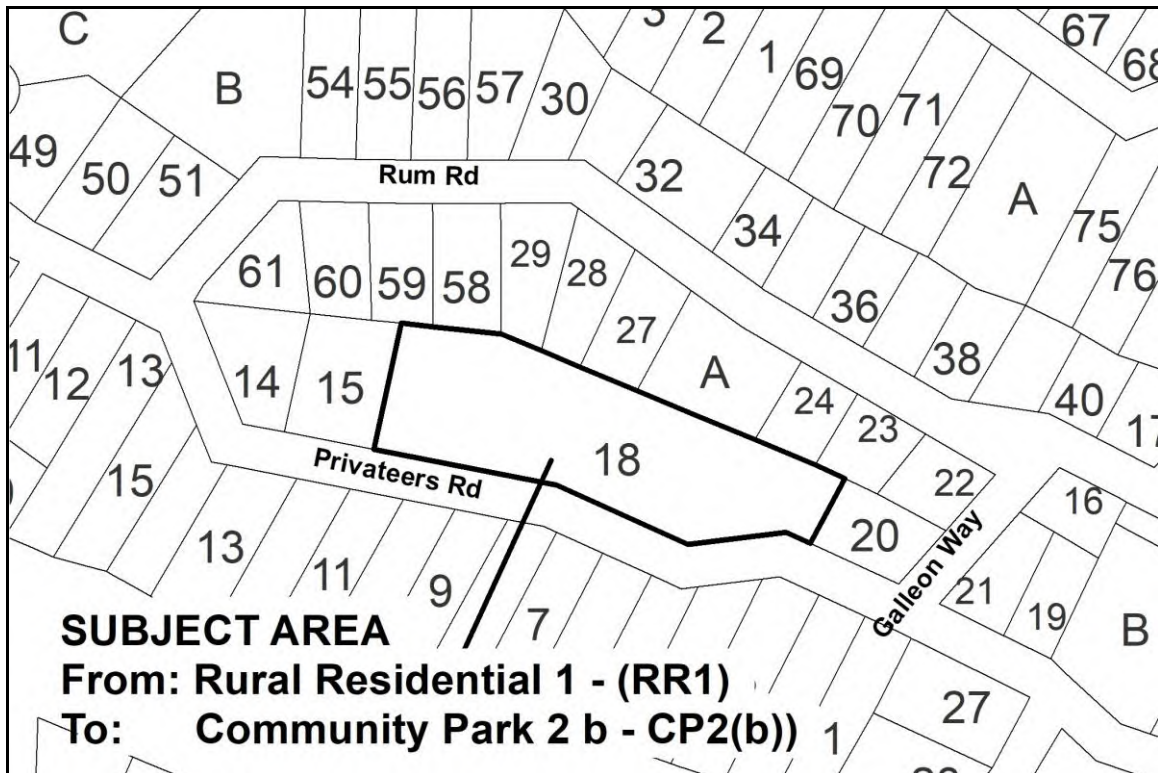
NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 229

Plan No. 3



NORTH PENDER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 229

Plan No. 4



Islands Trust Council Quarterly Meeting
June 27-29, 2023
The Haven, 240 Davis Road, Gabriola, BC

Tuesday, June 27		Wednesday, June 28		Thursday, June 29	
10:00 Executive Committee Meeting		9:00 Administration Finance Services Consent Agenda FPC Work Program Discussion Decision Director's Report Allocated Financial Statements		9:00 Closed Meeting	
12:00 Lunch Break				9:45 Rise and Report	
Islands Trust Council Quarterly Meeting		9:30 STRATEGIC PLANNING SESSION Trustee SWOT Analysis Interim Strategic Projects - BRF		9:45 Break	
1:00 Land Acknowledgement		11:00 Break		10:00 ELECTION Islands Trust Conservancy Board Member	
1:30 Call to Order Approval of Agenda		11:15 STRATEGIC PLANNING SESSION - continued		10:15 Disposition of Delegations Correspondence	
General Business Arising Consent Agenda Items Adoption of Minutes RWM Report Discussion Decision		11:45 ELECTION DECLARATION Trustee Bio Presentation		10:30 Trustee Updates First Nations Relations	
1:45 Trustee Round Table		12:00 Break for Lunch - Field Trip		Freighter Anchorages/Oceans Protection Plan Update Salt Spring Island Watershed Protection Alliance (SSIWPA) Southern Gulf Islands Forum Átl'ka7tsem/Howe Sound Biosphere Region Baynes Sound/Lambert Channel Ecosystem Forum BC Ferries Advisory Committees	
3:00 Break		Car Pool and Brown Bag Lunch C2C Threads		Priorities Chart September Trust Council Draft Schedule	
3:15 Executive Consent Agenda Items		1:30 DELEGATIONS / PUBLIC COMMENT			
Decision Discussion CAO's Report EC Work Program Strategic Plan Overview Report Continuous Learning Plan Trust Council's Policies Review - RFD Accessibility Committee - RFD Election of a FPC - RFD		2:30 Trust Area Services Consent Agenda Items TPC Work Program Discussion Decision Directors RPT Conservancy Managers RPT Annual Report			
4:45 Governance Committee GC Work Program / Matrix		3:00 Break		12:00 Adjournment (approx.)	
5:25 NOTICE OF ELECTION		3:15 Planning Services Consent Agenda Items RPC Work Program Discussion Decision		 Islands Trust	
5:30 Recess for the day (approximate)		4:00 Presentation - Local Governments in Reconcili-Action Brent Mueller, Director Ministry of Municipal Affairs			
5:30 Pre - Dinner Presentation Climate 12-12-12		5:30 Recess for the day (approximate)			
		5:30 Pre-Dinner Presentation - Trustee Elliott			
* denotes decision items RFD = request for decision BRF = briefing RPT = report				Visit the meeting webpage: ~ to view the agenda package ~ join the meeting electronically, view livestream or attend by phone-in	



Islands Trust Council Quarterly Meeting

Date: Tuesday, June 27 - Thursday, June 29, 2023
Time: see agenda for details
Location: The Haven Resort
240 Davis Road, Gabriola Island, BC

Pages

Tuesday, June 27, 2023

1. LAND ACKNOWLEDGEMENT / CALL TO ORDER 1:00 PM - 1:30 PM
2. APPROVAL OF AGENDA
3. GENERAL BUSINESS ARISING
 - 3.1 Consent Agenda Items
 - 3.1.1 March 2023 Trust Council draft meeting minutes
 - 3.1.2 Trust Council Follow-Up Action List
 - 3.1.3 Resolution without Meeting Report
 - 3.2 Discussion / Decision Items
 - 3.2.1 Trustee Roundtable 1:45 PM - 3:00 PM
- BREAK
3:00 - 3:15
4. EXECUTIVE 3:15 PM - 4:45 PM
 - 4.1 Consent Agenda Items
 - 4.2 Discussion / Decision Items
 - 4.2.1 Chief Administrative Officers Report
 - 4.2.2 Executive Committee Work Program Report
 - 4.2.3 Strategic Plan Overview Report
 - 4.2.4 Continuous Learning Plan
 - 4.2.5 Trust Council's Policies Review - RFD
working title
 - 4.2.6 Accessibility Committee - RFD

4.2.7 Election of a Financial Planning Committee - RFD

5. GOVERNANCE COMMITTEE

5.1 Governance Committee Work Program / Matrix

6. NOTICE OF ELECTION

Islands Trust Conservancy Board

**RECESS FOR THE DAY
5:30 PM (APPROXIMATE)**

Wednesday, June 28, 2023

7. ADMINISTRATION FINANCE SERVICES

9:00 AM - 9:30 AM

7.1 Consent Agenda Items

7.1.1 Financial Planning Committee Work Program Report

7.1.2 Quarterly Financial Report

7.2 Discussion / Decision Items

7.2.1 Director of Administrative Services Report

8. STRATEGIC PLANNING SESSION

9:30 AM - 11:45 AM

8.1 Trustee SWOT Analysis

8.2 Interim Strategic Projects - Briefing

**BREAK
11:00 - 11:15**

9. ELECTION DECLARATION / TRUSTEE BIO PRESENTATION

11:45 AM - 12:00 PM

**BREAK FOR LUNCH - FIELD TRIP
12:00 - 1:15**

**C2C Threads
Car Pool and Brown Bag Lunch**

10. DELEGATIONS / PUBLIC COMMENT

1:30 PM - 2:30 PM

11. TRUST AREA SERVICES

2:30 PM - 3:00 PM

11.1 Consent Agenda Items

11.1.1 Trust Programs Committee Work Program Report

11.2 Discussion / Decision Items

11.2.1 Director of Trust Area Services Report

11.2.2 Islands Trust Conservancy Report

BREAK
3:00 - 3:15

12. PLANNING SERVICES 3:15 PM - 4:00 PM

12.1 Consent Agenda Items

12.1.1 Regional Planning Committee Work Program Report

12.2 Discussion / Decision Items

12.2.1 Director of Planning Services Report

13. PRESENTATION

13.1 Local Governments in Reconcili-Action

4:00 PM - 5:30 PM

Brent Mueller, Director Ministry of Municipal Affairs

RECESS FOR THE DAY
5:30 PM (APPROXIMATE)

Thursday, June 29, 2023

14. CLOSED MEETING

9:00 AM - 9:45 AM

15. RISE AND REPORT

BREAK
9:45-10:00

16. ELECTION

10:00 AM - 10:15 AM

16.1 Islands Trust Conservancy Board Member

17. DISPOSITION OF DELEGATIONS

18. CORRESPONDENCE

19. SUMMARY/UPDATES

19.1 Trustee Updates

19.1.1 First Nations Relations

19.1.2 Freighter Anchorages / Oceans Protection Plan Update

19.1.3 Salt Spring Island Watershed Protection Alliance (SSIWPA)

19.1.4 Southern Gulf Islands Forum

19.1.5 Atl'ka7tsem/Howe Sound Community Forum

19.1.6 Baynes Sound / Lambert Channel Ecosystems Forum

19.1.7 BC Ferries Advisory Committees

19.2 Priorities Chart

19.3 Proposed September Trust Council Agenda Program

20. **NEXT MEETING**

The next Trust Council Quartely meeting is scheduled to be held in-person, on the Penders, September 26-28, 2023.

21. **ADJOURNMENT**

DRAFT

BRIEFING

To: Trust Council **For the Meeting of:** June 26, 2023
From: Executive Committee **Date Prepared:** May 15, 2023
SUBJECT: Executive Committee Work Plan Updates

PURPOSE: To update and seek endorsement from Trust Council for the Executive Committee work plan.

BACKGROUND: Executive Committee has updated its work plan to reflect Trust Council priorities and its responsibilities associated with its terms of reference. At the May 3 and May 10 Executive Committee (EC) meetings, the Committee reviewed the previous work plan, the status of ongoing projects and made adjustments to its Active Projects and Future Projects. Those work plans are attached here for review and subsequent endorsement by Trust Council.

Trust Council Policy 6.2.1 *Priority Setting Guidelines* and 6.7.1 *Work Program, Follow up Action List and Priorities Matrix* provide direction for EC, and other Committees, as they develop and implement work plans. These policies require that the top priorities of an organizational unit must be those of Trust Council that fall within their terms of reference.

Executive Committee has accordingly adopted the following Active Projects:

- To update the Islands Trust Policy Statement;
- To develop the Islands Trusts First Nations Reconciliation and engagement planning;
- To develop a strategy to increase the provincial financial contribution to the Islands Trust;
- To guide the development and implementation of the Islands Trust Strategic Plan;
- Development of an Islands Trust Communications Strategy.

In addition, the following Future Projects:

- To advance the preservation and protection of marine ecosystems;
- To engage with the Ministry of Transportation on a updated Memorandum of Understanding;
- Programming associated with the Climate Change declaration of the Islands Trust.

As noted, the previous work plan included Climate Change Declaration/Emergency as an Active Project. Executive Committee seeks direction from Trust Council on actions it wishes to endorse associated with the Climate Change Emergency and Islands Trust Climate Change declaration, and would seek a future session/engagement with Trust Council on specific outcomes.

ATTACHMENT(S):

1. Active Projects List
2. Future Projects List

FOLLOW-UP: as directed

Prepared By: Russ Hotsenpiller, Chief Administrative Officer

Reviewed By/Date: May 16, 2023

Active Projects Report

Executive Committee

1. *Update Islands Trust Policy Statement*

Responsible

Dates

With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Policy Statement including a First Nations and public engagement process.
Updated Project charter approved March 2023. (Strategic Plan 3.1, 4.4 , 5.6, 5.7)

Rec'd: 26-Feb-2020
Target: 26-Sep-2023

2. *First Nations Reconciliation*

Responsible

Dates

Develop Islands Trust First Nations Reconciliation and engagement planning (Strategic Plan Items 4.5 & 4.6)

Rec'd: 02-Sep-2020

3. *Provincial Funding*

Responsible

Dates

Develop a strategy to increase the provincial financial contribution to the Islands Trust.

Rec'd: 07-Mar-2023

4. *Strategic Planning*

Responsible

Dates

Guide the development and implementation of the Islands Trust Strategic Plan.

Rec'd: 03-May-2023

Executive Committee

5. *Communications*

Responsible

Dates

Development of an Islands Trust Communications Strategy.

Rec'd: 03-May-2023

Future Projects Report

Executive Committee

1. *Marine Ecosystems*

Responsible

Date Received

Advance the preservation and protection of marine ecosystems.

03-May-2023

2. *MOTI MOU's*

Responsible

Date Received

To engage with the Ministry of Transportation on a updated Memorandum of Understanding.

03-May-2023

3. *Climate Change Emergency*

Responsible

Date Received

Programming associated with the Climate Change declaration of the Islands Trust.

03-May-2023

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: June 27, 2023

From: David Marlor, Director,
Legislative Services

Date Prepared: May 17, 2023

SUBJECT: Financial Planning Committee – Membership

RECOMMENDATION: That Trust Council continue with the existing policy of appointment to the Financial Planning Committee.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: As requested by Trust Council, this Request for Decision provides a review of options available for selection of the Financial Planning Committee. Staff has based the recommendation on an assumption that representation of all trust bodies is a goal of the Trust Council for the Financial Planning Committee; other options have been provided if this is not the case.

- 1 **PURPOSE:** To provide Trust Council with the consideration of changing the method of selecting membership for the Financial Planning Committee.
- 2 **BACKGROUND:** At its regular business meeting in November, 2022, Trust Council passed the following resolutions:

TC-2022-131

Staff to report back with options and implications of changing the selection process established in Trust Council Policy 2.3.1 Council Committee Systems for the Financial Planning Committee so that membership is determined by Trust Council election and;

THAT Trust Council change the process for appointing the Financial Planning Committee established in Policy 2.3.1 Council Committee Systems, by limiting the appointment under current policy to 6 months pending adoption of a new selection policy, at which time a new Financial Planning Committee could be decided by the new policy failing which, the existing Financial Planning Committee will remain in office.

Trust Council originally established a policy on appointment of the Financial Planning Committee on March 6, 1998. The policy automatically appoints all four members of the Executive Committee to the Financial Planning Committee; it also appoints the chairs of all council committees, as well as a representative from the Islands Trust Conservancy. Finally, the policy allows for three at large members appointed by the Chair of Trust Council, and then ratified by Trust Council at a subsequent meeting.

The intent of this appointment process was to ensure that all Trust bodies had representation on the Financial Planning Committee. As the Executive Committee members are, by legislation, the chairs' of the local trust committees, having the Executive Committee members on the Financial Planning Committee ensured that each local trust committee interests and concerns were represented at the Financial Planning Committee table. The appointment of the Committee Chairs

ensures that major project/Trust Council priorities are represented in financial planning. Selection of three at large trustees ensures representation of general Trust Council business. Appointment of a representative from the Conservancy ensures collaboration with the other large financial actor within the Islands Trust.

The following are options for amending Trust Council Policy 2.3.1 regarding membership on the Financial Planning Committee.

Option 1: Election

Trust Council change the selection process for Financial Planning Committee membership to an at large election. In this case, each member of trust council could stand for election, and a closed vote would be held, following the same process as used for the election of the Executive Committee.

An advantage of this approach would be those trustees with interest, or knowledge in financial management, could be elected to the Financial Planning Committee. This would create a Financial Planning Committee that represents Trust Council by virtue of the election. However, there is a chance that not all local trust committees, council committees, or Islands Trust Conservancy will be represented on the Financial Planning Committee.

Another disadvantage of using an election process is the time required for trustees to express interest and then for staff to conduct the election. Unlike other committees, Financial Planning Committee has time constrained budget tasks, especially through the months of December to March. Delaying an election beyond December (for example to March) could make it difficult for Trust Council to consider and adopt an annual budget by the March 31 deadline. Therefore, if Trust Council were to elect the Financial Planning Committee, that election would have to occur by December in the election year.

Option 2: Hybrid

Trust Council change the selection of the Financial Planning Committee membership to elect three Trust Council members, and continue with membership containing the Executive Committee, Chairs or designate from council committees and a designate from the Islands Trust Conservancy. This approach preserves representation of all Trust bodies on the Financial Planning Committee, and allows Trust Council through an election to select the three at large members.

The disadvantages are the same as Option 1 in relation to the timing of the election. Failure to hold the election in a timely manner is not detrimental to the operation of the Financial Planning Committee; this is because there will be a quorum of membership by virtue of the automatic membership from other committees. This approach though, while representing Trust bodies, is likely to be less representative of Trust Council than Option 1.

Option 3: Mid-term Financial Planning Committee

A concern raised is that membership of Financial Planning Committee is determined before there is any knowledge of individual trustees following an election. This is likely more of an issue since the Province increased the term from three years to four years starting in 2018. In this option, Trust Council could select a Financial Planning Committee for half the term (two years) using Option 1, and then select a new Financial Planning Committee mid-term for the remainder of the term. This reduces commitment by trustees as the time commitment is half, and gives opportunity for fresh input and

ideas mid-term. However, it could lead to loss of continuity of financial ideas, and a mid-term election process could be disruptive to the work of the Financial Planning Committee. If Trust Council selected this option, the date for the mid-term election should not occur during the December to March period to ensure Financial Planning Committee work is uninterrupted during this period.

Option 4: Status Quo

Trust Council not change the selection process of the Financial Planning Committee. Appointment of Trust Council members within the first meetings of Trust Council for a four-year term has been identified as problematic because trustees do not yet know each other and what they can bring to the Financial Planning Committee table. Trust Council originally designed the Financial Planning Committee to represent all Trust bodies.

If the intent of Trust Council is a committee that is representative of all Trust bodies, then the current system of automatically appointing the Executive Committee, Chairs or designates from council committees and Islands Trust Conservancy appears to be the best approach. Election of the three Trust Council members would provide more control to Trust Council on membership, and may or may not result in better Trust Council representation than the current system of appointment by the Chair based on interest.

If Trust Council wishes to make a fresh start, and have Financial Planning Committee with membership based on interest, knowledge and skill, and representative of Trust Council (but not Trust bodies), then election of all members would be the best option. Operationally, the procedure for running the Financial Planning Committee would be the same, however, it may be somewhat more difficult to consider all local trust committee, council committee and Islands Trust Conservancy interests when developing the budget, depending on which trustees are elected; for this reason, additional procedures may need to be in place for consultation with Trust bodies in some way.

Based on this, and in absence of any policy direction regarding how Financial Planning Committee representation should be determined, staff recommends Option 4 (status quo) as this preserves representation of all trust bodies, with three additional Trust Council members who expressed interest, appointed by the Chair of Trust Council and ratified by Trust Council. Option 3 could be used in conjunction with Option 2, however, the mid-term election would only apply to the Trust Council representatives. This appears overly complicated and therefore not recommended.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

No organization implications. The existing Financial Planning Committee would continue as per policy and as per Trust Council resolution TC 2022-131.

FINANCIAL:

No financial implications.

POLICY:

No policy implications.

IMPLEMENTATION/COMMUNICATIONS:

Policy 2.3.1 would be updated and posted on the Islands Trust website.

FIRST NATIONS:

No First Nations implications

OTHER:

No other implications.

4 RELEVANT POLICY(S):

2.3.1 Council Committee System and Terms of Reference

5 ATTACHMENT(S):

- [Linked - 2.3.1 Council Committee System and Terms of Reference](#)
- Alternative 1 and 2
- Alternative 3

RESPONSE OPTIONS

Recommendation:

That Trust Council continue with the existing policy of appointment to the Financial Planning Committee.

Alternatives:

Alternative 1: Election of all members

That Trust Council adopt the amended policy 2.3.1 Council Committee Systems and Terms of Reference in which membership of the Financial Planning Committee consists of up to nine members of Trust Council elected by Trust Council (Attachment 1).

Alternative 2: election of all members with mid-term election

That Trust Council adopt the amended policy 2.3.1 Council Committee Systems and Terms of Reference, in which membership of the Financial Planning Committee consists of up to nine members of Trust Council elected by Trust Council; and an election is held in December of the General Local Government election year, and a mid-term election is held in June of the second year of the term (attachment 1 - optional).

Alternative 3: Election of Trust Council Appointments

That Trust Council adopt the amended policy 2.3.1 Council Committee Systems and Terms of Reference, in which membership of the Financial Planning Committee consists of automatic appointments of Executive Committee, Chairs or designates of council committees and Islands Trust Conservancy, and elects the three at large Trust Council members (attachment 2).

Prepared By: David Marlor, Director, Legislative Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/May 18, 2023
Executive Committee/May 24, 2023

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION



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; September 21, 2022; March 7, 2023
Policy Holder:	Chief Administrative Officer

COUNCIL COMMITTEE SYSTEM AND TERMS OF REFERENCE

Purpose

This Policy outlines the composition and general role of standing committees and select committees. The attachments include an overview of committee-specific functions for each established standing committee, and the terms of reference for each established standing committee.

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.

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.

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

B. Policy

1. Establishment and Membership

1.1 Standing Committees

1.1.1 A Council Committee System is adopted by Trust Council comprised of four standing committees (see Attachment 1) and the Executive Committee:

1.1.1.1 Regional Planning

1.1.1.2 Financial Planning

1.1.1.3 Trust Programs

1.1.1.4 Governance

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION

- 1.1.2 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 The Governance Committee consists of seven members of Trust Council 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.
- 1.1.4 One Executive Committee member will be assigned by the Trust Council Chair to the Regional Planning Committee and the Trust Programs Committee.
- 1.1.5 The Financial Planning Committee consists of 9 members elected by Trust Council. Election of the Financial Planning Committee shall occur by the end of December Trust Council meeting in the calendar year of the quadrennial trustee election. is comprised of all members of the Executive Committee; the Chair (or designate) of the Regional Planning Committee, the Trust Programs Committee, and the Governance Committee; a member chosen by the Islands Trust Conservancy Board; and three (3) other local or municipal trustees. Trust Council shall conduct
- 1.1.6 By the second Trust Council meeting following the quadrennial trustee elections, or as required, the Chair of Trust Council will recommend appointments to the Regional Planning, and 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.
- 1.1.7 The Trust Council Chair is an ex-officio member of the Trust Programs, Regional Planning, and Governance committees. If not elected to the Financial Planning Committee, Trust Council Chair is an ex-officio member of the Financial Planning Committee.
- 1.1.8 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.

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION

- 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.

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION

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

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION

- 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

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION

- 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 Meeting Procedure Bylaw 101](#)

[Trust Council Policy 6.13 Islands Trust Minutes Guidelines](#)

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

Attachment 1: Standing Committee-Specific Functions

Attachment 2: Regional Planning Committee Terms of Reference

Attachment 3: Financial Planning Committee Terms of Reference

Attachment 4: Trust Programs Committee Terms of Reference

Attachment 5: Governance Committee Terms of Reference

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION
Attachment 3: Financial Planning Committee Terms of Reference

The Financial Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Annual Budget Process

To facilitate Council's involvement in the annual budget process by:

1. providing direction to all program units, via management, in overseeing the process of budget preparation.
2. assisting Council in establishing the principles and assumptions for the development of the budget.
3. reviewing the base operating needs and all program requests against the principles and assumptions and make recommendations to Council.
4. representing the interests of Council, Executive Committee, and Council Committees throughout the budget process.

2. Budget and Financial Planning

To facilitate the linkage of the annual strategic planning process with the annual budget process through:

1. the interpretation of Council's priorities/strategies and related work programs into resource allocation requirements both for the annual budget and for long range planning practices.
2. direction to management in the development of long range financial planning and capital budgeting.
3. facilitating Council's involvement in the preparation of a three year operational and capital budget plan.

3. Financial Management

To report to and make recommendations to Council regarding the organization's financial management practices such as:

1. a regular financial reporting system.
1. development of financial management policies and procedures.
2. assessing/monitoring revenue generating and expenditure control practices, management recommendations for financial resource allocations within and during the annual budget.
3. review financial reporting documents for the Ministry/Treasury Board and/or public presentation via the Executive Committee.

4. Annual Audit

The Finance Committee will appoint from amongst its members, ~~but excluding members of the Executive Committee and trustees who are not members of Trust Council,~~ an Annual Audit Committee for the purposes of the annual audit and will report directly to Council by:

1. reviewing audit reports;
2. reviewing with management the management letter recommendations and determining necessary actions;

ALTERNATIVE 1 and 2 – ELECTION OF ALL FPC MEMBERS – WITH OPTIONAL MID_TERM ELECTION

3. monitoring the implementation of the auditor's recommendations;
4. recommending an accounting firm to Trust Council, each year, to conduct the annual audit;
5. reviewing with the auditors the year end audit (and interim audit) work program.

5. Islands Trust Conservancy Support

To provide advice to the Islands Trust Conservancy Board on financial services and support available from the Islands Trust.

6. Management Advice

To monitor and review the Trust's financial management, budget and financial planning practices and to assess management's recommendations to Trust Council in these areas, through consultation with the Trust's auditors as required.

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL



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; September 21, 2022; March 7, 2023
Policy Holder:	Chief Administrative Officer

COUNCIL COMMITTEE SYSTEM AND TERMS OF REFERENCE

Purpose

This Policy outlines the composition and general role of standing committees and select committees. The attachments include an overview of committee-specific functions for each established standing committee, and the terms of reference for each established standing committee.

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.

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.

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

B. Policy

1. Establishment and Membership

1.1 Standing Committees

1.1.1 A Council Committee System is adopted by Trust Council comprised of four standing committees (see Attachment 1) and the Executive Committee:

1.1.1.1 Regional Planning

1.1.1.2 Financial Planning

1.1.1.3 Trust Programs

1.1.1.4 Governance

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL

- 1.1.2 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 The Governance Committee consists of seven members of Trust Council 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.
- 1.1.4 One Executive Committee member will be assigned by the Trust Council Chair to the Regional Planning Committee and the Trust Programs Committee.
- 1.1.5 The Financial Planning Committee is comprised of all members of the Executive Committee; the Chair (or designate) of the Regional Planning Committee, the Trust Programs Committee, and the Governance Committee; a member chosen by the Islands Trust Conservancy Board; and three (3) other local or municipal trustees selected by Trust Council election; such election shall occur by the end of December in the year of the quadrennial trustee election.
- 1.1.6 By the second Trust Council meeting following the quadrennial trustee elections, or as required, the Chair of Trust Council will recommend appointments to the Regional Planning, ~~and~~ 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.
- 1.1.7 The Trust Council Chair is an ex-officio member of the Trust Programs, Regional Planning, and Governance committees.
- 1.1.8 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.

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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:

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL

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.

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL

- 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.
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- 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.

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL

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

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL

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 Meeting Procedure Bylaw 101](#)

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Attachment 5: Governance Committee Terms of Reference

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL

Attachment 3: Financial Planning Committee Terms of Reference

The Financial Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Annual Budget Process

To facilitate Council's involvement in the annual budget process by:

1. providing direction to all program units, via management, in overseeing the process of budget preparation.
2. assisting Council in establishing the principles and assumptions for the development of the budget.
3. reviewing the base operating needs and all program requests against the principles and assumptions and make recommendations to Council.
4. representing the interests of Council, Executive Committee, and Council Committees throughout the budget process.

2. Budget and Financial Planning

To facilitate the linkage of the annual strategic planning process with the annual budget process through:

1. the interpretation of Council's priorities/strategies and related work programs into resource allocation requirements both for the annual budget and for long range planning practices.
2. direction to management in the development of long range financial planning and capital budgeting.
3. facilitating Council's involvement in the preparation of a three year operational and capital budget plan.

3. Financial Management

To report to and make recommendations to Council regarding the organization's financial management practices such as:

1. a regular financial reporting system.
1. development of financial management policies and procedures.
2. assessing/monitoring revenue generating and expenditure control practices, management recommendations for financial resource allocations within and during the annual budget.
3. review financial reporting documents for the Ministry/Treasury Board and/or public presentation via the Executive Committee.

4. Annual Audit

The Finance Committee will appoint from amongst its members, but excluding members of the Executive Committee and trustees who are not members of Trust Council, an Annual Audit Committee for the purposes of the annual audit and will report directly to Council by:

1. reviewing audit reports;

OPTION 2 – ELECTION OF THREE BY TRUST COUNCIL

2. reviewing with management the management letter recommendations and determining necessary actions;
3. monitoring the implementation of the auditor's recommendations;
4. recommending an accounting firm to Trust Council, each year, to conduct the annual audit;
5. reviewing with the auditors the year end audit (and interim audit) work program.

5. Islands Trust Conservancy Support

To provide advice to the Islands Trust Conservancy Board on financial services and support available from the Islands Trust.

6. Management Advice

To monitor and review the Trust's financial management, budget and financial planning practices and to assess management's recommendations to Trust Council in these areas, through consultation with the Trust's auditors as required.



June 28, 2023
Islands Trust Council
SWOT and Strategic Planning Session

Purpose: A strengths, weaknesses, opportunities and threats (SWOT) process is a building block for an organization to develop its corporate and strategic planning. The Governance Committee and the Corporate Planning working group have recommended that Trust Council undertake a collective SWOT session in order to shape priorities and resources.

Background: Understanding the context in which an organisation functions is essential to ensuring the determined vision, mission, values, goals and implementation strategies included in the Strategic Plan are appropriate and achievable. A SWOT analysis provides the basis by which both internal factors and external factors are evaluated.

SWOT stands for Strengths (S), Weaknesses (W), Opportunities (O), Threats (T). The SW of a SWOT represents factors internal to the organisation. The OT of a SWOT represents factors external to the organisation. A SWOT is a core business tool that serves to identify and assess how strengths and opportunities can be leveraged and how weaknesses and threats can be mitigated in the organisation's context. Examples of each may look as follows:

- S: Staff are highly skilled in their respective areas of expertise such that information received by Trust bodies for decision-making is generally reliable and of high quality.
- W: Chronic high turnover in Planning Services and Trust Area Services coupled with slow hiring processes limit the ability to achieve full work programs in a term.
- O: Federal and Provincial governments are directing new funds to activities important to the work of Islands Trust, such as reconciliation with First Nations.
- T: Increasing populations and changing demographics on the Islands challenge the Trust's ability to effectively deliver on aspects of the mandate.

The SWOT analysis is the responsibility of Trust Council to undertake, bringing a political and community lens to the exercise, but staff play a key role in providing input, especially as it relates to the internal factors (SW) of the assessment associated with operational processes. Staff may support Trust Council in this exercise by providing and commenting on relevant historical and current reports such as the existing strategic plan, legislative monitoring reports, results of public surveys and First Nations engagement, highlighting data gaps and notable trends in both internal and external factors, etc.

TIME	TOPIC	WHO
Part 1.	1. Trustees will organize into 4 breakout rooms and undertake a SWOT discussion (45 min)	Senior staff
Part 2.	2. Results will be collated by staff during the break (15 min)	
Part 3.	3. Council will review the SWOT summary and identify important items (30 min)	
Part 4.	4. This information will be used in the next session, determining interim Strategic Projects, to select relevant projects for the 2024/25 budget year.	

Resources: Russ Hotsenpiller, CAO

BRIEFING

To:	Trust Council	For the Meeting of:	June 27, 2023
From:	CAO	Date Prepared:	May 18, 2023
SUBJECT:	Overview of Strategic and Corporate Planning Projects		

PURPOSE: To provide Trust Council an overview of the strategic planning and corporate planning processes.

BACKGROUND: There are a number of projects currently underway at the Islands Trust to assist in the development of a strategic and corporate planning for the organization. This briefing provides an overview of the work and identifies important timelines in the annual planning cycle.

Context:

- The Governance Review, 2022, recommended that the Islands Trust “*adopt a four-or-five year corporate plan that integrates strategic and financial components, reviewed and updated annually, identifying initiatives to be undertaken, the corresponding financial resources, along with performance metrics to measure achievement.*”
- Governance Committee has adopted the development of a Corporate Plan as one of its priority projects, with the support of Trust Council.



- The graphic above illustrates how a strategic plan is a part of a wider corporate planning process.
- Governance Committee has tasked a sub-group of Financial Planning Committee to develop an outline of a corporate plan for the Trust. There is no specific deadline for the work at this time, but it is progressing and it is anticipated that a new corporate planning process will be adopted in the near future.
- An important initial step in any organization planning is determining a vision and shared values.
- Work continues on the current (2018-2022) strategic plan including those priority projects that Trust Council supported through the recent 2023/24 budget process.
- Despite progress on the corporate plan, there is an immediate need to plan for important projects for the coming year.
- As the Corporate Plan will eventually be adopted and guide future budgets (2022-2026), the strategic planning for 2024/25 could be considered as current strategic priorities for the coming year.
- The 2024/25 annual budget process has started with Committees and staff identifying and budgeting for projects. To support organizational alignment and be as efficient as possible it would be advisable for Trust Council to identify its strategic priorities in June 2023.
- Executive Committee, by policy, is responsible for coordination of the development, preparation and implementation of strategic planning.

Given the context above, Executive Committee has recommended that:

1. Trust Council undertake a strengths, weaknesses, opportunities, threats (SWOT) session so trustees can have an up to date, broad, informed context for their decisions and priorities. This was a recommendation from the FPC sub group and the Governance Committee.
2. Trust Council review the major projects that are currently underway, identify any new projects, and then select the priority projects that should be developed and budgeted for in 2024/25.
3. That Trust Council undertake a visioning, mission and values discussion, possibly for September based upon feedback from the Governance Committee.

Accordingly, the Trust Council meeting of June 2023 has schedule a SWOT session on Wednesday June 28 to be followed by a session, supported by a briefing, to discuss current and potential projects for 2024/25 budget year.

ATTACHMENT(S):

1. None

FOLLOW-UP: as directed

Prepared By: CAO

Reviewed By/Date: May 18, 2023

To:	Executive Committee	For the Meeting of:	May 24, 2023
From:	David Marlor, Director, Legislative Services	Date Prepared:	May 1, 2023
SUBJECT:	Accessibility Committee – Membership Recommendation for Trust Council		

PURPOSE: To provide the Executive Committee an update on development of recommendations for Trust Council in relation to the membership of the Accessibility Committee.

BACKGROUND:

At its regular business meeting in March 2023, Trust Council received a Request for Decision (attached) with recommendations for the creation of a provincially mandated Accessibility Committee. The RFD included recommended membership for that Committee.

After deliberations, Trust Council did not adopt any resolutions but instead asked interested trustees to work with the Director of Legislative Services to refine the membership recommendations.

At its regular meeting in March, Trust Council suggested several edits and the attached policy has been revised as follows (shown in green in the attachment):

- Page 74 of the agenda package, (page 2 of the attachment) proposed section 1.1.8 as highlighted in yellow item 6. add the words “people with a disability” after the words “or support”,
- Page 73 of the agenda package, section 1.1.1., replace the word “four” with “five”,
- Page 74, section 1.1.2., add to the end, “and ratified by Trust Council.”,
- Section 1.1.3 replace the words, “by the March Trust Council” with “no later than the March Trust Council”,
- Section 1.1.8.
 - Item 1. after the words “with disabilities” add “or who have a disability”,
 - Item 2. Add “at least one person and” before the words “up to 3”.
- Section 1.1.9, for consistency, add to the end, “Trust Council will ratify the appointments under section 1.1.8 items 1, 2 and 3.”
- Section 1.1.8, items 1, 2, 3 and 4 prefaced with “up to” could be interpreted as zero and should be changed to read “ a minimum of one and up to four”,
- Section 1.1.8, item 2 the number of Indigenous participants should not have a cap,

Trust Council also suggested the following, however, these need more direction and have not been added to the draft policy:

- The number of Trust Council members actually on the committee should be less
- Clarification on “organizations that support people with disabilities” and vetting of organizations requested,
- Interpretation of the new legislation.

Following the Trust Council meeting, on March 20, 2023 Staff sent out an email to all trustees asking for interest in participating on a working group to refine the membership recommendations that would then be taken back to Trust Council in June 2023.

No trustees expressed interest.

The *Accessible British Columbia Act* requests Islands Trust to have an Accessibility Committee in place by September 1, 2023. To meet this deadline, Trust Council must adopt a policy with the membership in June so staff can recruit the committee before September 1, 2023.

Staff will return the Request for Decision, with the amendments listed above, to Trust Council in June for a decision, however, the Executive Committee may wish to propose changes to the membership in the RFD as a means of addressing some of the issues heard during discussion at March Trust Council.

ATTACHMENT(S):

1. Accessibility Committee Request for Decision

FOLLOW-UP:

1. As directed by Executive Committee

Prepared By: David Marlor, Director, Legislative Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer, May 18, 2023

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** March 7, 2023

From: David Marlor, Director,
legislative Services **Date Prepared:** February 7, 2023

SUBJECT: Establishment of an Accessibility Committee

RECOMMENDATION:

THAT Trust Council amend Trust Council Policy 2.3.1 [Council Committee System and Terms of Reference] by adding a new Accessibility Committee, and terms of reference for the Accessibility Committee.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The Accessible British Columbia Act mandates that all local governments, including the Islands Trust, have an Accessibility Committee and an accessibility plan. While local governments may work together to use one accessibility committee, the unique nature of the Islands Trust means that the proposed option is the most cost effective. While Trust Council can adjust the membership as it wishes (more members or less), it must ensure that half the membership are persons with a disability or support or work for an organization that supports people with disabilities, ideally with the Islands Trust Area, and at least one member is Indigenous.

1 PURPOSE:

To meet new Provincial legislation on the requirement to have an Accessibility Committee, and Accessibility Plan and a process to keep the plan up to date.

2 BACKGROUND:

At its regular meeting in March, Trust Council suggested several edits and the attached policy has been revised as follows (shown in green in the attachment):

- Page 74 of the agenda package, (page 2 of the attachment) proposed section 1.1.8 as highlighted in yellow item 6. add the words “people with a disability” after the words “or support”,
- Page 73 of the agenda package, section 1.1.1., replace the word “four” with “five”,
- Page 74, section 1.1.2., add to the end, “and ratified by Trust Council.”,
- Section 1.1.3 replace the words, “by the March Trust Council” with “no later than the March Trust Council”,
- Section 1.1.8.
 - Item 1. after the words “with disabilities” add “or who have a disability”,
 - Item 2. Add “at least one person and” before the words “up to 3”.
- Section 1.1.9, for consistency, add to the end, “Trust Council will ratify the appointments under section 1.1.8 items 1, 2 and 3.”
- Section 1.1.8, items 1, 2, 3 and 4 prefaced with “up to” could be interpreted as zero and should be changed to read “a minimum of one and up to four”,
- Section 1.1.8, item 2 the number of Indigenous participants should not have a cap,

Trust Council also suggested the following, however, these need more direction and have not been added to the draft policy:

- The number of Trust Council members actually on the committee should be less
- Clarification on “organizations that support people with disabilities” and vetting of organizations requested,
- Interpretation of the new legislation.

The *Accessible British Columbia* Act came into force in September 2022. Under the regulations, it applies to the Islands Trust beginning on September 1, 2023. From this date, the Islands Trust must have an established Accessibility Committee that:

- A. *assist the organization to identify barriers to individuals in or interacting with the organization, and*
- B. *advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization.*

An accessibility committee must, to the extent possible, have members who are selected in accordance with the following goals:

- A. *at least half of the members are*
 - *persons with disabilities, or*
 - *individuals who support, or are from organizations that support, persons with disabilities;*
- B. *the members described in paragraph (a) reflect the diversity of persons with disabilities in British Columbia;*
 - *at least one of the members is an Indigenous person;*
 - *the committee reflects the diversity of persons in British Columbia.*

The legislation also requires that the Islands Trust develops an accessibility plan; this plan must identify, remove and prevent barriers to individuals in or interacting with the organization. Development of the plan must be in consultation with the organization's accessibility committee, and requires the consideration of the following principles:

- A. inclusion;
- B. adaptability;
- C. diversity;
- D. collaboration;
- E. self-determination;
- F. universal design.

This plan must be reviewed and updated every three years. When updating the accessibility plan, the legislation also requires that the Islands Trust establish a process for receiving comments from the public on the organization's accessibility plan, and barriers to individuals in or interacting with the organization

Establishing an Accessibility Committee

To guide the establishment and on-going maintenance of the Accessibility Committee, Trust Council should adopt, as an amendment to its "Council Committee System and Terms of Reference Policy", the establishment of a new Council Committee called "Accessibility Committee". A draft terms of reference based on the principles expressed by the legislation should be included as a starting point. These should address physical infrastructure used by the organization, such as offices, property owned by Islands Trust bodies and meeting locations, and ability for people to work and interact with the Islands Trust, such as printed and electronic materials, access to electronic meetings and accessibility of the Islands Trust website.

Membership of the Accessibility Committee

To meet legislation, the committee must have 50 per cent of its membership made up of people with a disability, or who support or are from an organization that supports people with disabilities. At least one member is to be Indigenous.

Staff recommend that the membership of the Accessibility Committee be made up as follows:

- up to 4 people from organizations that support people with disabilities in the Islands Trust Area;
- up to 3 people who are Indigenous;
- up to 2 people from the Islands Trust Area;
- up to 2 trustees appointed by Trust Council Chair and ratified by Trust Council;
- The Chair of Trust Council as an ex-officio member; and
- Half of the membership must be people with a disability, or support, or are from an organization that supports people with disabilities.

The term of membership is four years, same as the term of the Trust Council. That is, advertising and appointments would happen shortly after the election and would extend until a new Accessibility Committee is appointed, or a member has resigned. Given that Trust Council only meets once every three months, Staff recommends that Trust Council delegate the advertising process and selection of non-trustee members to the Executive Committee. This fits with the role of the Executive Committee to oversee the day-to-day operations of the Islands Trust.

Meetings, Plan and Support

The meeting schedule will be the same as for other council committees, meeting once per quarter, with reports to Trust Council as required. The Committee will initially take the lead on development of an Accessibility Plan, and once Trust Council adopts the plan, will then take the lead in maintaining, monitoring implementation, and updating, including overseeing public input.

Staff support would be from the new administrative position. Initially staff support would involve advertising, and setting up the Committee, supporting meetings through agenda preparation, undertaking work in either, research and writing the Plan, or management of a consultant to undertake research and management of the Plan.

Draft amendments to Trust Council Policy 2.3.1 Council Committee System and Terms of Reference Policy are included in Attachment 1.

Membership on Financial Planning Committee

The current policy includes on the Financial Planning Committee the Chair or designate from each of the Trust Council standing committees (an amendment is proposed for March 2023 Trust Council to add Governance Committee representation on the Financial Planning Committee).

Staff is not recommending adding the Accessibility Committee membership on the Financial Planning Committee for the following reasons:

- The Committee, development of an Accessibility Plan and review and public feedback every three years is a requirement of legislation and therefore funding for these actions must be provided and will be decided by Trust Council during the budget process;
- The Committee is made up of none Trust Council members; therefore membership on Financial Planning Committee would likely be limited to those trustees appointed to the Accessibility Committee;
- The Financial Planning Committee already has 11 members; while adding one more would not be problem, it does reach the maximum number possible, after which Trust Council quorum would be achieved.

If Trust Council wishes to have a representative from the Accessibility Committee on the Financial Planning Committee, Trust Council could add this to the policy such that one of the Trust Council appointed members is the FPC Representative. The trustee to be appointed as the Accessibility Committee representative on the Financial Planning Committee could be left to the Accessibility Committee to decide, or could be determined by the Trust Council Chair during the appointment process.

Amendments to Trust Council Policy 2.3.1 Council Committee System and Terms of Reference

To implement the new Accessibility Committee, Staff recommends the following amendments to the Trust Council Policy 2.3.1 Council Committee System and Terms of Reference:

1. Add new subsection "1.1.1.5 Accessibility" [list of Council Standing committees]
2. Add "Accessibility" to 1.1.5 [appointment of trust council members to committees]
3. Add new section 1.1.8 [accessibility membership] with the membership as detailed above
4. Add a new Section 1.1.9 that details the means to appoint non-trust council members to the committee, and delegate the authority to appoint them to the Executive Committee.
5. Add a new Section 1.1.10 that states the term of the appointments, and the process should a member resign.
6. Amend Attachment 1 to add the Accessibility Committee with a list of areas of functionality as described above
7. Add a new Attachment 6 [Terms of Reference] as follows:

The Accessibility Committee is a mandatory requirement under the Accessible British Columbia Act effective September 1, 2023.

The Accessibility Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

- 1. Identify barriers to individuals (public, employees, trustees) in or interacting with the organization in offices, owned or leased locations, Islands Trust Conservancy lands owned or leased, including meeting and public hearing locations.*
- 2. Identify barriers to individuals (public, employees, trustees) in or interacting with the organization electronically through the Islands Trust website, social media accounts, telephone, electronic meetings or other electronic means.*
- 3. Advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization.*
- 4. Develop an Accessibility Plan that address the issues identified, with options and recommendations to remove the barriers, and advise on implementation of the Plan.*
- 5. Review the Accessibility Plan every three years and seek public feedback on the Accessibility Plan; as part of the review, seek feedback generally from the public on potential accessibility barriers and how to remove and prevent barriers to individuals in or interacting with the organization.*

The responsibilities stated apply to the following area:

- 6. Trust Council Governance and Management*

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

A new committee that will require Staff support.

FINANCIAL:

Additional costs associated with staffing, and possible consultants to assist with research, development and writing of an accessibility plan.

POLICY:

Amendment to Trust Council Policy 2.3.1 Council Committee System and Terms of Reference required.

IMPLEMENTATION/COMMUNICATIONS:

Staff will implement through advertising and notifications through the Islands Trust website.

FIRST NATIONS:

Communication with First Nations for individuals interested in being a representative on the Accessibility Committee.

OTHER:

No other implications.

4 RELEVANT POLICY(S):

Provincial Legislation: *Accessible British Columbia Act*

5 ATTACHMENT(S):

Amended Trust Council Policy 2.3.1 to add Accessibility Committee and terms of reference.

RESPONSE OPTIONS

Recommendation:

THAT Trust Council amend Trust Council Policy 2.3.1 [Council Committee System and Terms of Reference] by adding a new Accessibility Committee, establishing the membership for the Accessibility Committee, and a terms of reference for the Accessibility Committee.

Alternative:

Trust Council must create an Accessibility Committee, and develop an Accessibility Plan as this is a mandatory requirement of all local governments in British Columbia. Trust Council may consider the representation on that Committee, and adjust it accordingly. The number and make-up of the Committee is entirely up to Trust Council, provided 50% of the membership has a disability or supports, or is from an organization that supports, people with disabilities, and at least one member is Indigenous.

Prepared By: David Marlor, Director, Legislative Services

Reviewed By/Date:



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; September 21, 2022, March ____2023
Policy Holder:	Chief Administrative Officer

COUNCIL COMMITTEE SYSTEM AND TERMS OF REFERENCE

Purpose

This Policy outlines the composition and general role of standing committees and select committees. The attachments include an overview of committee-specific functions for each established standing committee, and the terms of reference for each established standing committee.

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.

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.

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

B. Policy

1. Establishment and Membership

1.1 Standing Committees

1.1.1 A Council Committee System is adopted by Trust Council comprised of 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

1.1.1.5 Accessibility

- 1.1.2 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 The Governance Committee consists of seven members of Trust Council 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.
- 1.1.4 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, Trust Programs Committee, and the Governance 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 appointments to the Regional Planning, Trust Programs, Accessibility 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, Regional Planning, 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.
- 1.1.8 The Accessibility Committee membership must meet the requirements of the Accessible British Columbia Act. The Accessibility Committee membership is:
1. up to 4 people from organizations that support people with disabilities in the Islands Trust Area;
 2. up to 3 people who are Indigenous;
 3. up to 2 people from the Islands Trust Area;
 4. up to 2 trustees appointed by Trust Council Chair and ratified by Trust Council;
 5. The Chair of Trust Council as an ex-officio member; and
 6. Half of the membership in 1 through 4 above must be people with a disability, or support, or are from an organization that supports people with disabilities.
- 1.1.9 Appointments under 1, 2, and 3 of Section 1.1.8 will be by advertisement or other means as determined appropriate by the Executive Committee. Advertising will occur shortly after the local government general election. The

Executive Committee will appoint members from the advertising or other process as soon as possible after the local government general election.

- 1.1.10 Membership appointed under 1.1.9 will continue until new members have been appointed. In the event a member resigns, the Executive Committee will determine the appropriate process to replace that person.

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 Meeting Procedure Bylaw 101

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

Attachment 1: Standing Committee-Specific Functions

Attachment 2: Regional Planning Committee Terms of Reference

Attachment 3: Financial Planning Committee Terms of Reference

Attachment 4: Trust Programs Committee Terms of Reference

Attachment 5: Governance Committee Terms of Reference

Attachment 1: SUMMARY OF STANDING 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	GOVERNANCE COMMITTEE (GC) 1. Governance structure and processes 2. Governance Best Practices 3. Legislative Reform
ACCESSIBILITY COMMITTEE (AC) 1. Identify barriers to individuals in or interacting with the organization, 2. Advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization. 3. Develop an Accessibility Plan, and advise on implementation of the Plan. 4. Review the Accessibility Plan every three years and seek public feedback on the Accessibility Plan and how to remove and prevent barriers to individuals in or interacting with the organization.	

Attachment 2: Regional Planning Committee Terms of Reference

The Regional Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Development Management – overseeing the procedures for processing of land use bylaws, permits etc., in an efficient and effective manner.
2. Local Trust Committee Functions – responding to local trust committee planning needs applicable throughout the Trust Area.
3. Local Planning Services – advising on the provision and allocation of resources to deliver local planning services to island communities.
4. Public Awareness/Education – promoting opportunities for the enhanced public awareness of land use planning and the Islands Trust's local planning services.
5. Emerging Issues – Identifying and reporting to Council on emerging issues related to the committee's areas of responsibility for Trust Council direction.
6. Policy Guidance – Developing guidelines, policies and models for use by staff and local trust committees and/or Trust Council as requested by Trust Council.
7. Liaison – Maintain liaison with Islands Trust Conservancy Board and Trust Programs Committee, as required.

Attachment 3: Financial Planning Committee Terms of Reference

The Financial Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Annual Budget Process

To facilitate Council's involvement in the annual budget process by:

1. providing direction to all program units, via management, in overseeing the process of budget preparation.
2. assisting Council in establishing the principles and assumptions for the development of the budget.
3. reviewing the base operating needs and all program requests against the principles and assumptions and make recommendations to Council.
4. representing the interests of Council, Executive Committee, and Council Committees throughout the budget process.

2. Budget and Financial Planning

To facilitate the linkage of the annual strategic planning process with the annual budget process through:

1. the interpretation of Council's priorities/strategies and related work programs into resource allocation requirements both for the annual budget and for long range planning practices.
2. direction to management in the development of long range financial planning and capital budgeting.
3. facilitating Council's involvement in the preparation of a three year operational and capital budget plan.

3. Financial Management

To report to and make recommendations to Council regarding the organization's financial management practices such as:

1. a regular financial reporting system.
2. development of financial management policies and procedures.
3. assessing/monitoring revenue generating and expenditure control practices, management recommendations for financial resource allocations within and during the annual budget.
4. review financial reporting documents for the Ministry/Treasury Board and/or public presentation via the Executive Committee.

4. Annual Audit

The Finance Committee will appoint from amongst its members, but excluding members of the Executive Committee and trustees who are not members of Trust Council, an Annual Audit Committee for the purposes of the annual audit and will report directly to Council by:

1. reviewing audit reports.
2. reviewing with management the management letter recommendations and determining necessary actions.
3. monitoring the implementation of the auditor's recommendations.
4. recommending an accounting firm to Trust Council, each year, to conduct the annual audit.
5. reviewing with the auditors the year end audit (and interim audit) work program.

5. Islands Trust Conservancy Support

To provide advice to the Islands Trust Conservancy Board on financial services and support available from the Islands Trust.

6. Management Advice

To monitor and review the Trust's financial management, budget and financial planning practices and to assess management's recommendations to Trust Council in these areas, through consultation with the Trust's auditors as required.

Attachment 4: Trust Programs Committee Terms of Reference

The Trust Programs Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Identifying and reporting to Council on emerging issues related to the committee's areas of responsibility for Trust Council direction.
2. Maintaining a committee work program to manage committee initiatives and Council referrals for quarterly review by Trust Council.
3. Developing guidelines, policies and models for use by staff and local trust committees and/or Trust Council as requested by Trust Council.
4. Preparing recommendations for inter-agency initiatives and feedback on proposed inter-agency agreements.
5. Providing input to the continued development and maintenance of a useful research and information system.
6. Providing recommendations for legislation reform initiatives and feedback on proposed legislative amendments and legislation.
7. Maintaining a liaison with the Islands Trust Conservancy Board.

The responsibilities stated apply to the following areas:

8. Resource Management - promoting sustainability in the use of natural resources of the Trust Area.
9. Land Conservation - promoting protection and preservation of ecosystems throughout the Trust Area.
10. Water Management - promoting protection and preservation of groundwater and surface water supply and quality.
11. Marine Environment - promoting protection and preservation of coastal and deep water marine ecosystems.
12. Sustainable Communities - promoting liveable communities:
 - with sustainable and viable local economies;
 - with housing that accommodates socio-economic diversity;
 - with regard for the carrying capacity of supporting island environments.
13. Conservation Strategy - developing strategies beyond regulatory tools to achieve the Islands Trust's Object.
14. Public Awareness/Education - promoting enhanced public awareness of environmental, economic and social sustainability in island communities and opportunities for their improvement.

Attachment 5: Governance Committee Terms of Reference

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 provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

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. The Governance Committee may contract external expertise to provide advice subject to:
 - funding by Trust Council and
 - at the discretion of the committee.

The responsibilities stated apply to the following area:

6. Trust Council Governance and Management

Attachment 6: Accessibility Committee Terms of Reference

The Accessibility Committee is a mandatory requirement under the Accessible British Columbia Act effective September 1, 2023.

The Accessibility Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Identify barriers to individuals (public, employees, trustees) in or interacting with the organization in offices, owned or leased locations, Islands Trust Conservancy lands owned or leased, including meeting and public hearing locations.
2. Identify barriers to individuals (public, employees, trustees) in or interacting with the organization electronically through the Islands Trust website, social media accounts, telephone, electronic meetings or other electronic means.
3. Advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization.
4. Develop an Accessibility Plan that address the issues identified, with options and recommendations to remove the barriers, and advise on implementation of the Plan.
5. Review the Accessibility Plan every three years and seek public feedback on the Accessibility Plan; as part of the review, seek feedback generally from the public on potential accessibility barriers and how to remove and prevent barriers to individuals in or interacting with the organization.

The responsibilities stated apply to the following area:

7. Trust Council Governance and Management

Attachment 1: DRAFT Policy Amendments

Highlights in **YELLOW** are draft edits presented to Trust Council in March 2023
Highlights in **GREEN** are draft edits based on suggestions from Trust Council in March 2023



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; September 21, 2022, March ____ 2023
Policy Holder:	Chief Administrative Officer

COUNCIL COMMITTEE SYSTEM AND TERMS OF REFERENCE

Purpose

This Policy outlines the composition and general role of standing committees and select committees. The attachments include an overview of committee-specific functions for each established standing committee, and the terms of reference for each established standing committee.

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.

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.

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

B. Policy

1. Establishment and Membership

1.1 Standing Committees

1.1.1 A Council Committee System is adopted by Trust Council comprised of **four** **five** 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

Attachment 1: DRAFT Policy Amendments

Highlights in **YELLOW** are draft edits presented to Trust Council in March 2023

Highlights in **GREEN** are draft edits based on suggestions from Trust Council in March 2023

1.1.1.5 Accessibility

- 1.1.2 Membership for the Regional Planning, Financial Planning and Trust Programs committees includes trustees who have been appointed by the Trust Council Chair, **and ratified by Trust Council.**
- 1.1.3 The Governance Committee consists of seven members of Trust Council who have been elected by Trust Council. Election of the Governance Committee shall occur **by no later than** the March Trust Council meeting in the calendar year following the quadrennial trustee election.
- 1.1.4 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, Trust Programs Committee, and the Governance 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 appointments to the Regional Planning, Trust Programs, **Accessibility** 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, Regional Planning, 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.

1.1.8 The Accessibility Committee membership must meet the requirements of the Accessible British Columbia Act. The Accessibility Committee membership is:

1. **a minimum of one and up to four people from organizations that support people with disabilities, or who have disabilities, in the Islands Trust Area;**
2. **a minimum of one and up to 3 people who are Indigenous;**
3. **a minimum of one and up to two people from the Islands Trust Area;**
4. **a minimum of one and up to two trustees appointed by Trust Council Chair and ratified by Trust Council;**
5. **The Chair of Trust Council as an ex-officio member; and**
6. **Half of the membership in 1 through 4 above must be people with a disability, or support people with disabilities, or are from an organization that supports people with disabilities.**

Attachment 1: DRAFT Policy Amendments

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1.1.9 Appointments under 1, 2, and 3 of Section 1.1.8 will be by advertisement or other means as determined appropriate by the Executive Committee. Advertising will occur shortly after the local government general election. The Executive Committee will appoint members from the advertising or other process as soon as possible after the local government general election. Trust Council will ratify the appointments under section 1.1.8 items 1, 2 and 3.

1.1.10 Membership appointed under 1.1.9 will continue until new members have been appointed. In the event a member resigns, the Executive Committee will determine the appropriate process to replace that person.

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.

Attachment 1: DRAFT Policy Amendments

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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.

Attachment 1: DRAFT Policy Amendments

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- 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

Attachment 1: DRAFT Policy Amendments

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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 50% 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~~ of Council Committees 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

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- 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 Meeting Procedure Bylaw 101

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

Attachment 1: Standing Committee-Specific Functions

Attachment 2: Regional Planning Committee Terms of Reference

Attachment 3: Financial Planning Committee Terms of Reference

Attachment 4: Trust Programs Committee Terms of Reference

Attachment 5: Governance Committee Terms of Reference

Attachment 1: DRAFT Policy Amendments

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Attachment 1: SUMMARY OF STANDING 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	GOVERNANCE COMMITTEE (GC) 1. Governance structure and processes 2. Governance Best Practices 3. Legislative Reform
ACCESSIBILITY COMMITTEE (AC) 1. Identify barriers to individuals in or interacting with the organization, 2. Advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization. 3. Develop an Accessibility Plan, and advise on implementation of the Plan. 4. Review the Accessibility Plan every three years and seek public feedback on the Accessibility Plan and how to remove and prevent barriers to individuals in or interacting with the organization.	

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Attachment 2: Regional Planning Committee Terms of Reference

The Regional Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Development Management – overseeing the procedures for processing of land use bylaws, permits etc., in an efficient and effective manner.
2. Local Trust Committee Functions – responding to local trust committee planning needs applicable throughout the Trust Area.
3. Local Planning Services – advising on the provision and allocation of resources to deliver local planning services to island communities.
4. Public Awareness/Education – promoting opportunities for the enhanced public awareness of land use planning and the Islands Trust's local planning services.
5. Emerging Issues – Identifying and reporting to Council on emerging issues related to the committee's areas of responsibility for Trust Council direction.
6. Policy Guidance – Developing guidelines, policies and models for use by staff and local trust committees and/or Trust Council as requested by Trust Council.
7. Liaison – Maintain liaison with Islands Trust Conservancy Board and Trust Programs Committee, as required.

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Attachment 3: Financial Planning Committee Terms of Reference

The Financial Planning Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Annual Budget Process

To facilitate Council's involvement in the annual budget process by:

1. providing direction to all program units, via management, in overseeing the process of budget preparation.
2. assisting Council in establishing the principles and assumptions for the development of the budget.
3. reviewing the base operating needs and all program requests against the principles and assumptions and make recommendations to Council.
4. representing the interests of Council, Executive Committee, and Council Committees throughout the budget process.

2. Budget and Financial Planning

To facilitate the linkage of the annual strategic planning process with the annual budget process through:

1. the interpretation of Council's priorities/strategies and related work programs into resource allocation requirements both for the annual budget and for long range planning practices.
2. direction to management in the development of long range financial planning and capital budgeting.
3. facilitating Council's involvement in the preparation of a three year operational and capital budget plan.

3. Financial Management

To report to and make recommendations to Council regarding the organization's financial management practices such as:

1. a regular financial reporting system.
2. development of financial management policies and procedures.
3. assessing/monitoring revenue generating and expenditure control practices, management recommendations for financial resource allocations within and during the annual budget.
4. review financial reporting documents for the Ministry/Treasury Board and/or public presentation via the Executive Committee.

4. Annual Audit

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The Finance Committee will appoint from amongst its members, but excluding members of the Executive Committee and trustees who are not members of Trust Council, an Annual Audit Committee for the purposes of the annual audit and will report directly to Council by:

1. reviewing audit reports.
2. reviewing with management the management letter recommendations and determining necessary actions.
3. monitoring the implementation of the auditor's recommendations.
4. recommending an accounting firm to Trust Council, each year, to conduct the annual audit.
5. reviewing with the auditors the year end audit (and interim audit) work program.

5. Islands Trust Conservancy Support

To provide advice to the Islands Trust Conservancy Board on financial services and support available from the Islands Trust.

6. Management Advice

To monitor and review the Trust's financial management, budget and financial planning practices and to assess management's recommendations to Trust Council in these areas, through consultation with the Trust's auditors as required.

Attachment 1: DRAFT Policy Amendments

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Attachment 4: Trust Programs Committee Terms of Reference

The Trust Programs Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Identifying and reporting to Council on emerging issues related to the committee's areas of responsibility for Trust Council direction.
2. Maintaining a committee work program to manage committee initiatives and Council referrals for quarterly review by Trust Council.
3. Developing guidelines, policies and models for use by staff and local trust committees and/or Trust Council as requested by Trust Council.
4. Preparing recommendations for inter-agency initiatives and feedback on proposed inter-agency agreements.
5. Providing input to the continued development and maintenance of a useful research and information system.
6. Providing recommendations for legislation reform initiatives and feedback on proposed legislative amendments and legislation.
7. Maintaining a liaison with the Islands Trust Conservancy Board.

The responsibilities stated apply to the following areas:

8. Resource Management - promoting sustainability in the use of natural resources of the Trust Area.
9. Land Conservation - promoting protection and preservation of ecosystems throughout the Trust Area.
10. Water Management - promoting protection and preservation of groundwater and surface water supply and quality.
11. Marine Environment - promoting protection and preservation of coastal and deep water marine ecosystems.
12. Sustainable Communities - promoting liveable communities:
 - with sustainable and viable local economies;
 - with housing that accommodates socio-economic diversity;
 - with regard for the carrying capacity of supporting island environments.
13. Conservation Strategy - developing strategies beyond regulatory tools to achieve the Islands Trust's Object.
14. Public Awareness/Education - promoting enhanced public awareness of environmental, economic and social sustainability in island communities and opportunities for their improvement.

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Attachment 5: Governance Committee Terms of Reference

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 provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

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. The Governance Committee may contract external expertise to provide advice subject to:
 - funding by Trust Council and
 - at the discretion of the committee.

The responsibilities stated apply to the following area:

6. Trust Council Governance and Management

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Attachment 6: Accessibility Committee Terms of Reference

The Accessibility Committee is a mandatory requirement under the Accessible British Columbia Act effective September 1, 2023.

The Accessibility Committee provides advice to the Islands Trust Council and management by undertaking the following responsibilities:

1. Identify barriers to individuals (public, employees, trustees) in or interacting with the organization in offices, owned or leased locations, Islands Trust Conservancy lands owned or leased, including meeting and public hearing locations.
2. Identify barriers to individuals (public, employees, trustees) in or interacting with the organization electronically through the Islands Trust website, social media accounts, telephone, electronic meetings or other electronic means.
3. Advise the organization on how to remove and prevent barriers to individuals in or interacting with the organization.
4. Develop an Accessibility Plan that address the issues identified, with options and recommendations to remove the barriers, and advise on implementation of the Plan.
5. Review the Accessibility Plan every three years and seek public feedback on the Accessibility Plan; as part of the review, seek feedback generally from the public on potential accessibility barriers and how to remove and prevent barriers to individuals in or interacting with the organization.

The responsibilities stated apply to the following area:

7. Trust Council Governance and Management

REQUEST FOR DECISION

To: Executive Committee

For the Meeting of: May 24, 2023

From: Trust Area Services

Date Prepared: April 17, 2023

SUBJECT: 2022/23 ANNUAL REPORT – APPROVAL OF ANNUAL REPORT SECTIONS

RECOMMENDATION: That the Executive Committee approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

- 1 PURPOSE:** Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2023 without further editing from staff or trustees at the Trust Council meeting.

BACKGROUND: Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.1](#). The Executive Committee approved the format and outline of the 2022/23 Annual Report at its meeting on February 22, 2023. Staff are providing the following sections for EC approval:

- Accomplishments
- Reconciliation and Relationship Building
- Executive Committee
- Legislative Services
- Climate Action
- Bowen Island Municipality

The full report will be provided to Executive Committee for review and forwarding to Trust Council in June.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Under Trust Council's Policy, all LTCs, Executive Committee and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 27- 29, 2023 meeting.

FINANCIAL: None.

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee on June 14,

2023 and consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: Information about First Nations relations may be included within committee reports.

OTHER: None.

3 RELEVANT POLICY(S): Trust Council's Annual Report policy 6.10.i; *Islands Trust Act*

4 ATTACHMENT(S): Report sections for Executive Committee approval

1. Draft 2022/23 Key Accomplishments report section
2. Draft 2022/23 Executive Committee report section
3. Draft 2022/23 Bowen Island Municipality report section
4. Draft 2022/23 Reconciliation and Relationship Building report section
5. Draft 2022/23 Climate Change Action report section
6. Draft 2022/23 Delegations and Presentation section
7. Draft 2022/23 Advocacy report section
8. Draft 2022/23 Policy Statement Amendment Project report section

RESPONSE OPTIONS

Recommendation: That the Executive Committee approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

Alternative: That the Executive Committee approves the attached text for inclusion in the 2022/23 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Municipal Affairs.

Prepared By: Morgana van Niekerk, A/Communications Specialist

Reviewed By/Date: Clare Frater, May 18, 2023
Russ Hotsenpiller, May 18, 2023

2022/23 Key Accomplishments

In 2022–2023 Islands Trust made progress on Trust Council’s 2018-2022 Strategic Plan and the Islands Trust Conservancy’s Regional Conservation Plan. Highlights of this progress included:

- Administered local elections, internal elections and appointments, and oriented new and returning trustees
- Concluded engagement with First Nations, referral agencies, and the public on the draft new Policy Statement and requested staff to make a series of amendments
- Trust Council formed a new Governance Committee
- Adopted a new meeting broadcast protocol allowing the public to attend and participate remotely at Trust Council meetings
- Trust Council awarded seven Community Stewardship Awards
- Islands Trust received \$150,000 grant from the Province to advance relationships with First Nations
- Trust Council approved a protocol agreement between Islands Trust Council and Snaw-naw-as First Nation and requested staff to forward the protocol agreement to the Minister of Municipal Affairs for approval.
- Trust Council received completed groundwater mapping assessments for the Southern Gulf Islands
- Trust Council adopted policy amendments to the Best Management Practices for Delivery of Local Planning Services to Local Trust Committees Policy
- Four local trust committees updated their fees bylaws.
- Islands Trust mailed a “Living in the Trust Area” information package to 100 new property owners across the Trust Area.

The Islands Trust Conservancy also added one conservation covenant on Lasqueti Island under the Natural Area Protection Tax Exemption Program, and the Link Island Nature Reserve in the Gabriola Island Local Trust Area, which, combined, protect almost 33 hectares of at-risk ecosystems. The Conservancy also conducted native species planting, invasive species removal, and other restoration activities at six nature reserves on Salt Spring Island, Lasqueti Island, and Denman Island, and at conservation covenants throughout the Islands Trust Area. The Conservancy’s Species at Risk Program was in its third year, and continued with surveys for at-risk plants, pollinators, and animals (bats, birds, frogs, and snakes). Significant highlights for the Species at Risk Program included confirmed new location sightings for Sharp-tailed Snake on Salt Spring Island, and hosting of a species at risk webinar series that drew over 400 attendees.

Executive Committee

(Not yet approved by committee) The Executive Committee (EC) members include the Chair of Islands Trust Council and three Vice-Chairs, elected for a four-year term by Trust Council from among its members. In addition to individual members serving as the chairs of local trust committees, the committee oversees external communications for the Islands Trust, liaises with the provincial government, reviews and implements the Islands Trust Policy Statement, and conducts other functions as directed by Trust Council.

The Executive Committee carries out the daily business of the Islands Trust, reviews the bylaws of local trust committees to ensure compliance with the Islands Trust object and the Trust Policy Statement, and acts as a local trust committee for the Ballenas-Winchelsea Island group located north of Nanaimo.

Members serving during the 2018–2022 term:

Peter Luckham, Thetis Island (Chair)
Sue Ellen Fast, Bowen Island (Vice-Chair)
Laura Patrick, Salt Spring Island (Vice-Chair)
Dan Rogers, Keats/Gambier Island (Vice-Chair)

Members serving during the 2022-2026 term

Peter Luckham, Thetis Island (Chair)
Tobi Elliott, Gabriola Island (Vice-Chair)
David Maude, Mayne Island (Vice-Chair)
Tim Peterson, Lasqueti Island (Vice-Chair)

Bylaws Approved by Executive Committee

Before a local trust committee can adopt a bylaw, the Executive Committee must approve it for compliance with the Islands Trust Policy Statement. Before Bowen Island Municipal Council adopts a Bowen Island Municipality Official Community Plan Bylaw or makes amendments, the Executive Committee must approve the bylaw for compliance with the Islands Trust Policy Statement. Under the Letters Patent for Bowen Island, the Executive Committee also comments on other bylaws that reference a matter included in the Islands Trust Policy Statement. In 2022/23, the Executive Committee approved 36 bylaws, of which three were for Bowen Island Municipality.

Applications Sponsored by Executive Committee

The Executive Committee sponsored permit and application fees for the following projects and initiatives:

- \$1,900 for development variance permit application SS-DVP-2022.19 (Fulford Community Hall Association).

- \$4050 for Temporary Use Permit application and Development Variance Permit application which would temporarily permit the community arts facility on Galiano Island use, legalize existing buildings and structures, and permit parking areas within a setback.

Grants in Aid for History, Heritage and Conservation

During the 2022/23 fiscal year, the following Grants in Aid for History, Heritage and Conservation were approved by the Executive Committee:

- \$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.

Liaison Meetings

May 24 2022, Executive Committee members, Member of the Legislative Assembly (MLA) Adam Olsen and Capital Regional District Director Gary Holman met with The Honourable Rob Fleming, Minister of Transportation and Infrastructure to discuss Salt Spring Island ferry congestion and trail network/transportation strategy.

May 31, 2022, Executive Committee met with The Honourable Nathan Cullen, Minister of Municipal Affairs and Housing welcoming the minister to his new appointment introducing the minister to Islands Trust.

July 13, 2022, Islands Trust Conservancy Board and Executive Committee held its annual liaison meeting and reviewed the following items: communications, governance review opportunities, working with crown agencies to protect forests and the species at risk program.

At the September 2022 Union of British Columbia Municipalities (UBCM) annual conference held in Whistler, Executive Committee met with The Honourable Josie Osborne, Minister of Land, Water, and Resource Stewardship and discussed the following: 1) Islands Trust involvement in the development of a BC Coastal Marine Strategy 2) collaboration on watershed protection and 3) the environmental and climate impacts of vessel anchorages and shipping in the Trust Area. Executive Committee met again with Minister Fleming to continue discussions regarding development of transportation strategies in the Trust Area.

December 14, 2022, the new term (2022-2026) Executive Committee met with newly appointed Minister of Municipal Affairs, The Honourable Anne Kang, for an inaugural introduction and welcome.

Bowen Island Municipality

Bowen Island Municipality Bowen Island Municipality Councillors Sue Ellen Fast and Judith Gedye are the Bowen Island Municipality trustees on Islands Trust Council. Bowen Island Municipality produces its own annual report. During 2022/23, the Islands Trust Executive Committee provided referral comments on three Bowen Island land use bylaw amendments.

Reconciliation and Relationship Building

From shore to shore across the Salish Sea, First Nations communities have called this place home since time immemorial. Their village sites, harvesting areas, and gathering places reflect the abundance and beauty of their homelands, treaty lands, and territories.

After passing a Reconciliation Declaration on March 14, 2019, on Gabriola Island, Trust Council adopted the Reconciliation Action Plan 2019–2022 and aligned key priority actions within the Strategic Plan 2018–2022. Islands Trust commits to realizing the important work of reconciliation and doing so with humility and respect for the people and the place where we live. This year, Islands Trust continued to focus on foundational work and continued amending processes and policies in collaboration with First Nations.

Highlights include:

Engagement with First Nations

- The Islands Trust Council approved a protocol agreement between Islands Trust Council and Snaw-naw-as First Nation and requested staff to forward the protocol agreement to the Minister of Municipal Affairs for approval
- Islands Trust staff continued engagement with First Nations on a wide variety of local trust committee projects and also met with a number of First Nations and offered capacity funding to support engagement on the draft new Policy Statement Bylaw No. 183
- Islands Trust Conservancy offered capacity funding and engaged First Nations on the Islands Trust Conservancy Three-Year Plan (2023-2025).
- Islands Trust staff engaged in discussions with staff of various First Nations regarding development of cooperative policy and practices that will create more meaningful and respectful relationships, prioritize cultural heritage protection, and promote collaborative engagement
- Islands Trust Conservancy partnered with Skwxwú7mesh Úxwumixw (Squamish Nation) on an eDNA survey for Coastal Tailed Frog on Gambier Island to have two of their ACE (Archeology, Culture, Environment) technicians to join researchers in the field.

Learning about Cultural Heritage

- Most Islands Trust staff attended a training session at Ye'yumnuts, a sacred ancestral place of the Cowichan people with an Indigenous Knowledge Holder to learn about the history of the site.
- Maiya Modeste, the P'hwulhp (Garry Oak) Restoration Coordinator of the Stqeeye' Learning Society, presented on their cultural and biological restoration at Xwaaqw'um. (traditional village site and a significant spiritual site on Salt Spring Island) for the Islands Trust Conservancy's Speaker Series to over 80 attendees.

- Islands Trust Conservancy staff participated in Quw'utsun' Cultural Connections Society's *Xpey' [Cedar] Gathering*, learning and sharing about cultural importance and opportunities to build climate change resilience for Western redcedar.
- Senior staff met with an Indigenous Knowledge Holder on Salt Spring to learn about middens.

The Islands Trust Council was grateful to receive a grant in March 2023 from the Province of British Columbia for \$150,000 for the general purpose of developing protocol agreements and engagement with First Nations in the Trust Area, to be used over the course of the next five years.

Climate Action

Islands Trust and Islands Trust Conservancy have been working to mitigate climate change and the impacts on oceans and shorelines, forests and wetlands, and island communities, through a number of initiatives and programs.

Protecting natural areas through acquisitions and covenants. The Islands Trust Conservancy continues to protect mature and maturing forests, wetlands, and habitat transition zones which help store carbon and are vital to maintaining ecosystem health. In 2022, Link Island was donated to the Islands Trust Conservancy by late conservationist Betty Swift, the highest valued land donation in the Conservancy's history.

Continuing to apply a climate action lens to land use planning in a variety of ways. This includes proposed updates to the Islands Trust Policy Statement, which if applied, would promote consideration of greater climate resilience for ecosystems and the communities that depend on them. The Freshwater Sustainability Strategy has been finalised and serves as a framework for actions directed toward preserving and protecting freshwater resources threatened by a changing climate. In addition, the Groundwater Science Program has provided data to inform policies and regulations focussed on reducing the vulnerability of freshwater in the face of increasing drought potential. All land use planning staff reports now include sections on climate change adaptation and mitigation, and staff recommendations are based on best practices for mitigating and adapting to climate change.

Acting on Islands Trust's ongoing commitment to carbon neutrality with internal operations. The Islands Trust Council is a signatory to the B.C. Climate Action Charter. During 2022/23, most meetings were held electronically, which reduced carbon emissions associated with travel to and from workplaces. Staff also reduced paper consumption by using electronic meeting management software.

Delegations and Presentations to Islands Trust Council in 2022/23

Members of the public are encouraged to make delegation presentations and participate in town hall sessions at each quarterly meeting of Islands Trust Council to promote dialogue between islanders and Trustees.

Chair Luckham wrote thank-you letters to the 18 delegations received at the following Trust Council quarterly meetings addressing these Trust-wide topics: the Islands Trust Policy Statement, Islands Trust governance and administration, residential density, fossil fuel non-proliferation, freshwater, Trustee orientation materials, carbon footprint, biodiversity mapping, bylaw enforcement, Coastal Douglas Fir Ecosystem, climate change and biodiversity, development application processing, local trust committee obligations, housing and the Montreal Pledge

June 2022: Michael Sketch; Friends of the Gulf Islands; Jacinthe Eastick; Denman Island Climate Action Network

September 2022: Michael Sketch; Jennifer Margison; Gulf Islands Alliance

December, 2022: Michael Sketch; David Dunnison; Mary-Beth Rondeau; Mielle Chandler

March 2023: Michael Sketch; David Dunnison; Gulf Island Alliance; Eric Booth; Maxine Leichter; Riane da Silva; Raincoast Conservation Foundation

Over the course of this annual reporting period, Trust Council also received the following presentations at its quarterly meetings:

June 2022: Port optimization initiatives/Active Vessel Traffic Management- Vancouver Fraser Port Authority; Islands 2050 Phase 3 Engagement Summary – ISL Engineering; Proposed Southern Strait of Georgia National Marine Conservation Area Reserve Update and Next Steps – Parks Canada

September 2022: A Coastal Marine Strategy for British Columbia - Ministry of Land, Water and Resource Stewardship;

December 2022: Robert's Rules & Responsible Governance – Eli Mina; Local Governments & Indigenous peoples – Young Anderson;

March 2023: Bylaw Notice Program - Ministry of Attorney General; Administrative Fairness and Bylaw Complaints - The Office of the Ombudsperson

2022/23 Advocacy

Islands Trust Council's advocacy program is guided by the Islands Trust Policy Statement, which states: *to achieve its Object, 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 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.*

It is also guided by the Islands Trust Advocacy Policy (Policy 6.10.iii). In 2022/23, Islands Trust Council/Executive Committee advanced advocacy priorities by writing the following topics: air pollution scrubbing and dumping from vessels, management of invasive fallow deer, provincial review of Islands Trust, affordable housing solutions specific to rural islands in the Islands Trust Area, fate of diluted bitumen, biological diversity and ecosystem health, global initiative for a fossil fuel non-proliferation treaty, and derelict docks. The Chair also wrote letters of thanks to various people/agencies for decisions that responded to previous advocacy requests. In addition, Islands Trust submitted three resolutions to the Association of Vancouver Island and Coastal Communities and the Union of British Columbia Municipalities, which were endorsed, requesting that the Province fund and support the development and integration of climate risk and vulnerability assessments into official community plan review processes and 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, and that the Province develop new legislation to protect and restore biological diversity and ecosystem health .

Local trust committees also sent advocacy letters on a range of topics.

All advocacy letters are available on the Islands Trust website.

Policy Statement Amendment Process

The Islands 2050 Policy Statement Amendment Project continued to be a priority for Islands Trust Council in 2022-23, involving widespread engagement on a draft new Policy Statement Bylaw.

The Islands Trust Policy Statement lists the policies that Trust Council uses to carry out its special provincial mandate to preserve and protect the unique amenities and environment of Islands Trust Area, as outlined in the Islands Trust Act. The Policy Statement shapes land and marine use planning across the Trust Area by guiding the development of local official community plans and bylaws, as well as Trust Council's intergovernmental collaboration and advocacy. In 2019, Trust Council launched the Islands 2050 Policy Statement Amendment Project to update the Policy Statement, primarily through the lenses of reconciliation, climate change, and affordable housing. The current Policy Statement has not been significantly updated since 1994, and a lot has changed in the past 25+ years.

In July 2021, Trust Council paused first reading and referred the draft new Policy Statement Bylaw to other government agencies, First Nations, Treaty Alliances, and Tribal Councils, and the public. From February through April 2022, the Islands 2050 project team of ISL consultants and Islands Trust staff hosted 24 in-person local community events across the Trust Area, and a virtual community event for the Gambier Island Local Trust Area. A number of Trust Area-wide virtual events were also held, including a Q and A session, a two-part interactive virtual community workshop, six focus groups, and an online survey. Community discussion guides containing paper copies of the survey and key project information were made available in each local area for those with minimal or no computer/internet access. Project fact sheets highlighted key information related to the amendment project and engagement process, as well as some of the more notable draft policies in the areas of reconciliation, climate change, affordable housing, forest stewardship, coastal and marine stewardship, and agricultural stewardship. The public engagement activities and events were actively promoted through social media, subscriber notices, online and print advertising, and local trustee communications. All public correspondence received outside of the formal engagement activities was also posted to the Islands 2050 webpage.

After the additional three streams of engagement and referrals that were requested by Trust Council concluded in spring 2022, Trust Council reviewed all feedback received from the public, First Nation governments, and referral agencies in June and September 2022 and passed a series of 32 resolutions requesting staff to undertake further work on the project and further revisions to the draft Policy Statement under review.

In March 2023, Trust Council approved a project charter for the next phase of the project and received a project communications plan.

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** May 24, 2023
From: Trust Area Services **Date Prepared:** May 17, 2023
SUBJECT: Education session for trustees on forests

RECOMMENDATION: That Executive Committee request staff to organize an education session for trustees by qualified former provincial forest ecologists, and provincial forest ecologists if available, to provide background on forest classifications, forest health, and the significance of forests in the Islands Trust Area.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: This recommendation is aligned with request from Trust Council in March 2023. Staff are proposing that retired provincial ecologists offer the session with current provincial staff if they become available.

- 1 **PURPOSE:** To seek guidance from Executive Committee on an education session for trustees on forest classifications, forest health, and the significance of forests in the Islands Trust Area.
- 2 **BACKGROUND:**

In March 2023, Trust Council passed the following motion:

That Trust Council request staff to review language on the website and in publications regarding the Coastal Douglas-fir zone and associated ecosystems and amend as appropriate, with advice from qualified provincial forest ecologists, including Will MacKenzie provincial custodian of the Biogeoclimatic Ecosystem Classification (BEC) system.

Staff, with assistance from Heather Klassen, Research Ecologist, Coast Area Research Section, Ministry of Forests, has reviewed language about the Coastal Douglas-fir bioclimatic zone and associated ecosystems on the website and in publications and identified corrections and clarifications which are being implemented. The specific edits were provided to Trust Programs Committee and further edits are being considered as a result of the discussion by the committee.

In March 2023, Trust Council also passed the following motions:

That Trust Council request the Executive Committee to arrange a presentation for trustees by qualified provincial forest ecologists to provide background on forest classifications, forest health, and the significance of forests in the Islands Trust Area as soon as conveniently possible.

That Trust Council refer the educational opportunity around the Coastal Douglas-fir zone and forest discussions to Trust Programs Committee for further consideration as an educational opportunity.

In mid-April Staff wrote to Heather Klassen, Research Ecologist, Coast Area Research Section, to request that she and other relevant provincial staff such as BC Conservation Data Centre staff and Ministry of Forests staff, consider providing an educational session to Trust Council. Staff have followed-up but have not yet received confirmation that provincial staff will be able to provide such a session.

Staff provided a briefing to Trust Programs committee so seek their input on an education session. The briefing recommended that the Committee discuss:

- recommended timing of a potential educational session (on a weekday daytime, weekday evening, or weekend)
- structure of the educational session
- specific information sought regarding forest classifications, forest health, and the significance of forests, or additional topics
- whether staff should contract private individuals to conduct the educational session should provincial staff not be available.

The discussion at TPC included the following:

- recommend polling trustees to find best time
- recommend robust time for questions and answers, including write-in questions in advance;
- support for involvement of provincial experts
- preference for a session that is not focused on presenters reading a PowerPoint
- recommend background materials provided beforehand
- preference for including Del Meidinger, retired provincial employee

As it is uncertain whether provincial staff will be able to attend a session, staff have approach retired provincial ecologist [Del Meidinger](#) and, at his request, retired provincial ecologist [Andrew MacKinnon](#) who are willing to provide a session in June, with current provincial staff should be they be available.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Trust Area Services staff will organize the session with the Executive Coordinator. It is expected to take 5-10 hours. This will displace other Trust Area Services work, including the Policy Statement Amendment Project.

FINANCIAL: Uncertain but expected that costs could be in the range of \$1,000-\$2,000.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff would survey trustees on their preferred timing for this session and for questions they would like answered.

Staff would ask the proposed presenters to develop a short presentation on forest classifications, forest health, and the significance of forests in the Islands Trust Area (~20 minutes) that would be followed by a question and answer session that responds to questions provided in advance as well as questions arising from their presentation (up to 1.5 hours).

Staff will invite trustees to a session and provide a zoom link.

FIRST NATIONS: None.

OTHER: None.

4 **RELEVANT POLICY(S):** None.

5 **ATTACHMENT(S):** None.

RESPONSE OPTIONS

Recommendation: That Executive Committee request staff to organize an education session for trustees in June by qualified former provincial forest ecologists, and provincial forest ecologists if available, to provide background on forest classifications, forest health, and the significance of forests in the Islands Trust Area.

Alternative: As requested.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Russ Hotsenpiller, CAO/May 18, 2023

To:	Executive Committee	For the Meeting of:	May 24, 2023
From:	Trust Area Services	Date Prepared:	May 16, 2023
SUBJECT:	Website database improvements		

PURPOSE: To inform Executive Committee of planned website improvements to fix issues related to the website document library.

BACKGROUND:

In 2019, the Islands Trust contracted design and development of our current website, which included development of an advanced document library database capable of handling the ever-growing number of PDFs produced by Islands Trust. However, despite receiving multiple assurances from the developers, the delivered product ultimately did not adequately scale to accommodate the volume of documents posted to the website by the Islands Trust. The existing document library structure and design have a negative impact on the overall site performance. This issue creates frustrations for both internal administrative tasks and public search experiences.

In 2022/23 Staff implemented an indexing plug-in which has improved public search times, but has not resolved backend administrative speed concerns, which are time-consuming and a frustration for staff that post to the website. However, a parsing tool used during the indexing process is not 100% effective, which results in a margin of error and occasional missed documents. As a consequence, there are occasional incorrect search results, diminishing the reliability and public trust in the search functionality.

In 2023/24, Staff, for an estimated cost of \$6,000-\$10,000 to be paid from the Trust Area Services communications budget, will replace the current native WordPress database and the existing 'band-aid' measures with a full-featured SQL Server database. This is expected to be a long-term solution that will support a growth in the number of documents on the website and supports a commitment to a high-quality website experience for both internal and external website users.

Benefits of the proposed solution include:

- **Document Management:** The SQL Server database is designed to efficiently handle large volumes of documents. It offers robust capabilities for document organization, storage, and retrieval, ensuring reliable performance even as our document count continues to grow.
- **Performance and Speed:** A SQL Server database will significantly enhance the speed of the document library for site administration, effectively addressing the concerns faced by our internal users. This improvement will streamline their workflows and increase overall productivity.
- **Search Accuracy:** The advanced features and capabilities of the SQL Server database will enable us to implement a more accurate and reliable search functionality. This enhancement will minimize errors and ensure that users consistently receive relevant and correct search results, significantly improving their overall experience.

ATTACHMENT(S): None.

FOLLOW-UP: Staff plan to work with contractors on the improvements before September 2023.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Mark Van Bakel, Information Services Manager/May 17, 2023
Russ Hotsenpiller, CAO/ May 18, 2023

BRIEFING

To: Executive Committee **For the Meeting of:** May 24, 2023
From: Trust Area Services **Date Prepared:** May 16, 2023
SUBJECT: Census infographics

PURPOSE: To provide Executive Committee with infographics regarding Islands Trust trends for review and comment.

BACKGROUND: To support accurate communications and informed decision-making, Trust Area Services staff, after consultation with Planning Services staff, contracted Statistics Canada to provide a set of infographics for both the Trust Area and local trust areas/Bowen Island (see attached).

The resulting infographic sheets are provided for review and comment. The individual infographics will also be provided to Islands Trust and Bowen Island Municipality staff for use in staff reports and communication materials.

To develop the infographics, there was a need for Statistics Canada to undertake geocoding and custom tabulations of past Census years as local trust area Census boundaries have shifted through the decades. This work completes efforts that began in 2016 to identify trends in the Trust Area and improve Census data sets for the Islands Trust Area. These products will inform and be used for the Trust Council request for a housing communications strategy and materials to support awareness of the housing affordability advocacy request.

The custom 1971, 1976, 1981 and 1986 geocoding data cost \$2,500, and custom tabulations from 1971-2021 cost \$6,400 while the infographic design cost \$2,000. These costs were paid from the 2022/23 and 2023/24 Islands Trust communications budget.

ATTACHMENT(S):

1. 2021 Census Infographics – comparisons across the Trust Area
2. 2021 Census Infographics – BC, Islands Trust Area, Bowen Island and local trust areas

FOLLOW-UP: Staff intend to provide the applicable infographics to local trust committees, Bowen Island Municipality, Regional Planning Committee and Trust Programs Committee, and to use the infographic sheets to support communications and, to post them to the Islands Trust website's Trend Monitoring page. The full Census data sets are available to staff.

Since production of the infographics, planning staff have identified that it would be helpful to also seek an infographic showing the trend in number of dwellings in each jurisdiction over time. Staff intend to order this additional data set and associated infographics at a cost between \$275 and \$457 before applicable taxes. Once the order is placed it will take up to a month to receive the products.

Prepared By: Clare Frater, Director, Trust Area Services

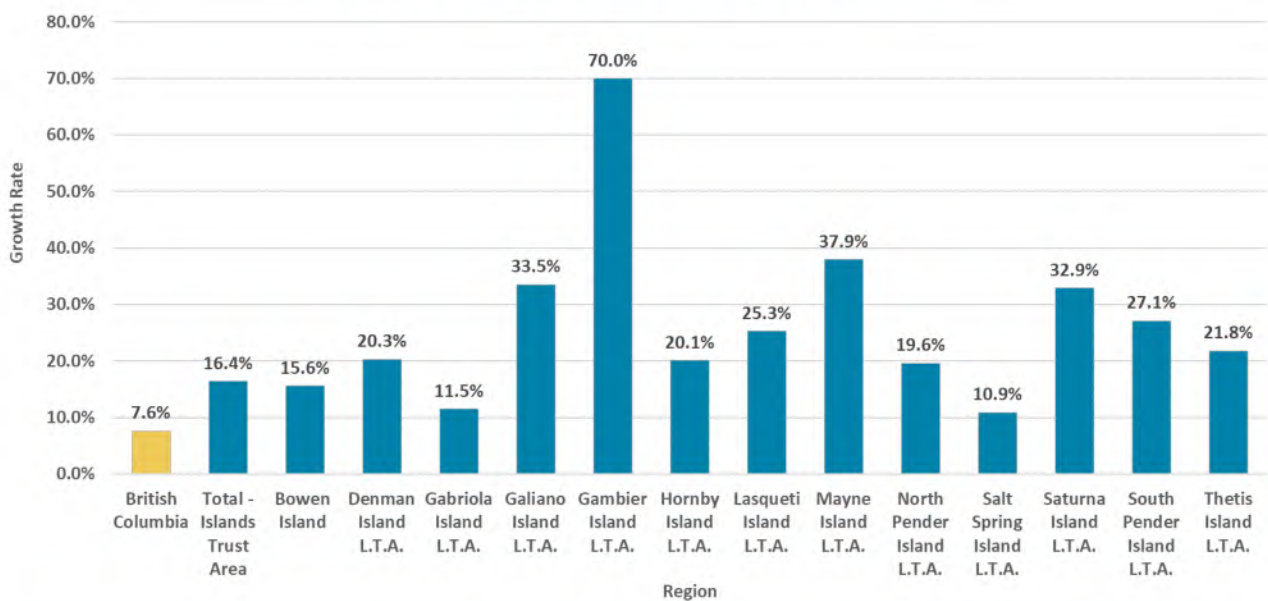
Reviewed By/Date: Russ Hotsenpiller, CAO/ May 15, 2023

Census Profile 2021

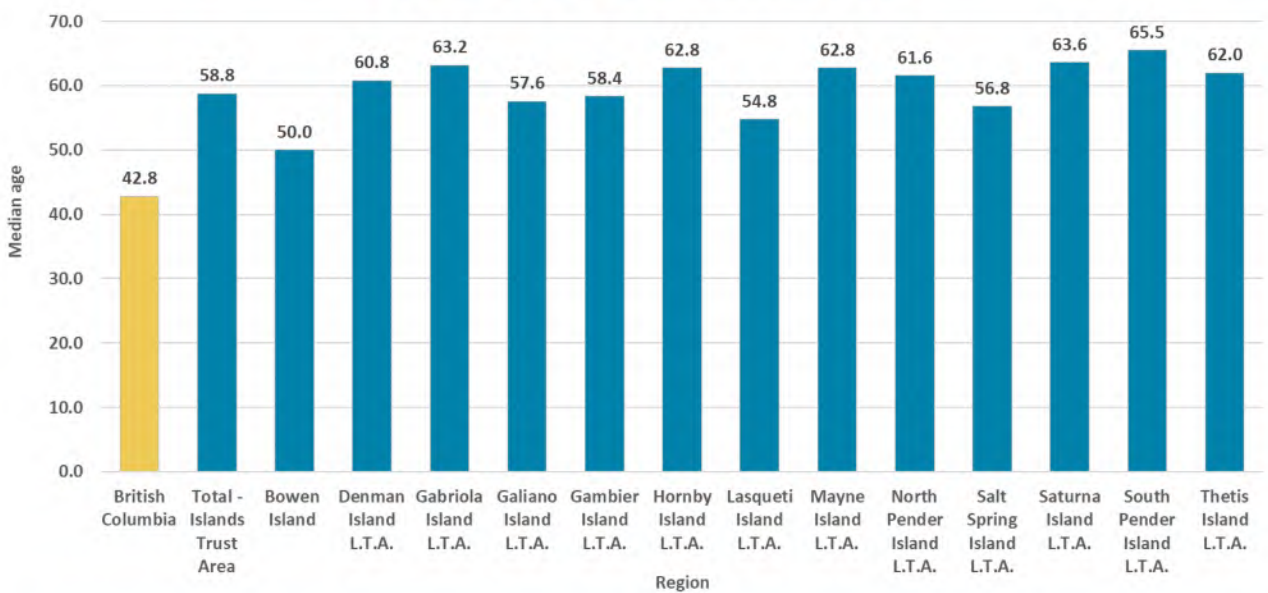


People

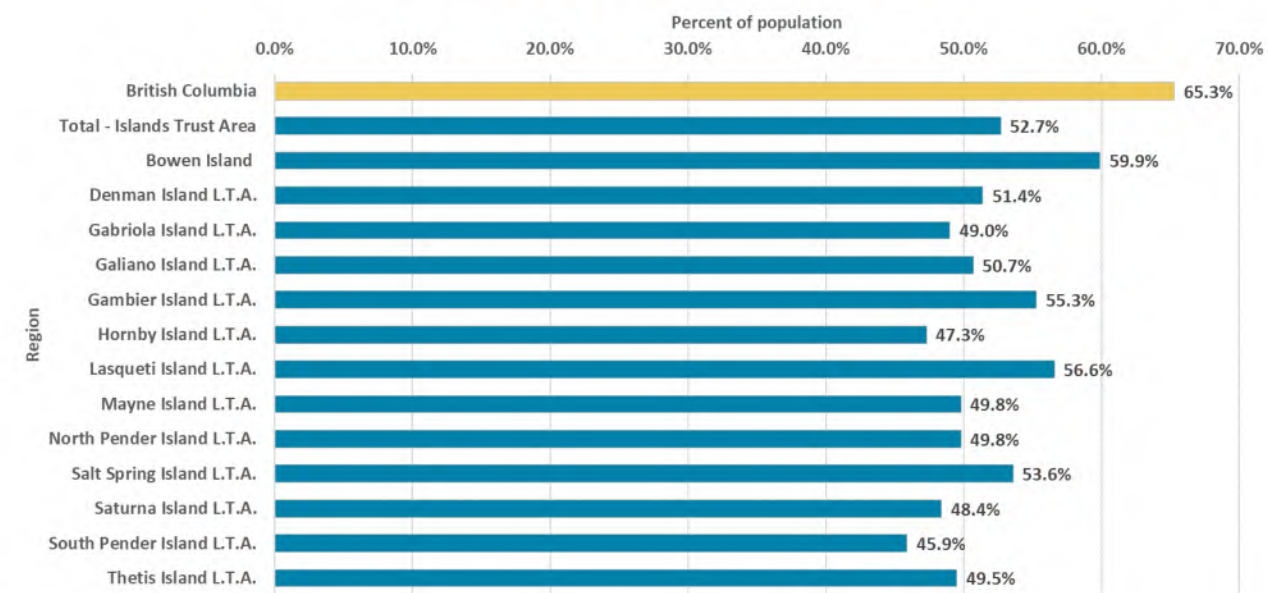
Population growth rate, 2016 to 2021



Median age of population, 2021

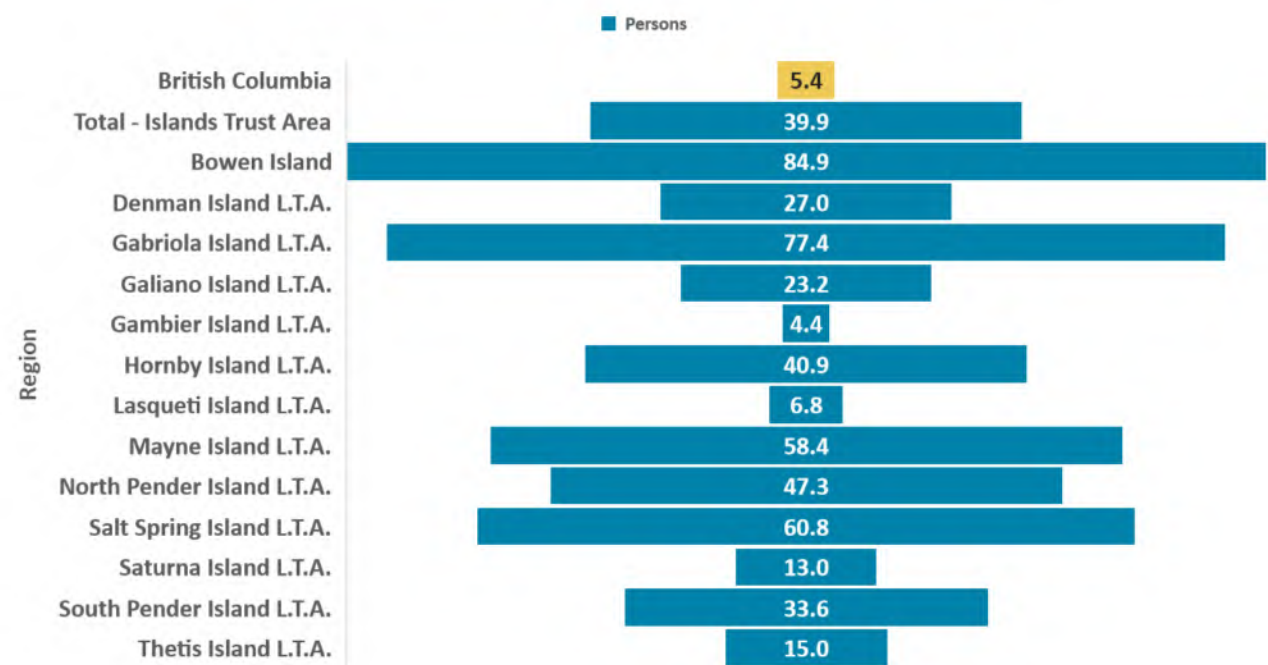


Working age population, 2021*



*Working age is 15 to 64 years old

Population density per square kilometer, 2021



Notes:

- With high global non-response rate, the 2016 Census data for Lasqueti Island Local Trust Area data should be used with caution as counts and estimates for this community have a high risk of non-response bias.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.
- The abbreviation 'L.T.A.' means 'Local Trust Area'.

Sources: Statistics Canada, 1991 to 2021 Census of Population, 100% Data; Statistics Canada, 2016 and 2021 Census of Population, 25% Sample-based Data

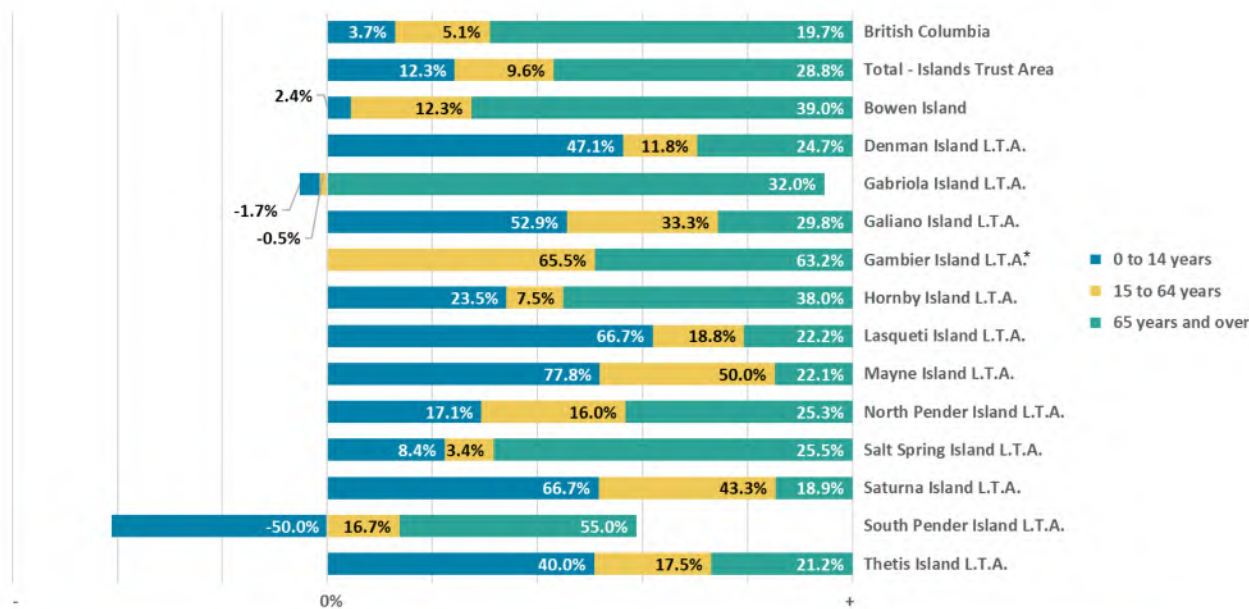


Statistics Canada
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www.statcan.gc.ca

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Population change by broad age group, 2016 to 2021

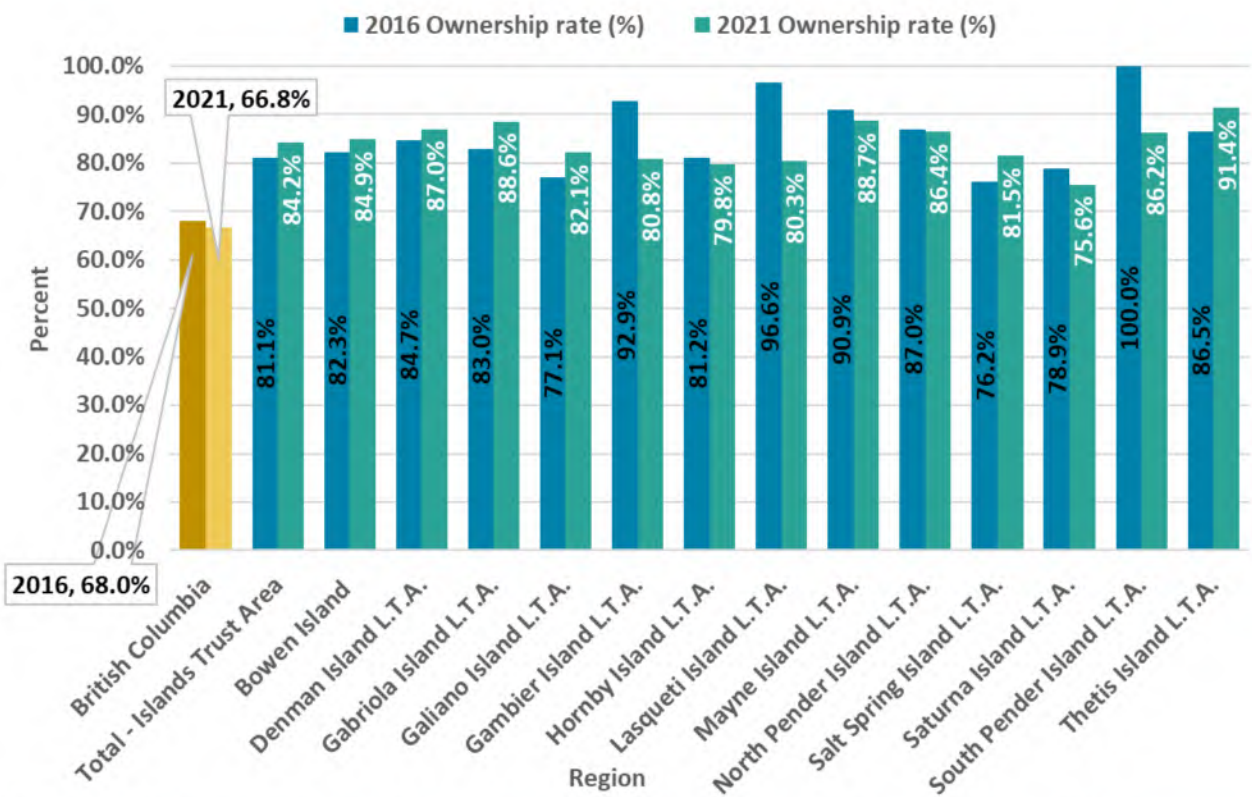


* The population change of 0 to 14 years age group was 250.0% in Gambier Island.



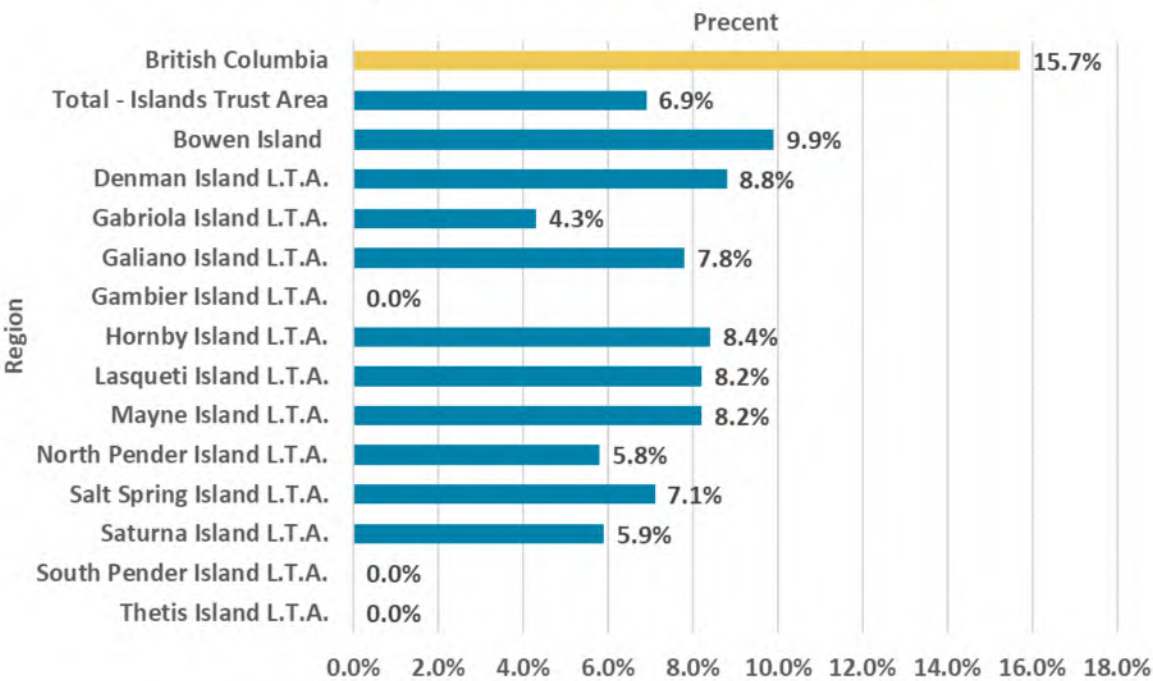
Dwelling

Homeownership rate, 2016 and 2021*

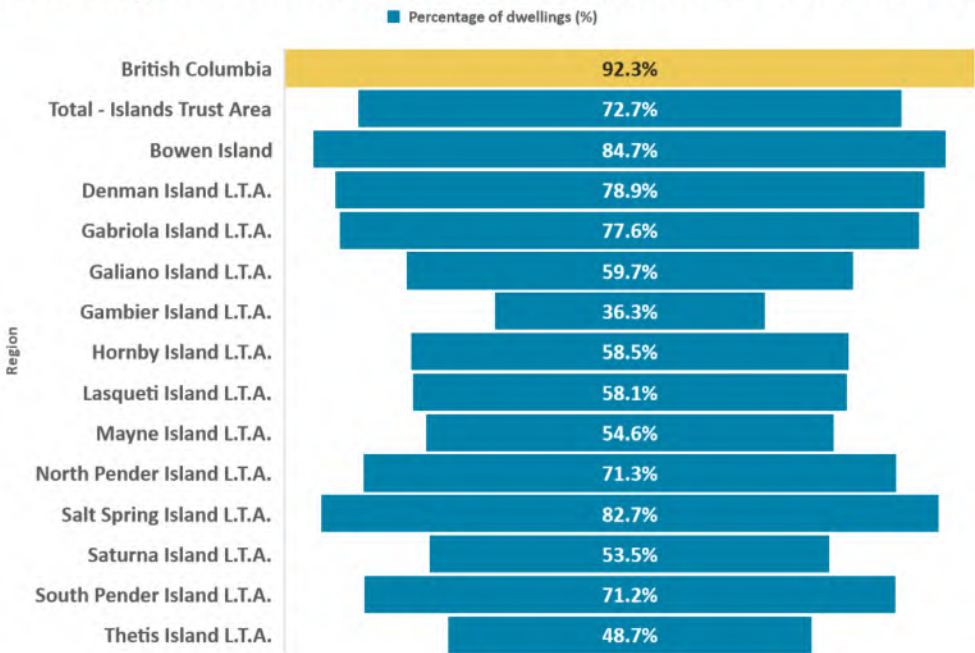


*Owner household refers to a private household where some member of the household owns the dwelling, even if it is still being paid for.

Homeownership rate among 25 to 39 year olds, 2021



Percentage of dwellings occupied by usual residents, 2021



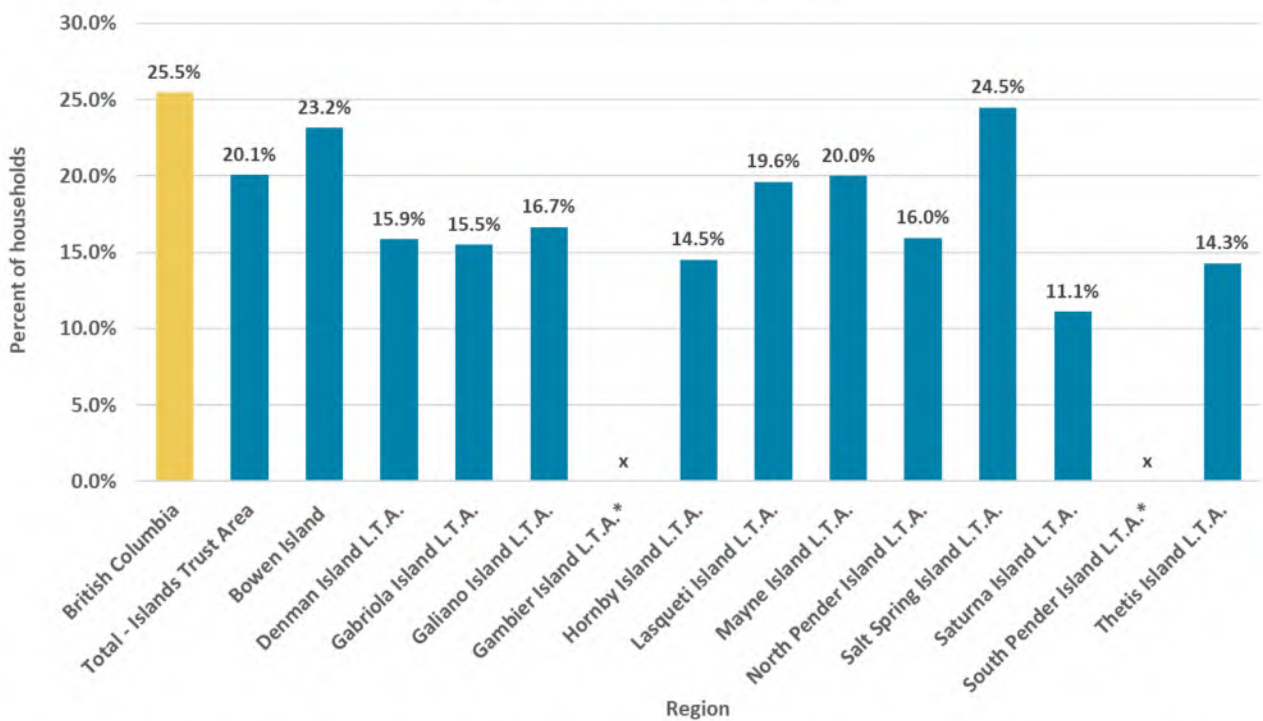
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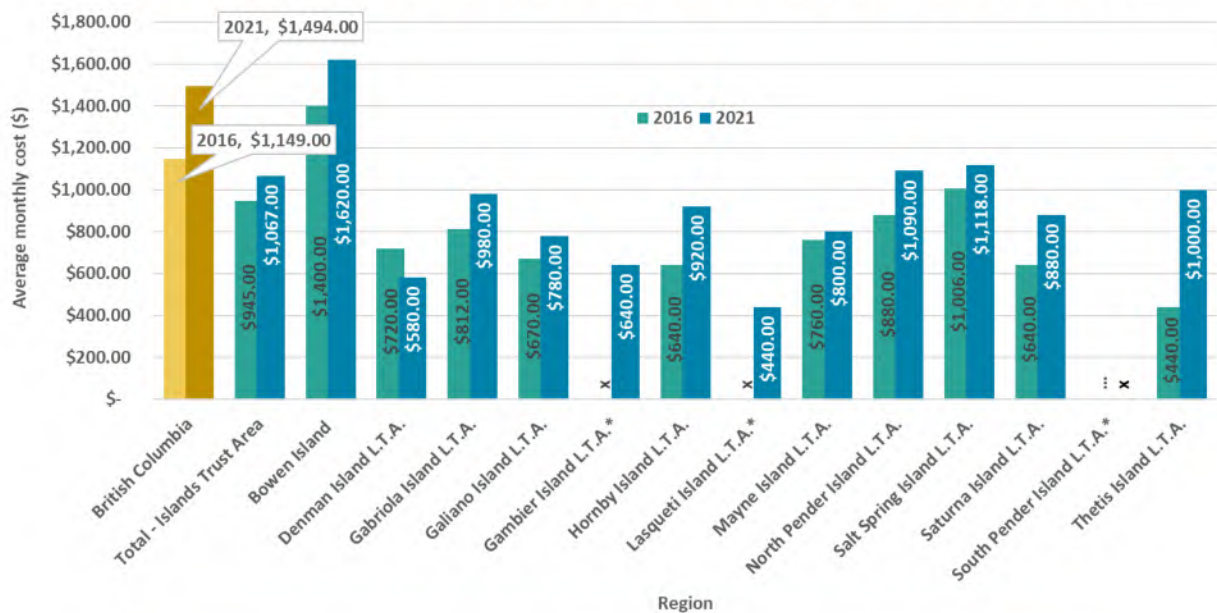
Percentage of households that spend 30% or more of income on shelter costs, 2021¹



*Data for Gambier Island Local Trust Area and South Pender Island Local Trust Area suppressed (x) to meet confidentiality requirements of the Statistics Act.

1. Total - Owner and tenant households with household total income greater than zero, in non-farm, non-reserve private dwellings by shelter-cost-to-income ratio.

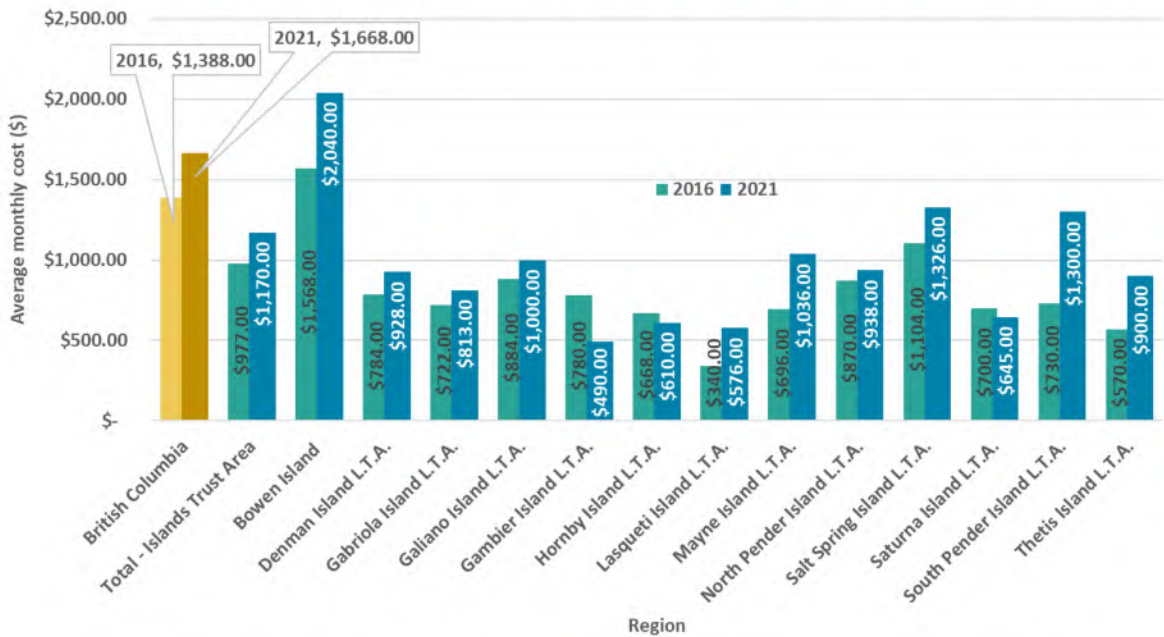
Average monthly shelter cost for renters, 2016 and 2021



Average monthly shelter costs for renters increased by 30.0% in B.C. while the Islands Trust Area saw an increase of 12.9%.

*2016 Census data for Gambier Island Local Trust Area and Lasqueti Island Local Trust Area suppressed (x) to meet confidentiality requirements of the Statistics Act. 2016 Census data for South Pender Island Local Trust Area not applicable (...). 2021 Census data for South Pender Island Local Trust Area suppressed (x) to meet confidentiality requirements of the Statistics Act.

Average monthly shelter cost for owners, 2016 and 2021



Average monthly shelter costs for owners increased by 20.2% in B.C. while the Islands Local Trust Area saw an increase of 19.8%.

Notes:

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Sources: Statistics Canada, 1991 to 2021 Census of Population, 100% Data; Statistics Canada, 2016 and 2021 Census of Population, 25% Sample-based Data

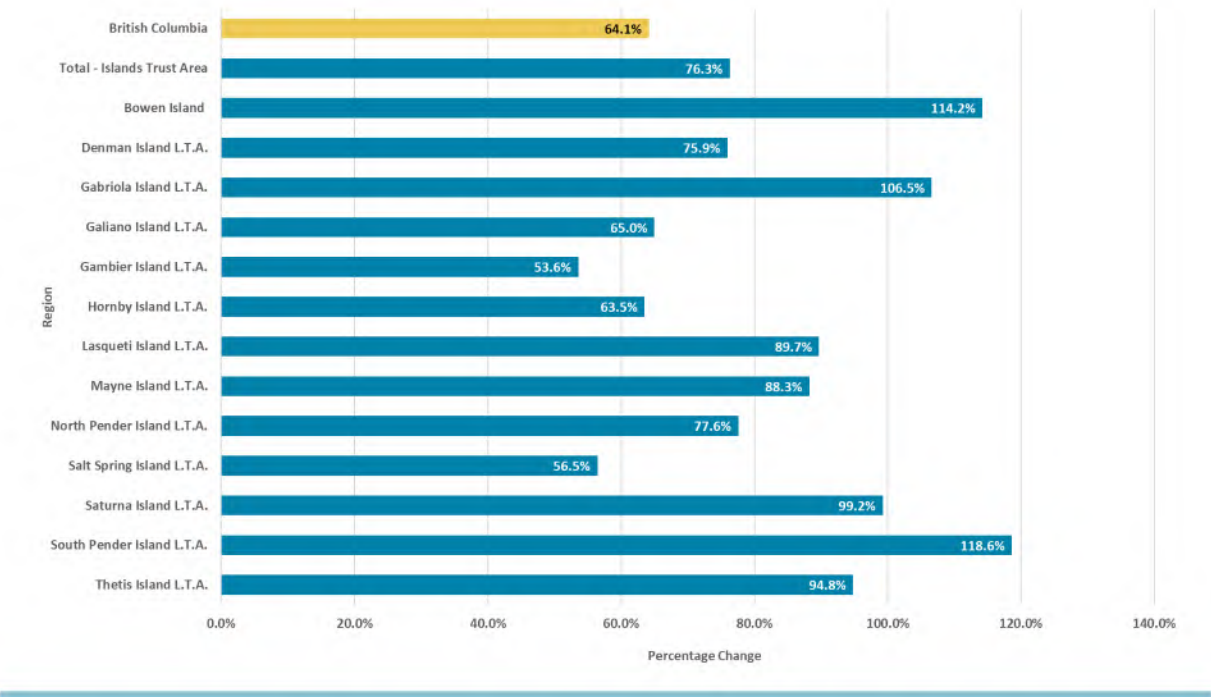


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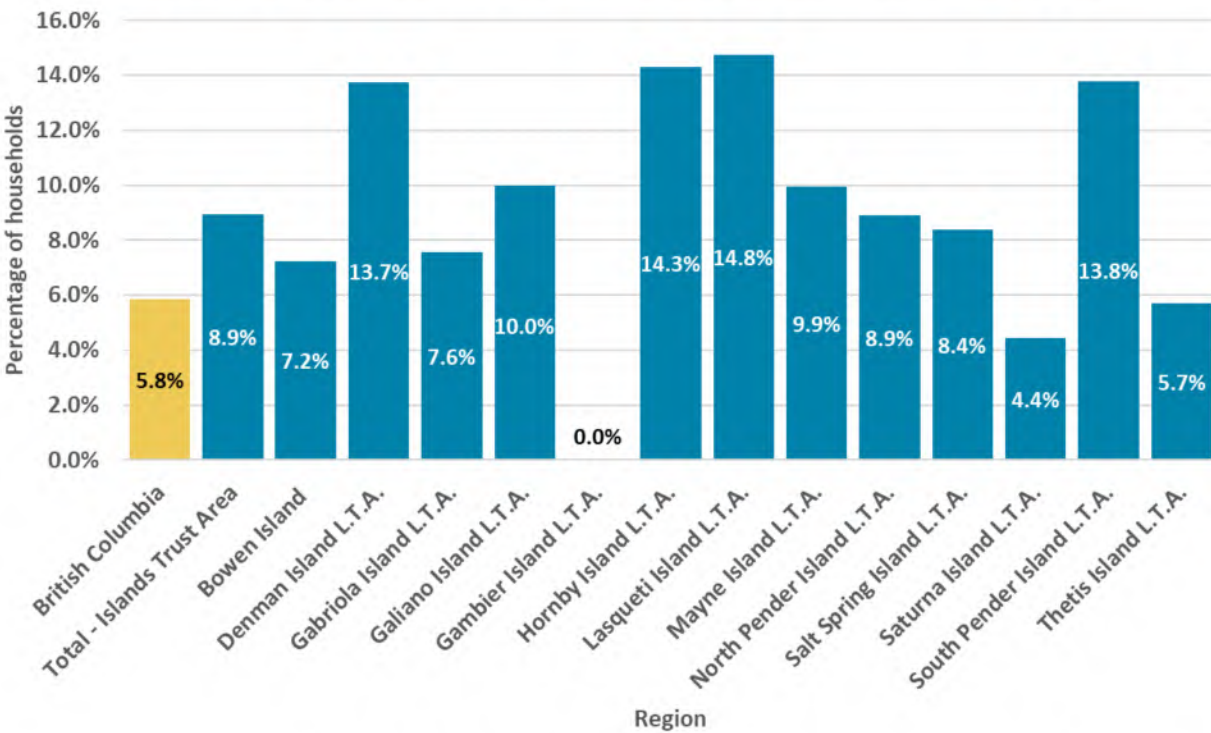
www.statcan.gc.ca

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Percentage change in private dwellings occupied by usual residents, 1991 to 2021



Percentage of households with inadequate housing, 2021*

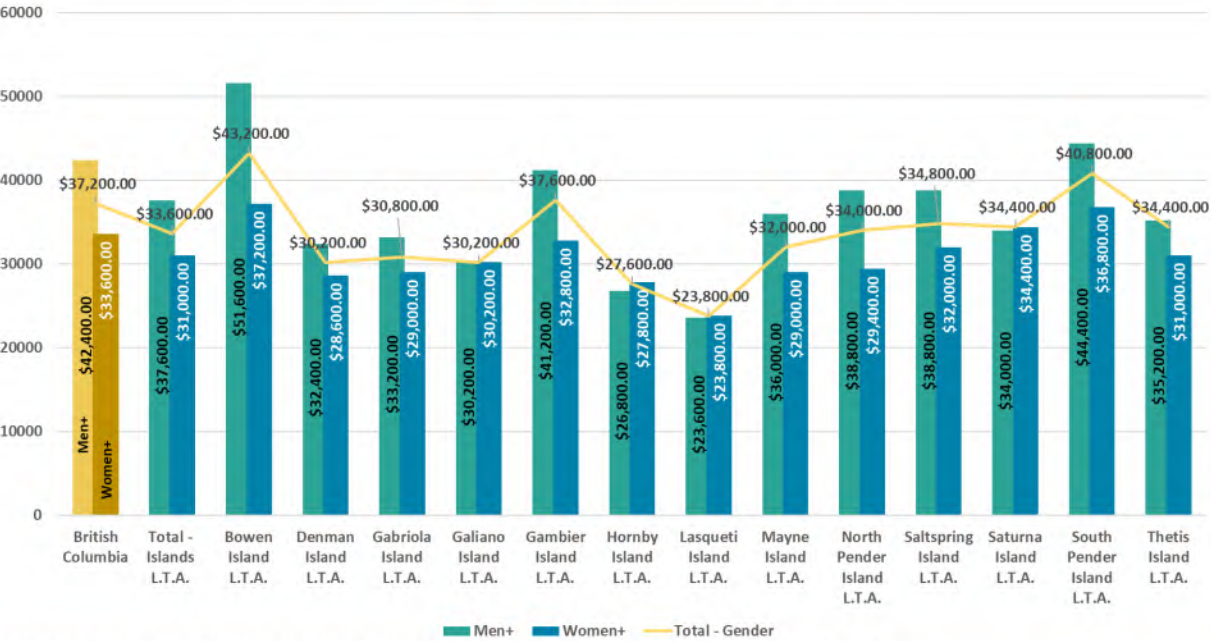


*Housing is considered adequate when it isn't in need of major repairs. Major repairs include defective plumbing or electrical wiring, or structural repairs to walls, floors, or ceilings.
<https://www.cmhc-schl.gc.ca/en/professionals/housing-markets-data-and-research/housing-research/core-housing-need/identifying-core-housing-need>



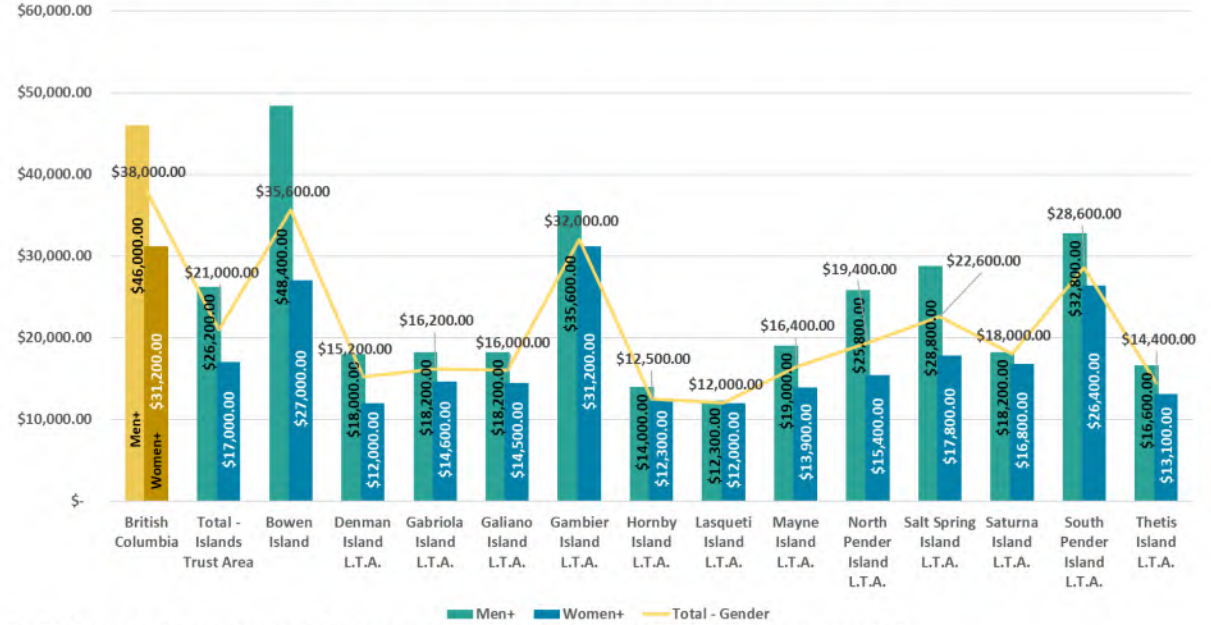
Income

Median after-tax income, 2020*



*For the 2021 Census, the reference period for income data is the calendar year 2020, unless otherwise specified.

Median employment income, 2020*



*For the 2021 Census, the reference period for income data is the calendar year 2020, unless otherwise specified.

Notes:

- With high global non-response rate, the 2016 Census data for Lasqueti Island Local Trust Area data should be used with caution as counts and estimates for this community have a high risk of non-response bias.
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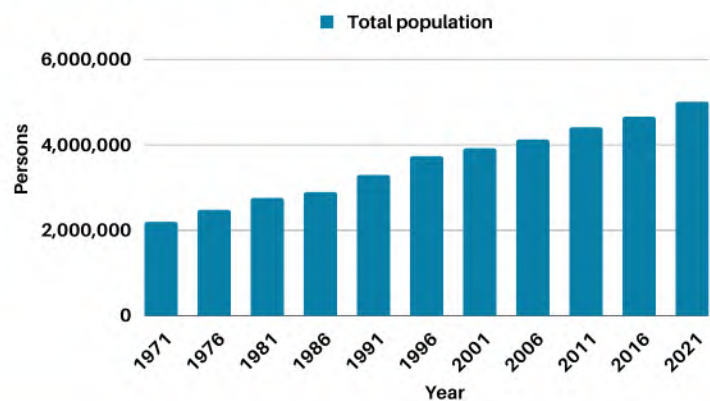
Sources: Statistics Canada, 1991 to 2021 Census of Population, 100% Data; Statistics Canada, 2016 and 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

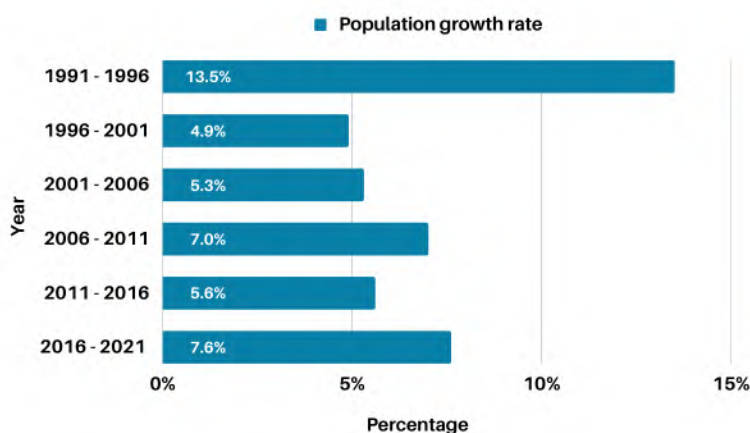
British Columbia

Total population

The total population of British Columbia was 5,000,875 in 2021.



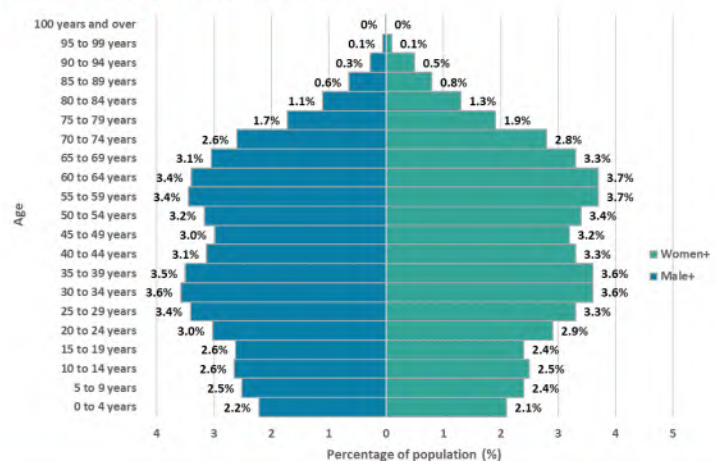
Total population growth rate



Between 1991 and 2021 the population of British Columbia grew by 52.4%.

Total population by gender, 2021

The median age of British Columbia was 42.8 in 2021.

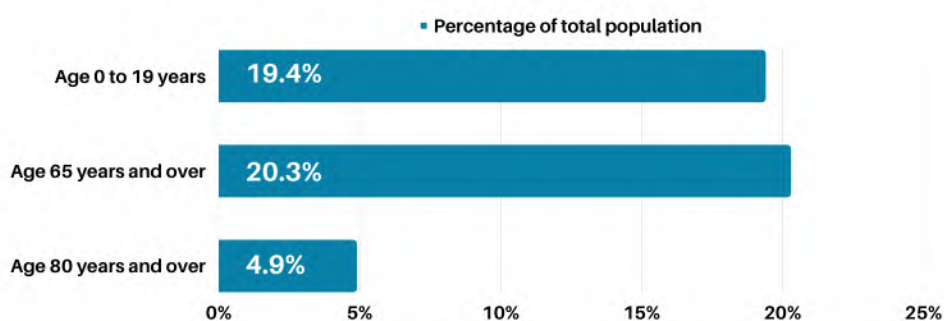


Population by Indigenous and Registered or Treaty Indian status, 2021

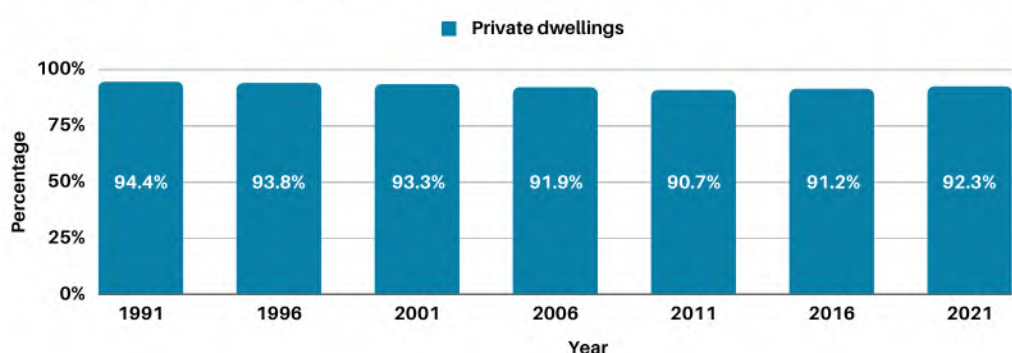


In 2021, 2.8% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Note:

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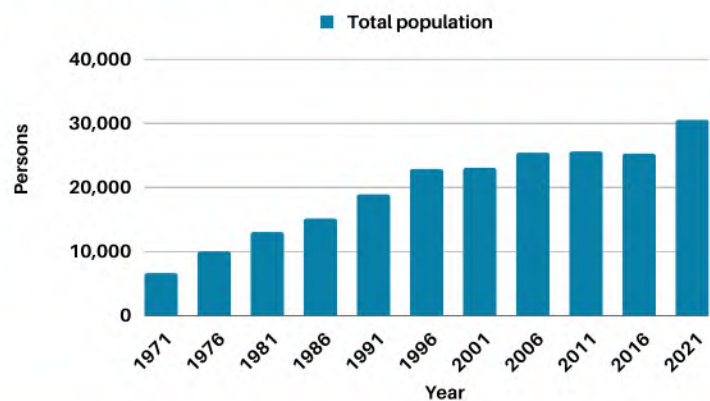
Sources: Statistics Canada, Census of Canada, 1971, vol. 1, part 2, table 14, (Catalogue 92-716); Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

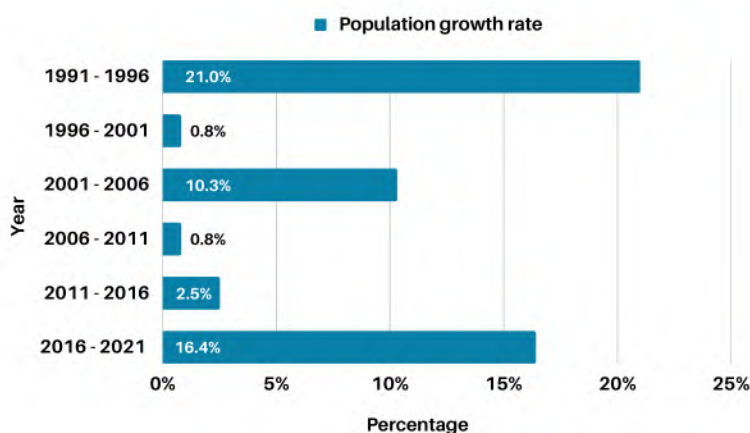
Islands Trust Area

Total population

The total population of Islands Trust Area was 30,510 in 2021.



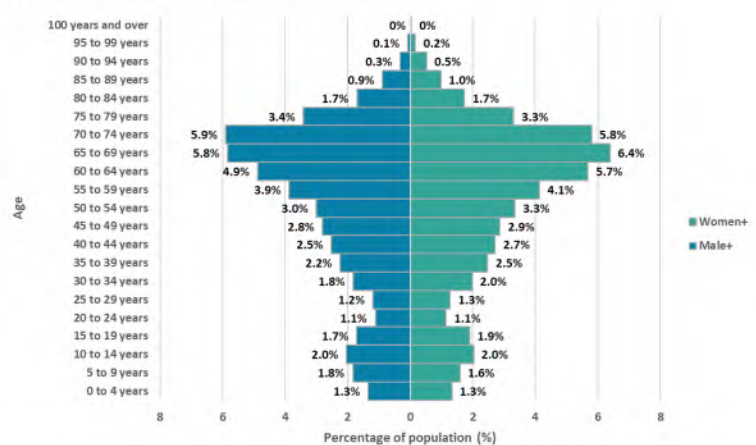
Total population growth rate



Between 1991 and 2021 the population of Islands Trust Area grew by 61.7%.

Total population by gender, 2021

The median age of Islands Trust Area was 58.8 in 2021.

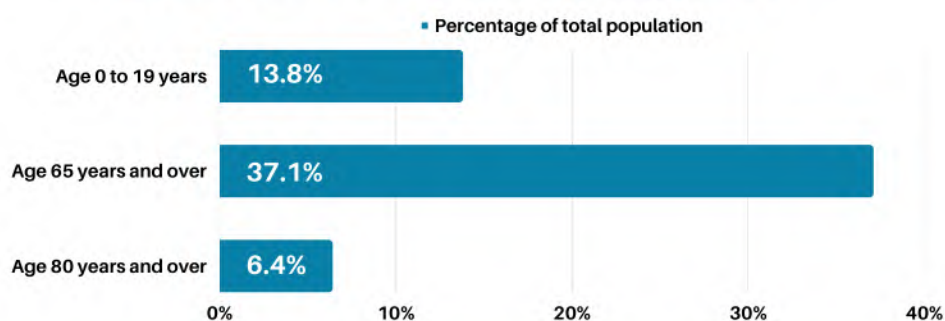


Population by Indigenous and Registered or Treaty Indian status, 2021

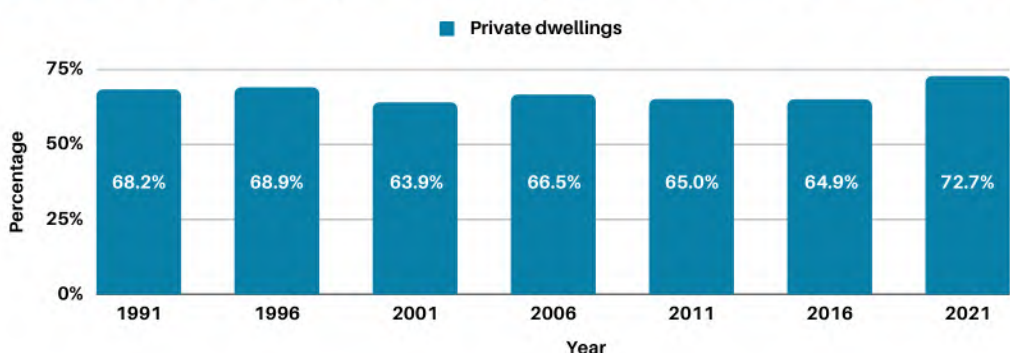


In 2021, 1.1% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data



Statistics Canada
Statistique Canada

www.statcan.gc.ca

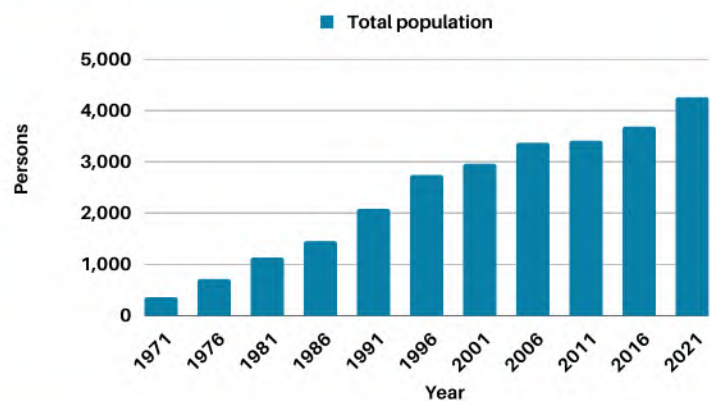
Canada 150

2021 Census Profile

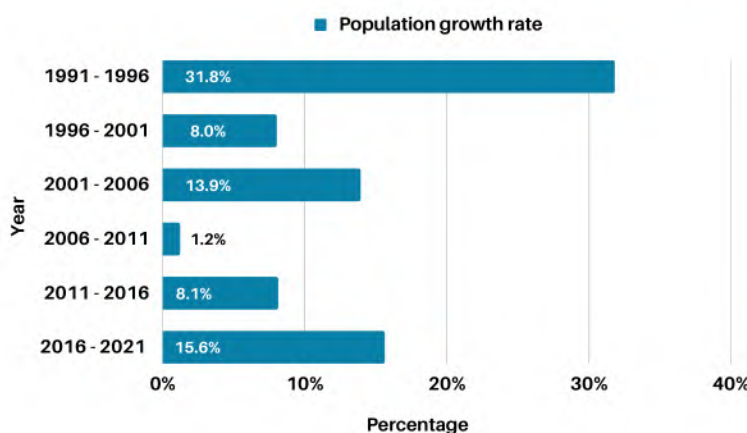
Bowen Island

Total population

The total population of Bowen Island was 4,255 in 2021.



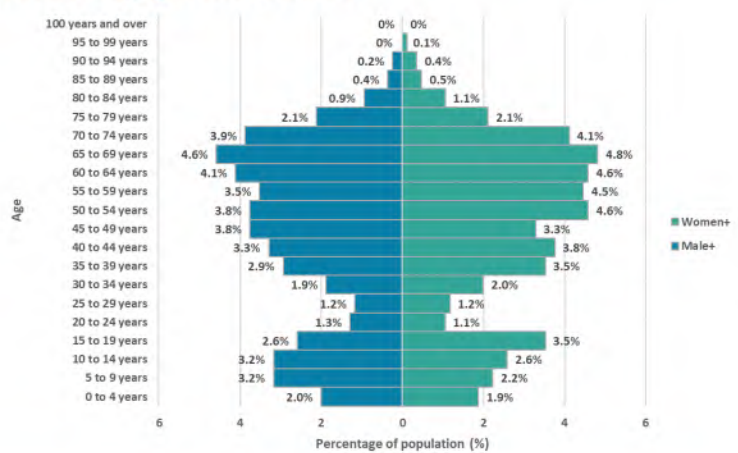
Total population growth rate



Between 1991 and 2021 the population of Bowen Island grew by 105.1%.

Total population by gender, 2021

The median age of Bowen Island was 50.0 in 2021.

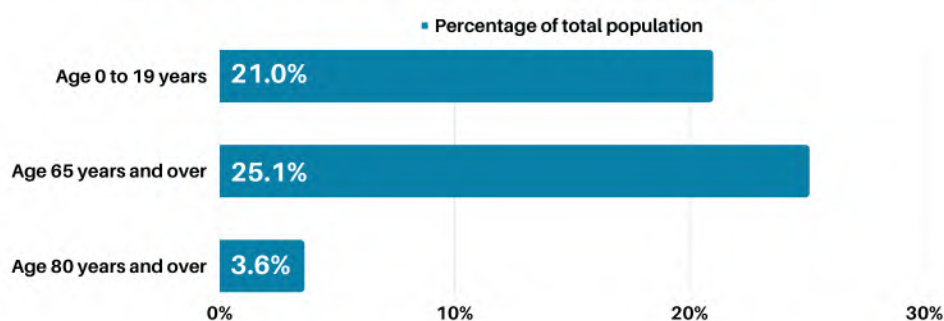


Population by Indigenous and Registered or Treaty Indian status, 2021

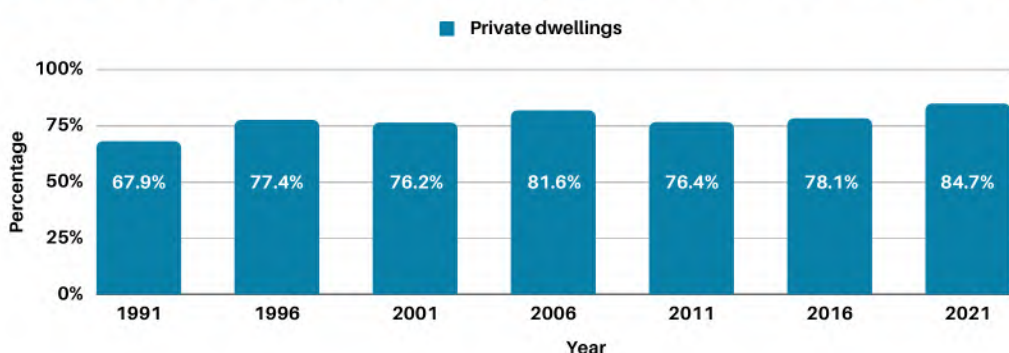


In 2021, 1.1% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data



Statistics Canada
Statistique Canada

www.statcan.gc.ca

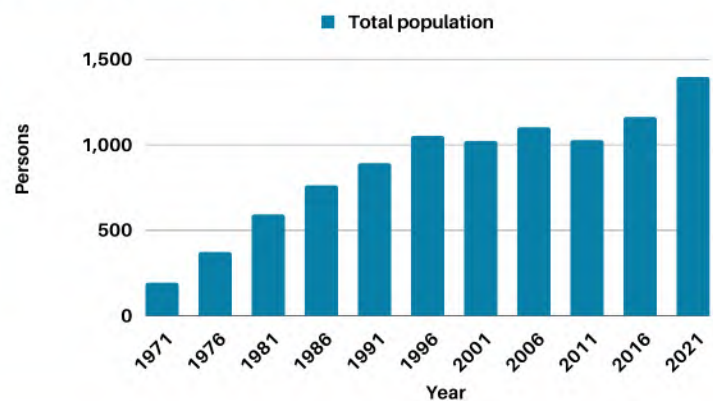


2021 Census Profile

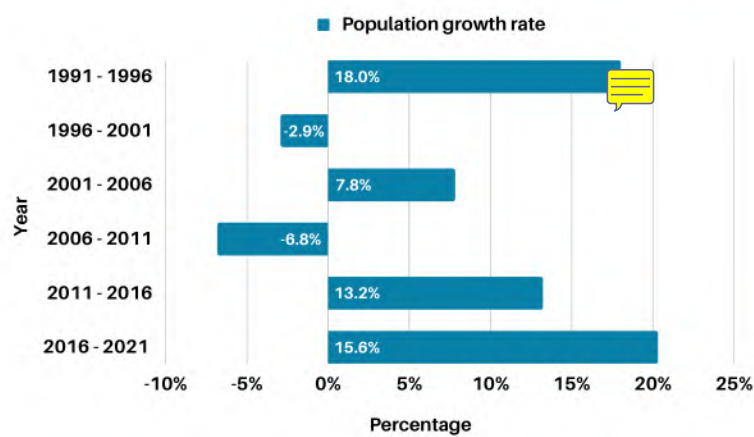
Denman Island Local Trust Area

The total population of Denman Island Local Trust Area was 1,395 in 2021.

Total population

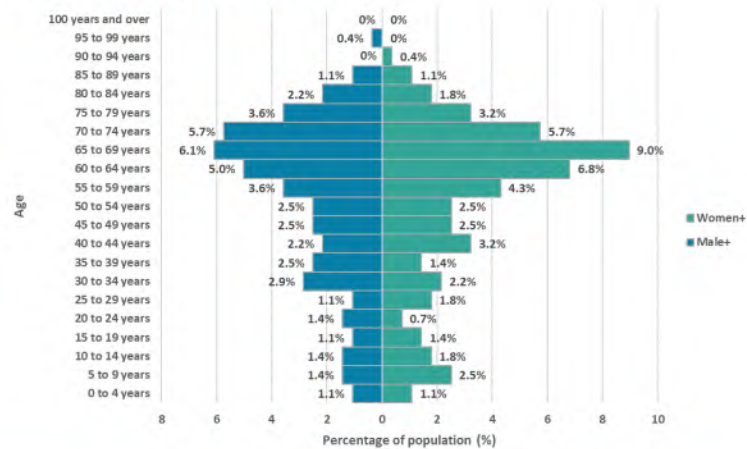


Total population growth rate



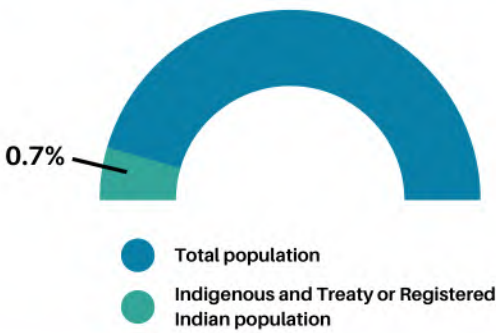
Between 1991 and 2021 the population of Denman Island Local Trust Area grew by 56.7%.

Total population by gender, 2021



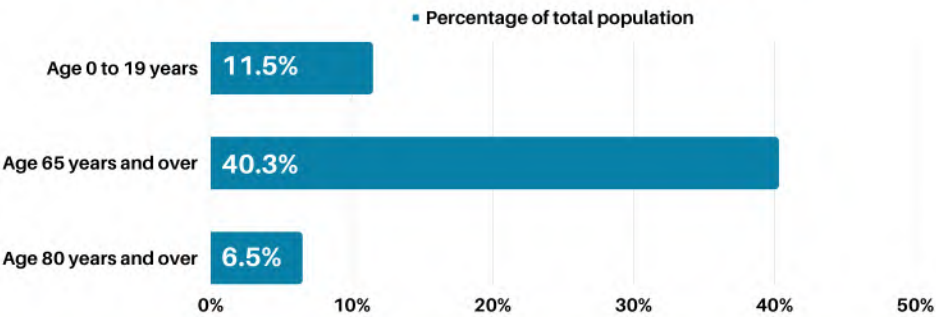
The median age of Denman Island Local Trust Area was 60.8 in 2021.

Population by Indigenous and Registered or Treaty Indian status, 2021

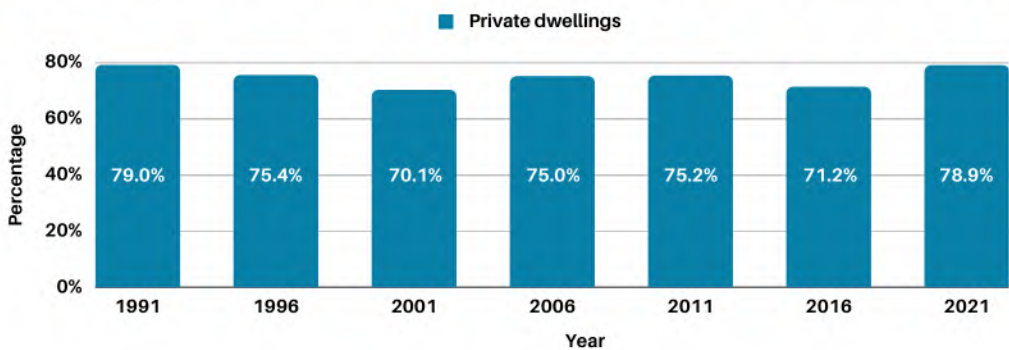


In 2021, 0.7% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- 1971 and 1976 Census, Hornby Island Local Trust Area split into Denman Island Local Trust Area and Hornby Island Local Trust Area by using the 1981 population and dwelling proportion.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

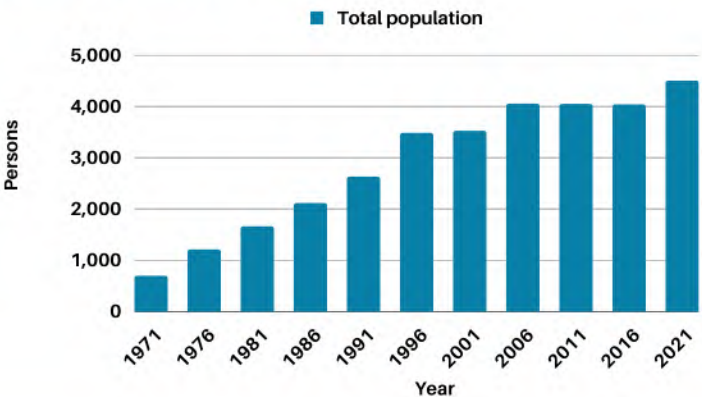
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

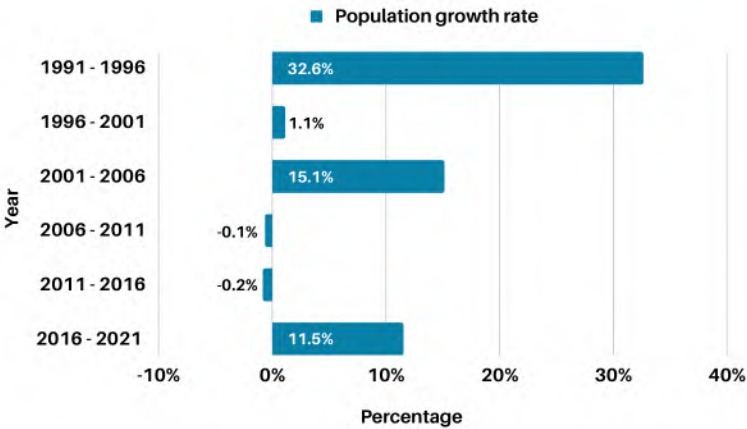
Gabriola Island Local Trust Area

Total population

The total population of Gabriola Island Local Trust Area was 4,500 in 2021.



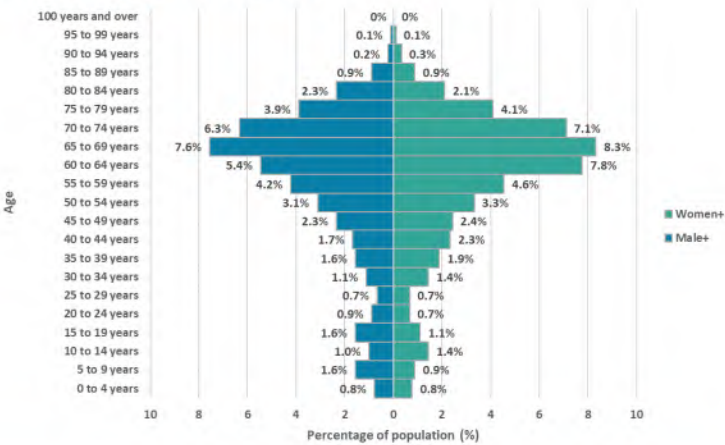
Total population growth rate



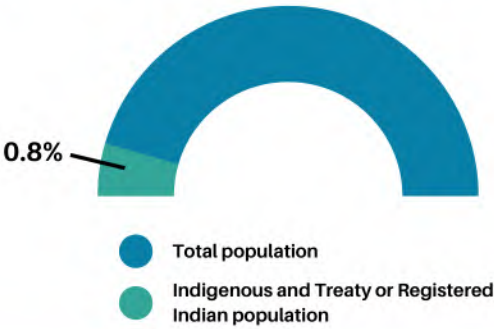
Between 1991 and 2021 the population of Gabriola Island Local Trust Area grew by 71.4%.

Total population by gender, 2021

The median age of Gabriola Island Local Trust Area was 63.2 in 2021.

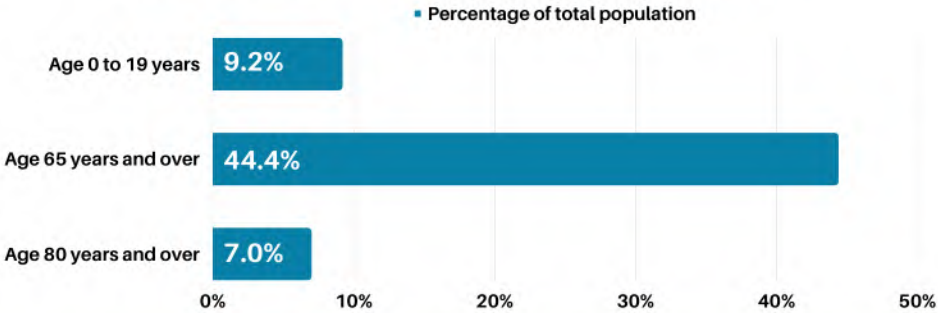


Population by Indigenous and Registered or Treaty Indian status, 2021

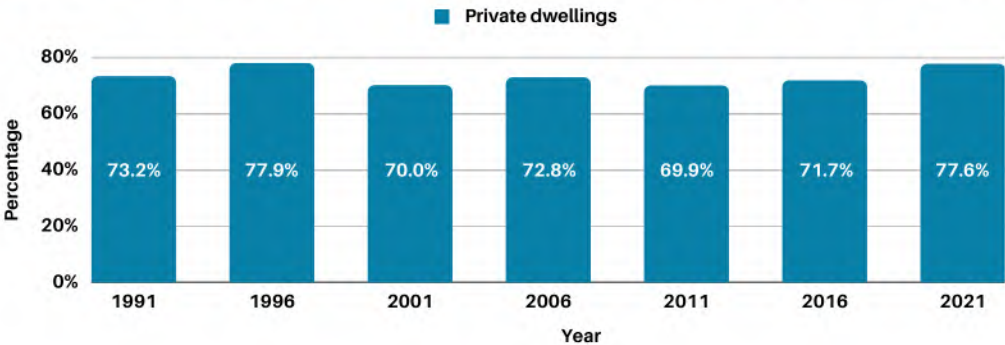


In 2021, 0.8% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

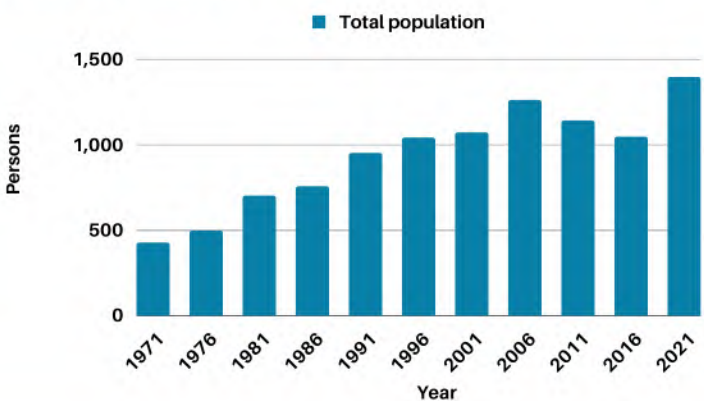
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

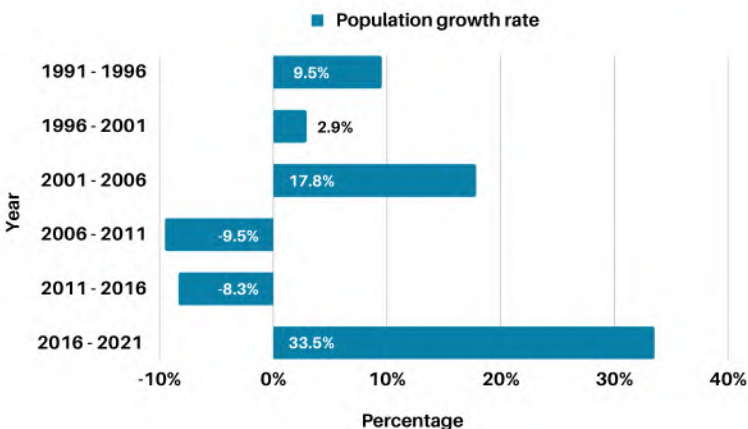
Galiano Island Local Trust Area

Total population

The total population of Galiano Island Local Trust Area was 1,395 in 2021.



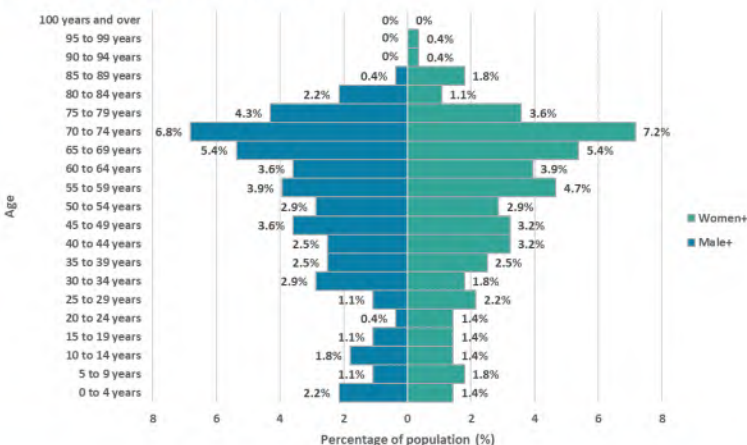
Total population growth rate



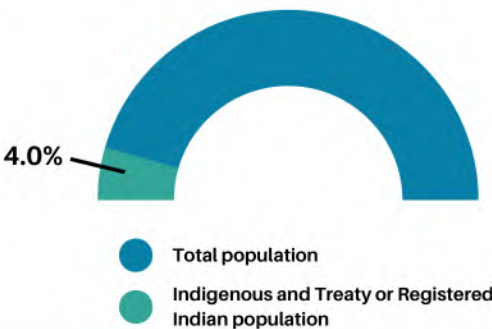
Between 1991 and 2021 the population of Galiano Island Local Trust Area grew by 46.8%.

Total population by gender, 2021

The median age of Galiano Island Local Trust Area was 57.6 in 2021.

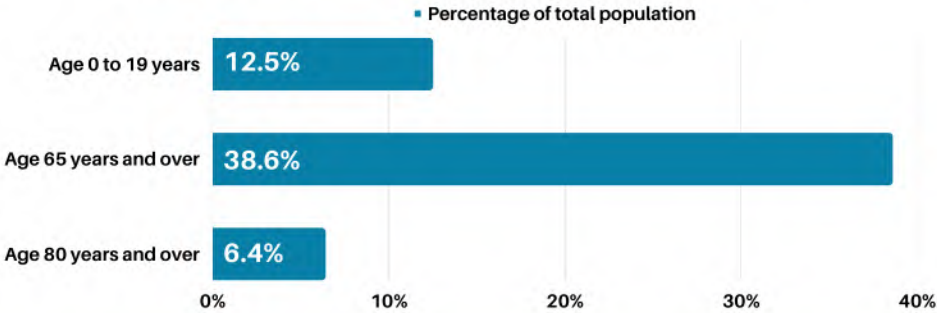


Population by Indigenous and Registered or Treaty Indian status, 2021

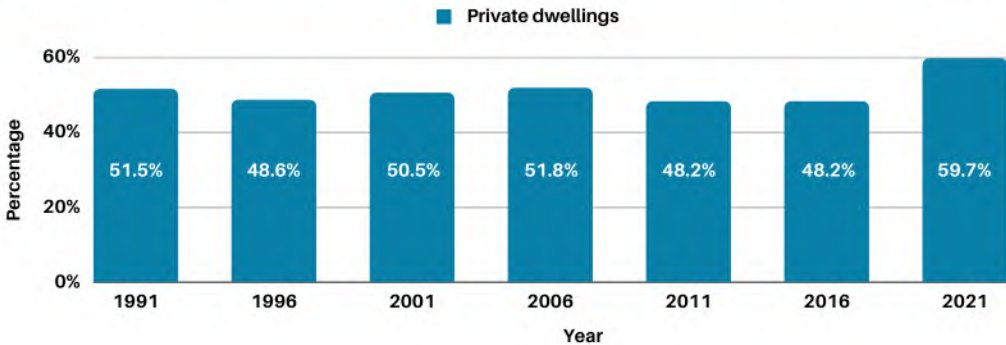


In 2021, 4.0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
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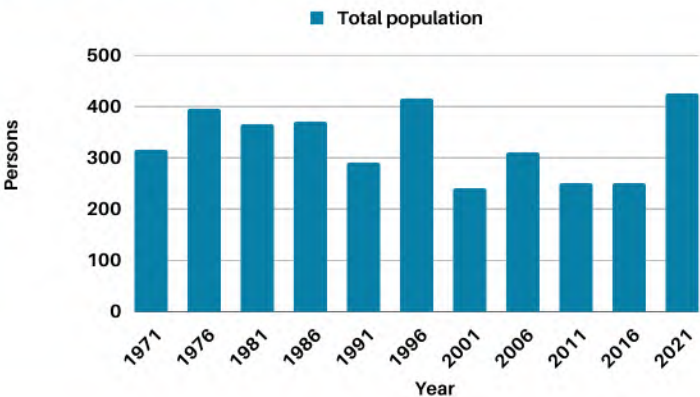
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

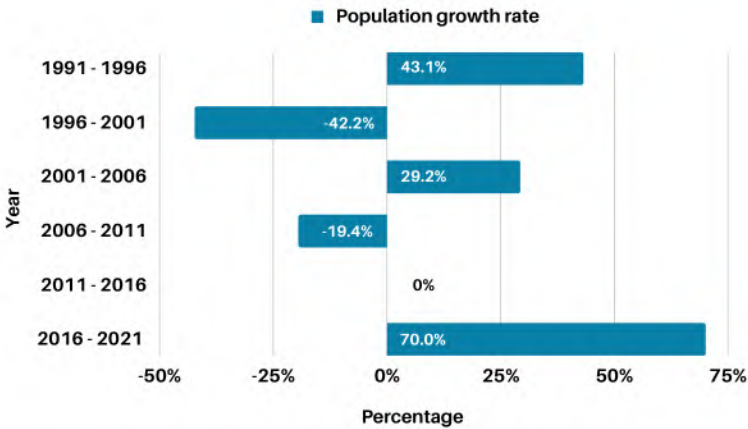
Gambier Island Local Trust Area

Total population

The total population of Gambier Island Local Trust Area was 425 in 2021.



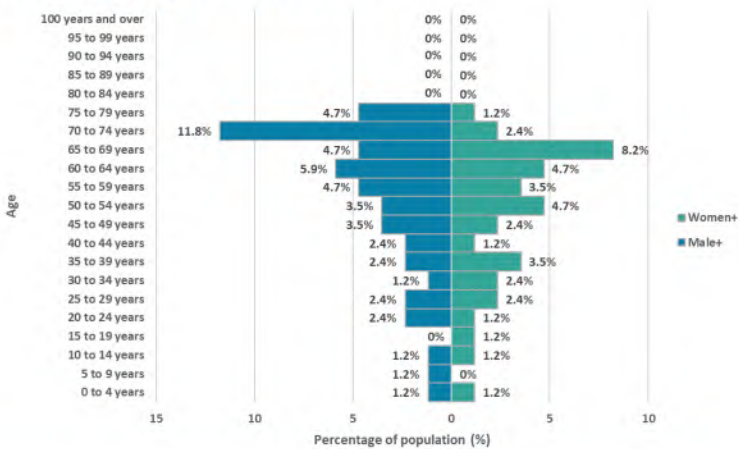
Total population growth rate



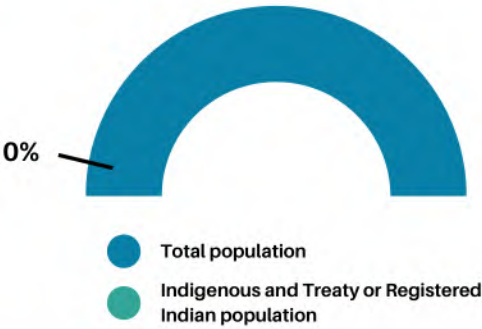
Between 1991 and 2021 the population of Gambier Island Local Trust Area grew by 46.6%.

Total population by gender, 2021

The median age of Gambier Island Local Trust Area was 58.4 in 2021.

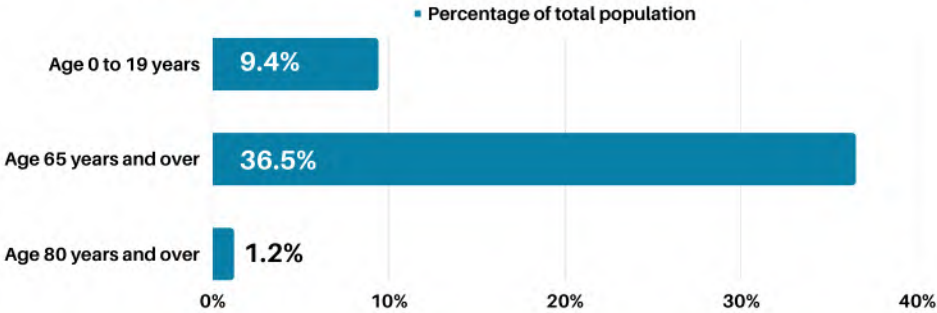


Population by Indigenous and Registered or Treaty Indian status, 2021

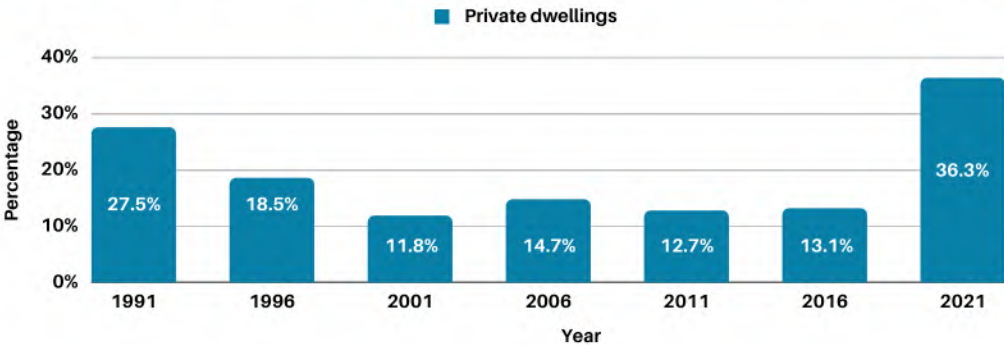


In 2021, 0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

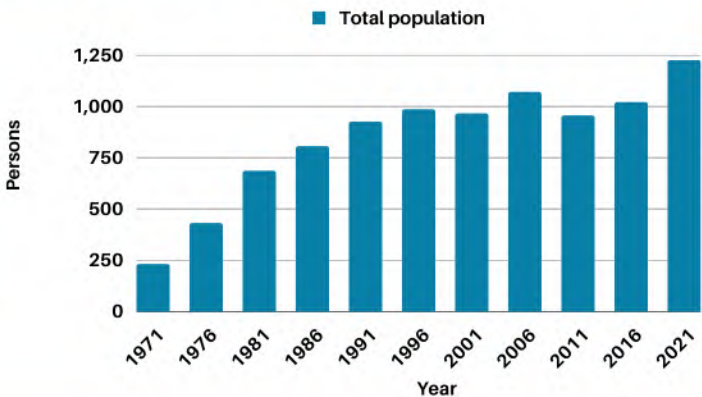
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

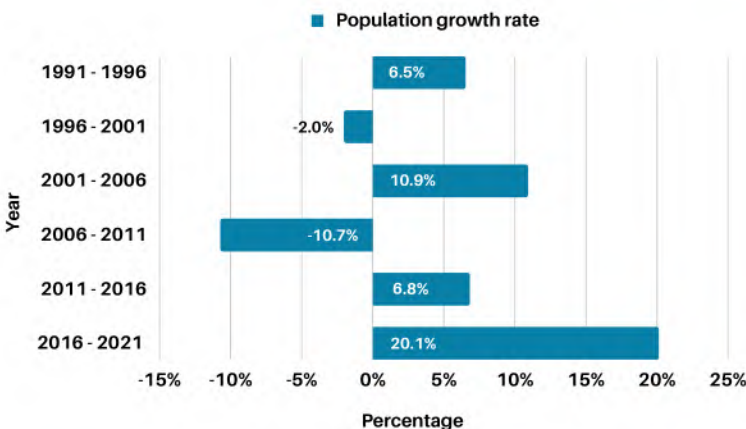
Hornby Island Local Trust Area

Total population

The total population of Hornby Island Local Trust Area was 1,225 in 2021.



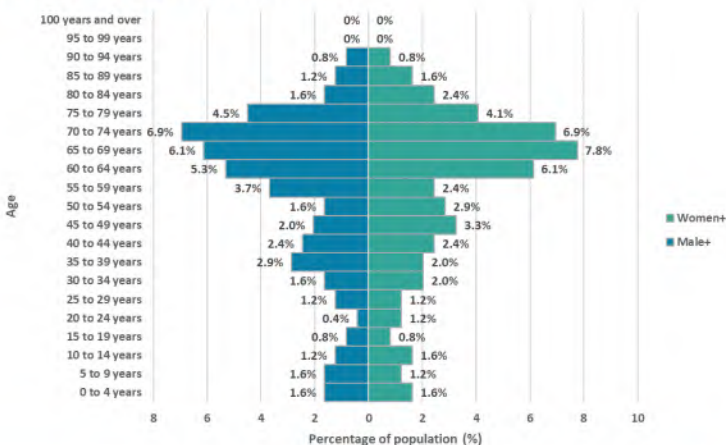
Total population growth rate



Between 1991 and 2021 the population of Hornby Island Local Trust Area grew by 32.4%.

Total population by gender, 2021

The median age of Hornby Island Local Trust Area was 62.8 in 2021.

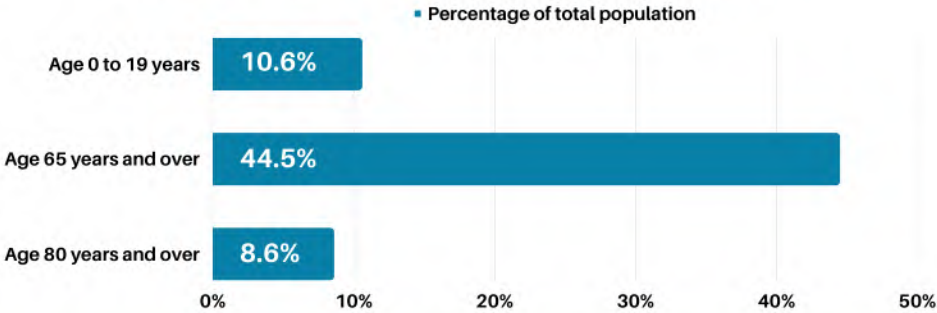


Population by Indigenous and Registered or Treaty Indian status, 2021

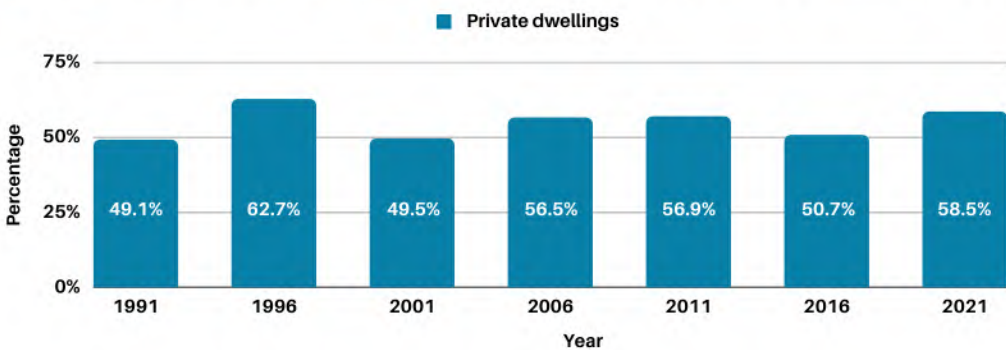


In 2021, 0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1971 and 1976 Census, Hornby Island Local Trust Area split into Denman Island Local Trust Area and Hornby Island Local Trust Area by using the 1981 population and dwelling proportion.
- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

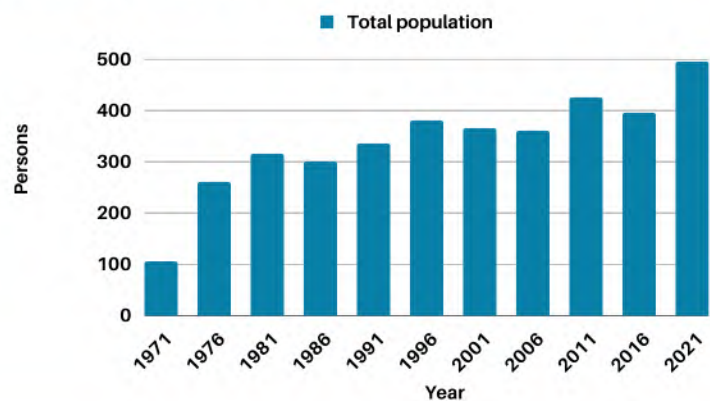
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

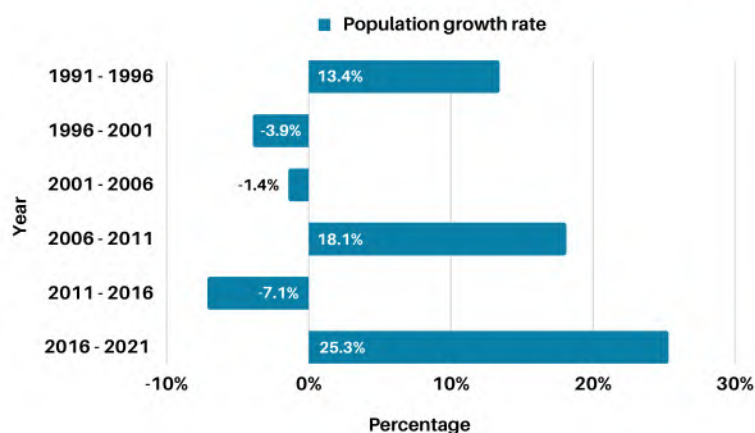
Lasqueti Island Local Trust Area

Total population

The total population of Lasqueti Island Local Trust Area was 495 in 2021.



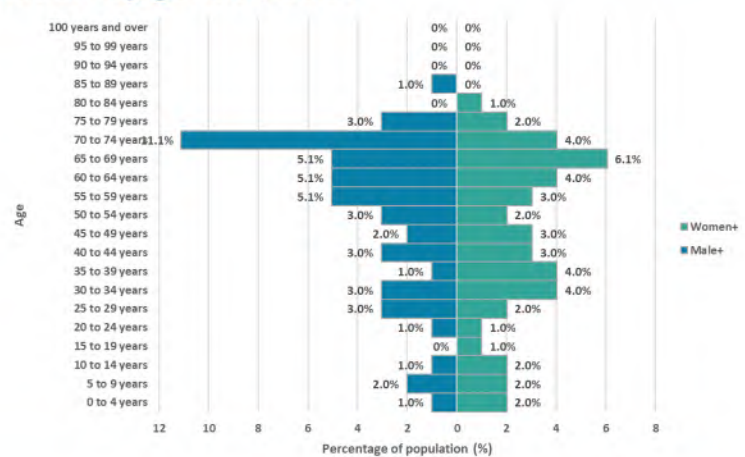
Total population growth rate



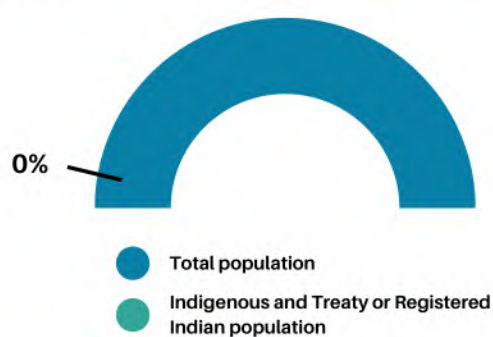
Between 1991 and 2021 the population of Lasqueti Island Local Trust Area grew by 47.8%.

Total population by gender, 2021

The median age of Lasqueti Island Local Trust Area was 54.8 in 2021.

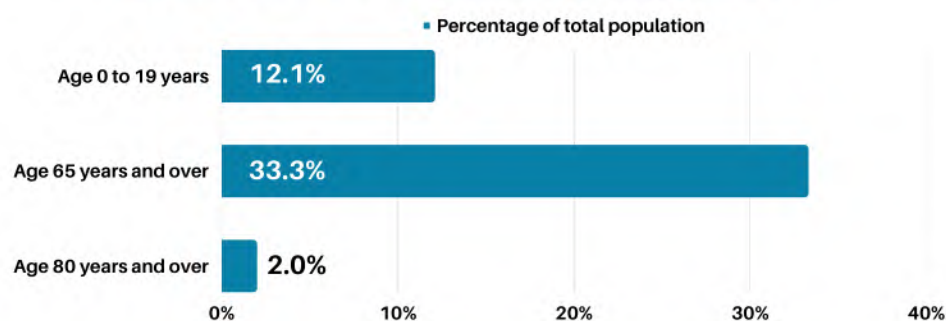


Population by Indigenous and Registered or Treaty Indian status, 2021

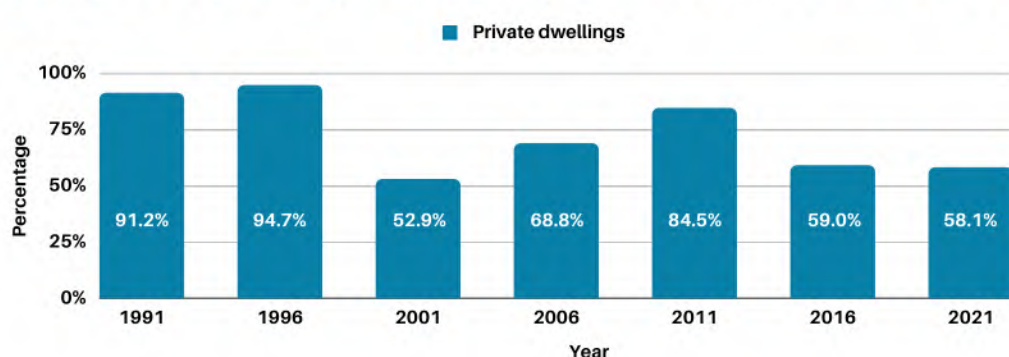


In 2021, 0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- With high global non-response rate, the 2016 Census data for Lasqueti Island Local Trust Area should be used with caution as counts and estimates for this community have a high risk of non-response bias.
- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

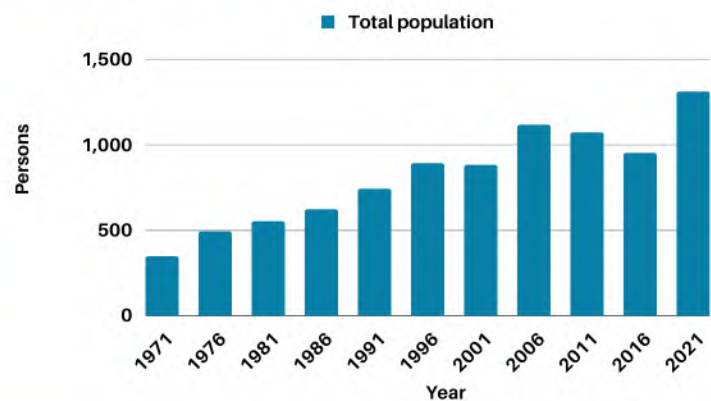
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

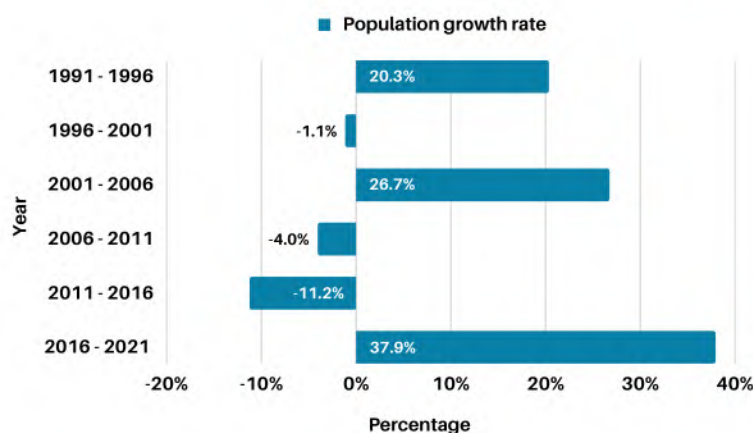
Mayne Island Local Trust Area

Total population

The total population of Mayne Island Local Trust Area was 1,310 in 2021.



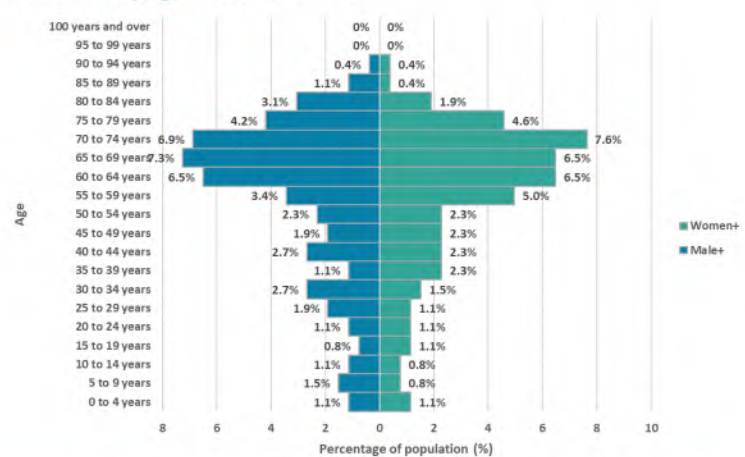
Total population growth rate



Between 1991 and 2021 the population of Mayne Island Local Trust Area grew by 77.0%.

Total population by gender, 2021

The median age of Mayne Island Local Trust Area was 62.8 in 2021.

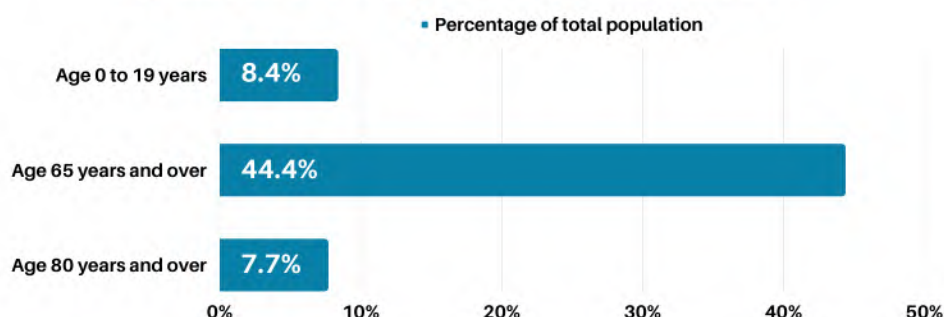


Population by Indigenous and Registered or Treaty Indian status, 2021

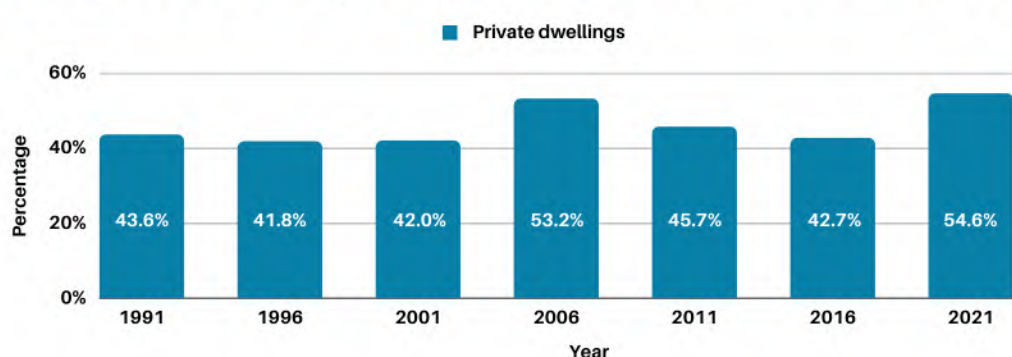


In 2021, 1.9% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1971 Census, Saturna Island Local Trust Area split into Mayne Island Local Trust Area and Saturna Island Local Trust Area by using the 1976 population and dwelling proportion.
- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

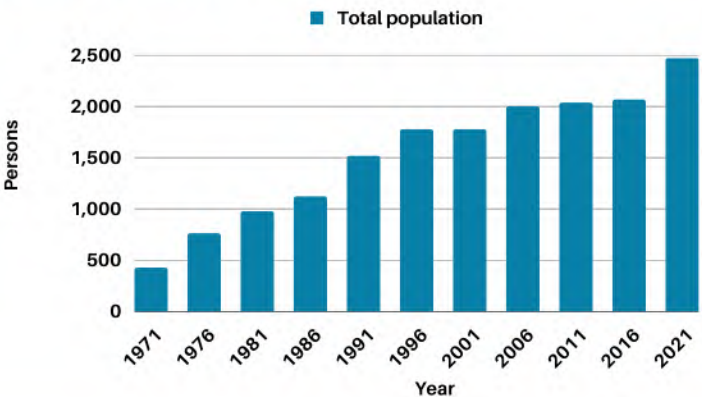
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

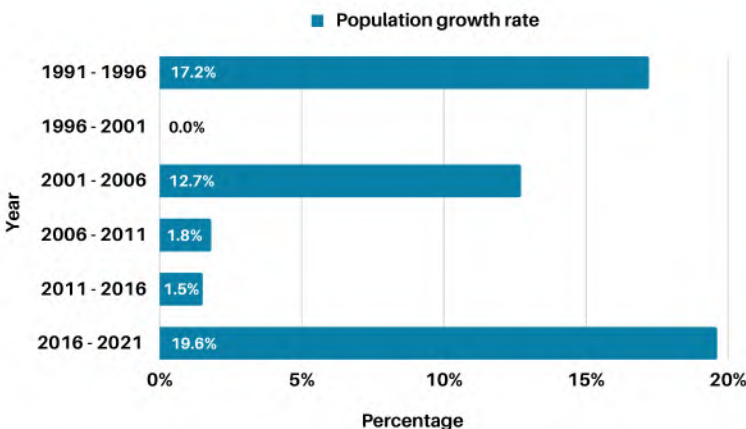
North Pender Island Local Trust Area

Total population

The total population of North Pender Island Local Trust Area was 2,470 in 2021.



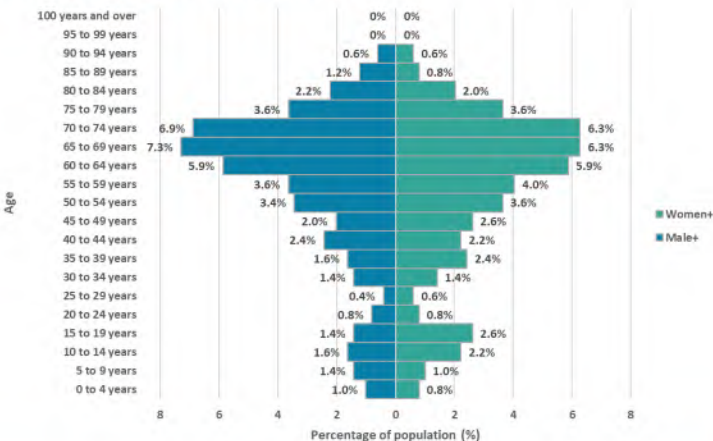
Total population growth rate



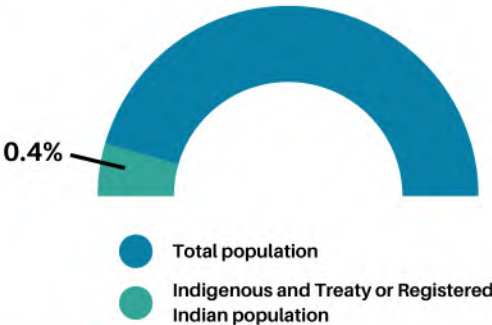
Between 1991 and 2021 the population of North Pender Island Local Trust Area grew by 63.0%.

Total population by gender, 2021

The median age of North Pender Island Local Trust Area was 61.6 in 2021.

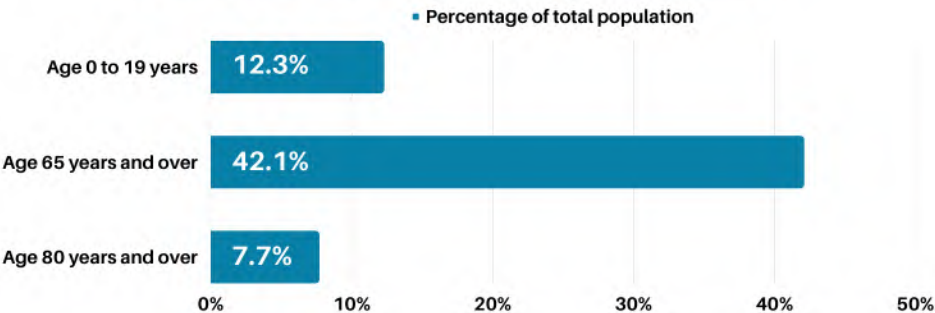


Population by Indigenous and Registered or Treaty Indian status, 2021

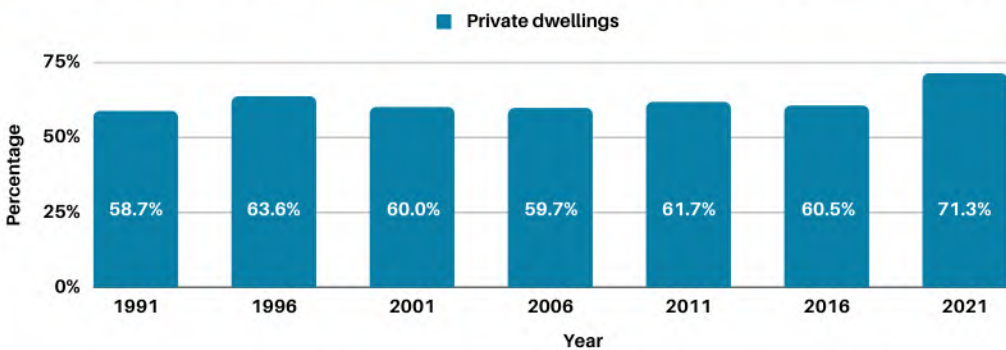


In 2021, 0.4% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1971 and 1976 Census, North Pender Island Local Trust Area split into North Pender Island Local Trust Area and South Pender Island Local Trust Area by using the 1981 population and dwelling proportion.
- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

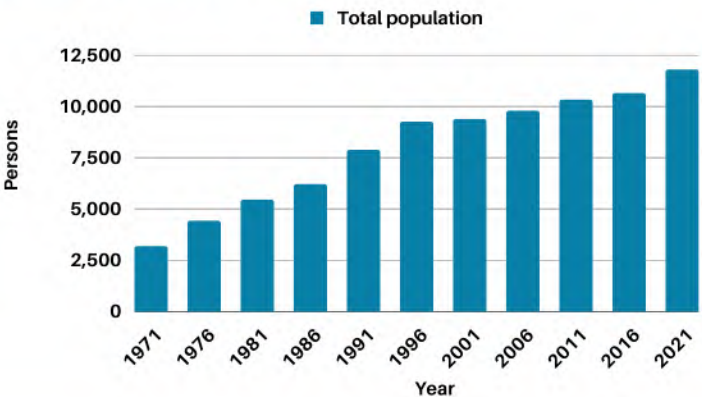
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

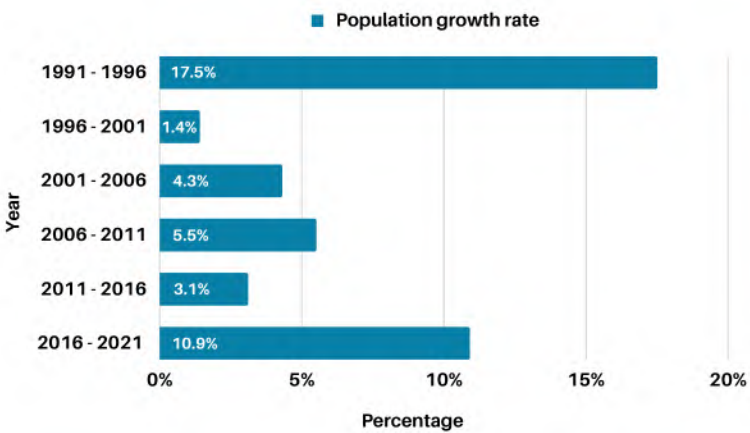
Salt Spring Island Local Trust Area

Total population

The total population of Salt Spring Island Local Trust Area was 11,795 in 2021.



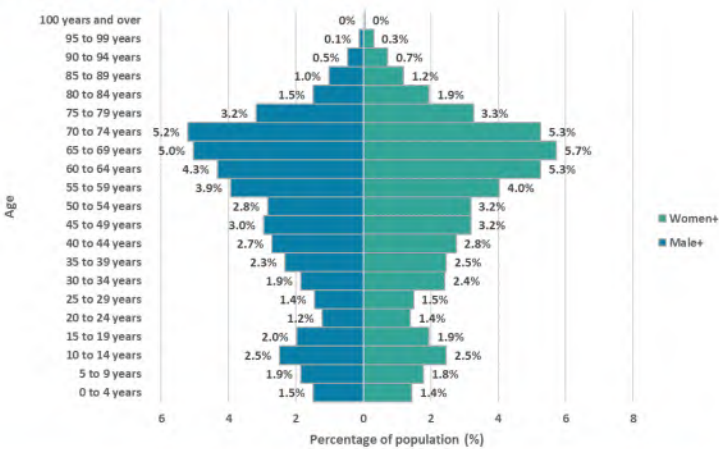
Total population growth rate



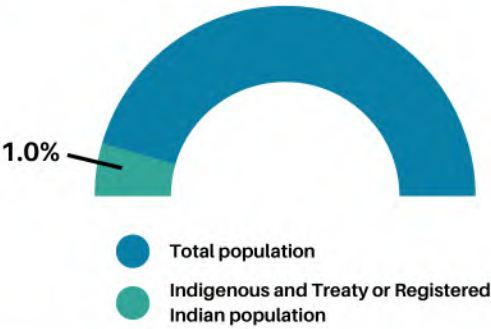
Between 1991 and 2021 the population of Salt Spring Island Local Trust Area grew by 49.9%.

Total population by gender, 2021

The median age of Salt Spring Island Local Trust Area was 56.8 in 2021.

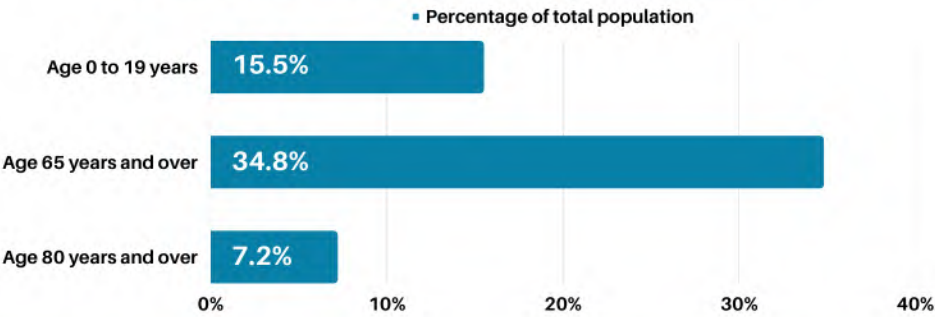


Population by Indigenous and Registered or Treaty Indian status, 2021

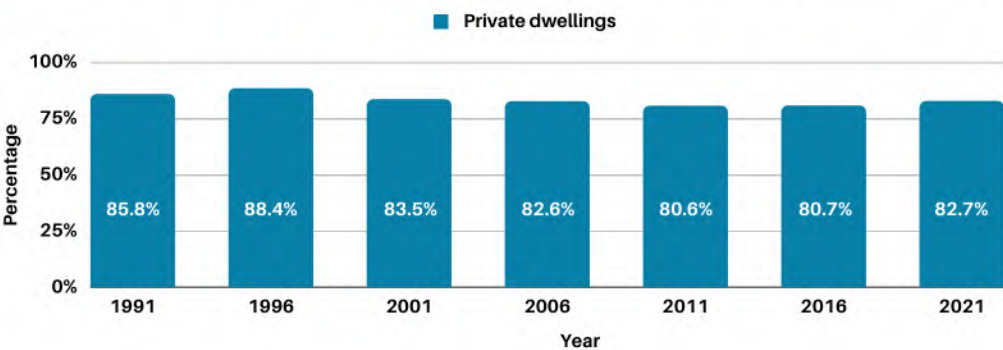


In 2021, 1.0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

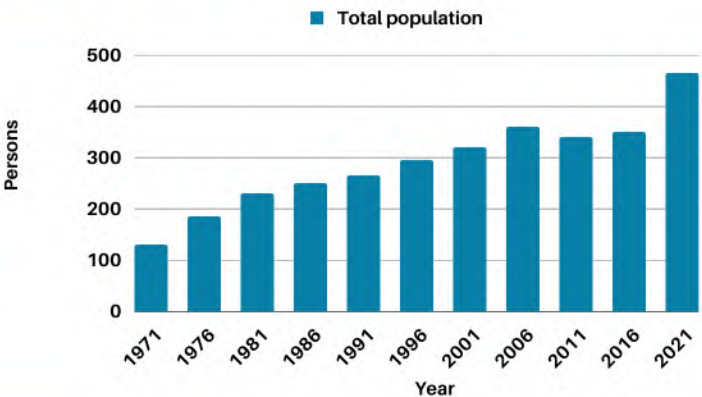
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

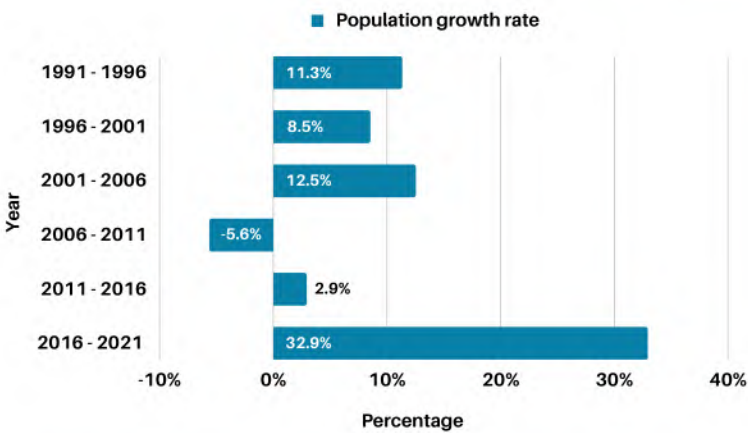
Saturna Island Local Trust Area

Total population

The total population of Saturna Island Local Trust Area was 465 in 2021.



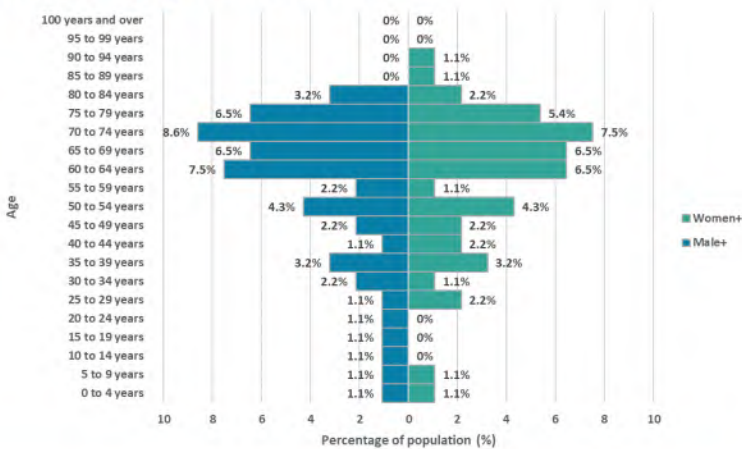
Total population growth rate



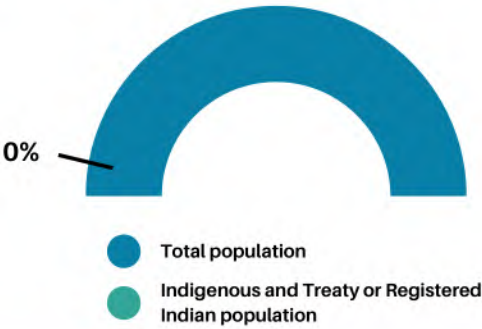
Between 1991 and 2021 the population of Saturna Island Local Trust Area grew by 75.5%.

Total population by gender, 2021

The median age of Saturna Island Local Trust Area was 63.6 in 2021.

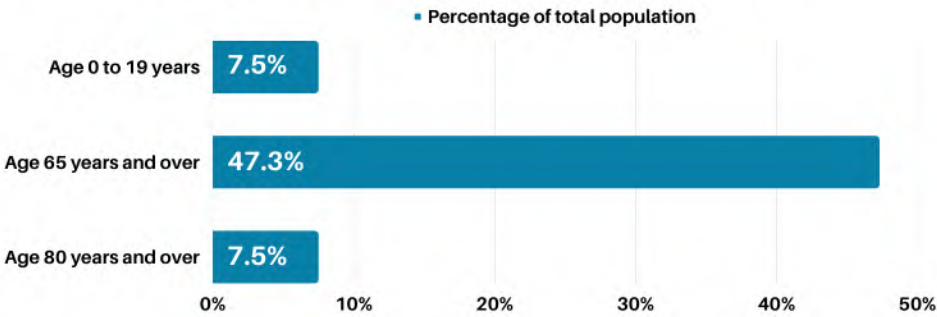


Population by Indigenous and Registered or Treaty Indian status, 2021

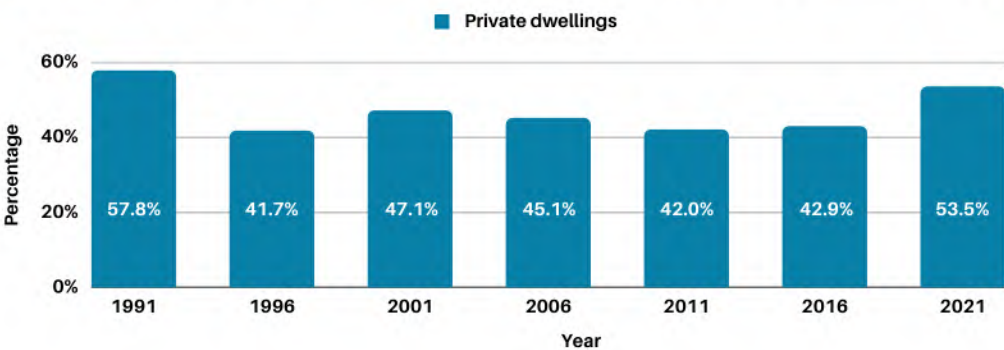


In 2021, 0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1971 Census, Saturna Island Local Trust Area split into Mayne Island Local Trust Area and Saturna Island Local Trust Area by using the 1976 population and dwelling proportion.
- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

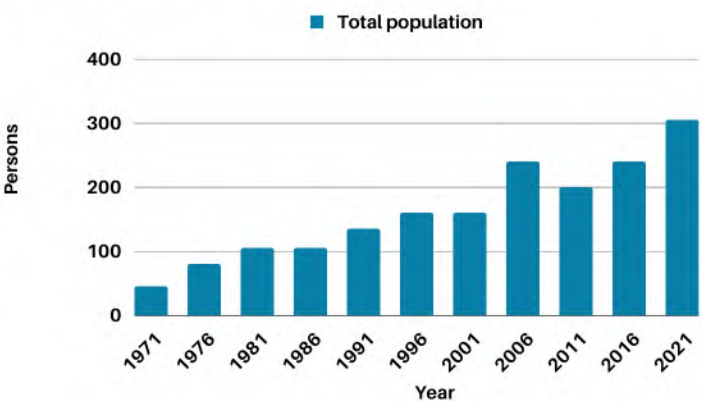
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

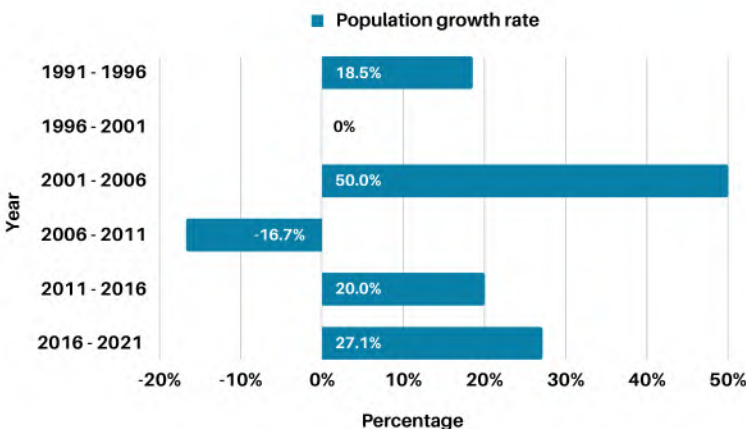
South Pender Island Local Trust Area

Total population

The total population of South Pender Island Local Trust Area was 305 in 2021.



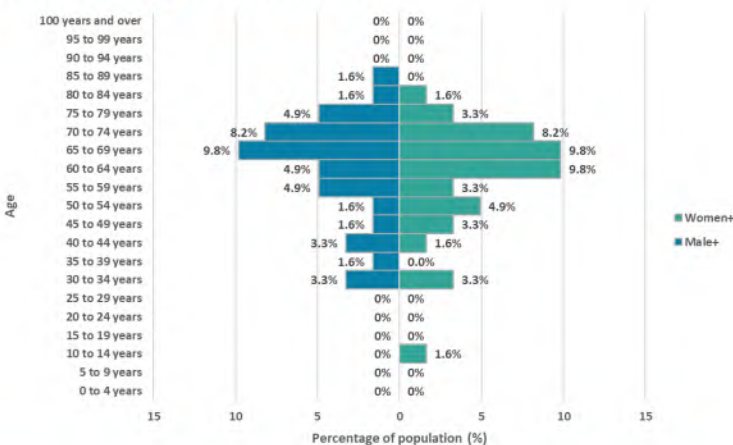
Total population growth rate



Between 1991 and 2021 the population of South Pender Island Local Trust Area grew by 125.9%.

Total population by gender, 2021

The median age of South Pender Island Local Trust Area was 65.5 in 2021.

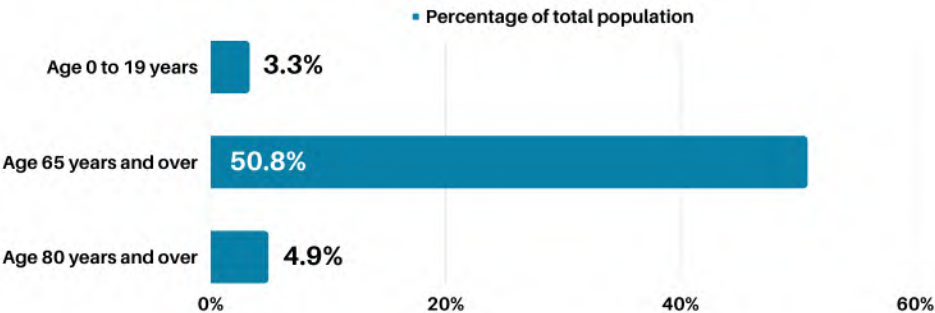


Population by Indigenous and Registered or Treaty Indian status, 2021

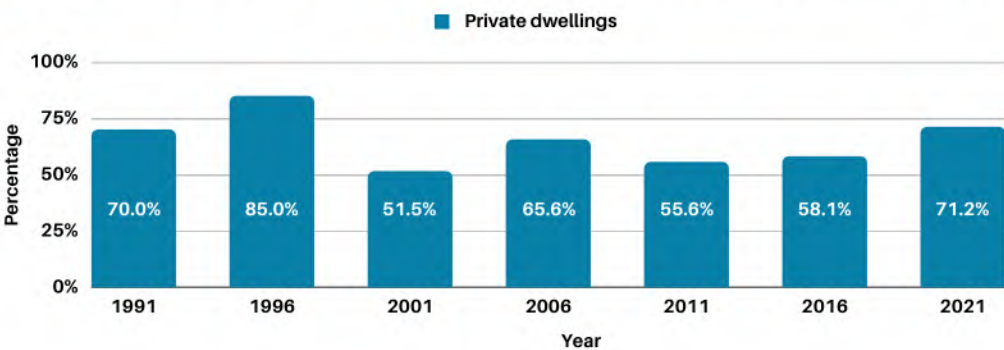


In 2021, 0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1971 and 1976 Census, North Pender Island Local Trust Area split into North Pender Island Local Trust Area and South Pender Island Local Trust Area by using the 1981 population and dwelling proportion.
- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

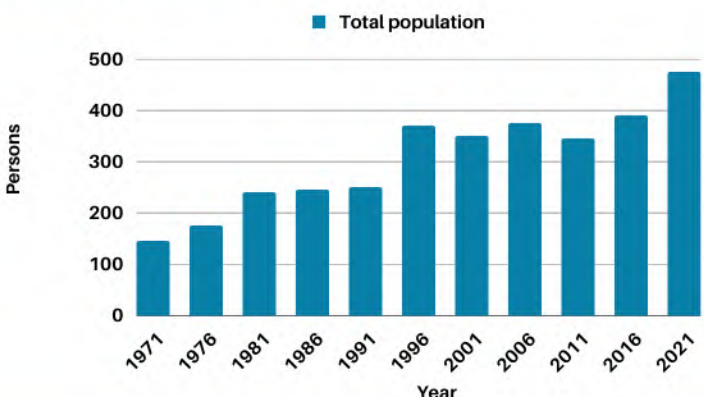


2021 Census Profile

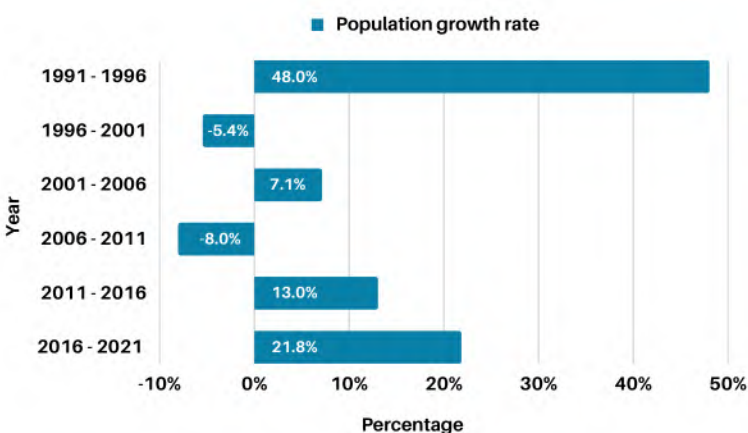
Thetis Island Local Trust Area

Total population

The total population of Thetis Island Local Trust Area was 475 in 2021.



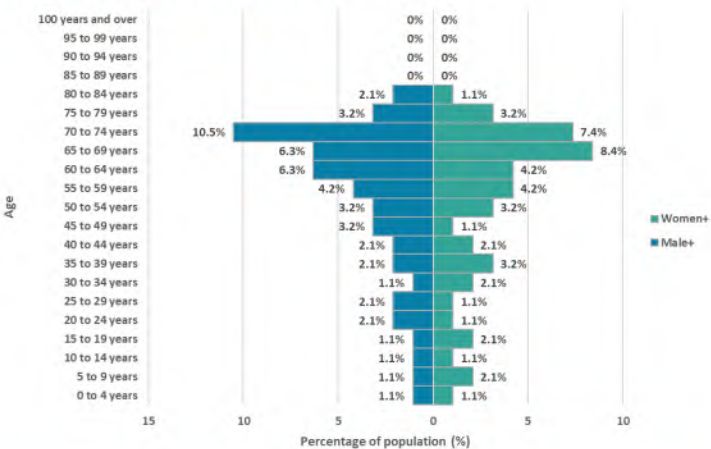
Total population growth rate



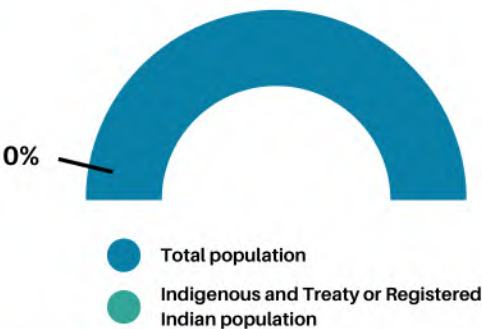
Between 1991 and 2021 the population of Thetis Island Local Trust Area grew by 90.0%.

Total population by gender, 2021

The median age of Thetis Island Local Trust Area was 62.0 in 2021.

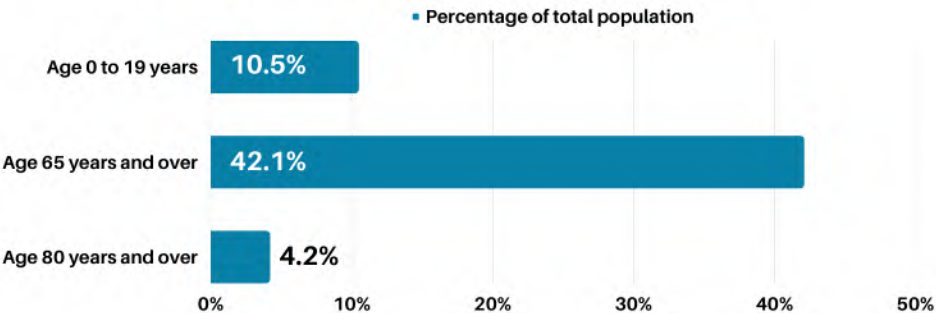


Population by Indigenous and Registered or Treaty Indian status, 2021

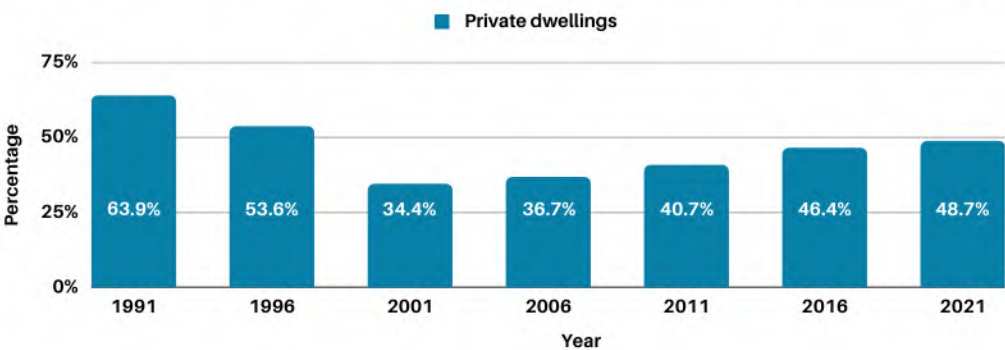


In 2021, 0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

BRIEFING

To: Executive Committee **For the Meeting of:** May 24, 2023
From: Trust Area Services **Date Prepared:** May 18, 2023
SUBJECT: Additional Webpage to Address Inaccuracies and Provide Clarification

PURPOSE: To advise Executive Committee that a new webpage will be added to www.islandstrust.ca to address inaccuracies and provide clarification to island residents.

BACKGROUND:

The Islands Trust occasionally encounters situations where inaccurate information about its policies, decisions, programs and/or other topics is printed by the press or circulated in community via social media or other channels. Left unaddressed, this inaccurate information can lead to inefficient and/or slow processes, difficult conversations, and lowered staff morale. To support increased transparency, promote healthy relationships with community, provide guidance to community members and the media, and address misconceptions, Islands Trust can address inaccuracies that are published in the press and online.

A guiding principle for public engagement adopted by the Executive Committee in 2016 is that people should be well-informed so that people involved with the Islands Trust have the information required to meaningfully participate processes.

The Islands Trust is committed to delivering accurate information to the public and often collaborates with the news media to achieve this. Occasionally, when a media story or a letter to the editor contains factual errors, it becomes necessary to provide corrections or clarifications. The aim of this webpage is to also provide a central location for directly presenting the factual information in response to inaccuracies.

Having a dedicated webpage on www.islandstrust.bc.ca that focuses on clarifying such topics is a valuable tool for improving communication and shaping public perception of the Islands Trust. Inaccuracies and misconceptions cannot be effectively addressed through news releases or social media platforms.

This is not a unique initiative, and has been implemented successfully by the City of Kelowna. The City of Kelowna's "For the Record" page can be found [here](#).

ATTACHMENT(S): None.

FOLLOW-UP: Staff will build the webpage and advise trustees and staff. Given limited communication resources, a limited number of inaccuracies will be addressed each year. Staff will prioritize inaccuracies that are likely to negatively influence a process or relationship, or prevent the public from meaningfully engaging. The CAO, or Director of Trust Area Services, will approve the content of the page, after

consultation with the staff subject-matter expert, and affected trustees, as appropriate. Posts to the page will be promoted internally and externally in a manner appropriate to the post.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Morgana van Niekerk, May 18, 2023
Russ Hotsenpiller, CAO/ May 18, 2023



Canada.ca › [Environment and Climate Change Canada](#)

Minister Guilbeault launches consultations on the development of Canada's 2030 Biodiversity Strategy

From: [Environment and Climate Change Canada](#)

News release

May 15, 2023 – Ottawa, Ontario

At the 15th Conference of the Parties to the United Nations Convention on Biological Diversity (COP15), Canada, along with 195 other countries, adopted the historic Kunming-Montréal Global Biodiversity Framework. The Framework aims to safeguard the world's nature, halt and reverse biodiversity loss by 2030, and put nature on a path to recovery by 2050.

Today, the Honourable Steven Guilbeault, Minister of Environment and Climate Change, launched consultations with Canadians on the 2030 Biodiversity Strategy for Canada. Canadians are being asked to provide their thoughts on biodiversity priorities and are encouraged to take part in engagement efforts that will take place over the coming months.

Although countries are only expected to submit their implementation plans for the Kunming-Montréal Global Biodiversity Framework at COP16 in 2024, Canada is leading the way as one of the first to develop and implement its domestic strategy.

Later today, Minister Guilbeault is hosting a National Biodiversity Symposium to further engage Canadians in the development of Canada's 2030 Biodiversity Strategy. The Symposium will feature active engagement with different levels of government, representatives of Indigenous groups, key stakeholders from the private sector, non-governmental organizations, academia, women, youth, and local communities to discuss Canada's path forward on protecting and conserving biodiversity.

The launch of these consultations comes ahead of the federal-provincial-territorial meeting of environment ministers later in May, where Minister Guilbeault will reiterate his call to provinces and territories to join the federal government in publicly supporting ambitious goals to protect nature and biodiversity with continuing contributions from within their own jurisdictions.

As a large and biodiversity-rich country, Canada is driving global action through historic investments and ambition in international negotiations. The Government of Canada launched the largest campaign in Canadian history to conserve nature, backed by over \$5 billion in investments, with a goal of protecting 30 percent of land and water by 2030, in full partnership with Indigenous peoples. The Government is making steady progress, having protected over 300,000 square kilometers of land since 2015, which is around half the size of Manitoba, and gone from 1 percent to 14 percent of our oceans protected. However, more progress is needed to stop biodiversity loss and the degradation of ecosystems.

Quotes

“Building off the momentum of hosting COP15 in Montréal last December, we are inviting Canadians to join in and speak up to help shape our domestic strategy for implementation of the Kunming-Montréal Global Biodiversity Framework. Through this discussion, we want to bring forward the full diversity of Canadian perspectives so that we can build an ambitious and inclusive strategy. Nature cannot wait for us. We need to act now.”

– The Honourable Steven Guilbeault, Minister of Environment and Climate Change

Associated links

- [Discussion Paper](#)
- [Online Survey \(available until July 14\)](#)
- [Symposium meeting](#)

Contacts

Kaitlin Power

Press Secretary

Office of the Minister of Environment and Climate Change

819-230-1557

Kaitlin.Power@ec.gc.ca

Media Relations

Environment and Climate Change Canada

819-938-3338 or 1-844-836-7799 (toll-free)

media@ec.gc.ca

[Environment and Climate Change Canada's Twitter page](#)

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Date modified:

2023-05-15

From: Brusatore, Mariah <Mariah_Brusatore@transmountain.com>

Sent: Thursday, May 11, 2023 3:39 PM

Subject: FOR REVIEW: Comments Due June 26, 2023, for BCEAO Condition 39 - Existing Shorelines Conditions Report

Good Afternoon,

We write to inform you that as required by the amendment to Trans Mountain's BC Environmental Assessment Certificate (EAC) issued by the Province of BC on February 24, 2022, Trans Mountain must prepare an *Existing Shorelines Condition Report* and engage with federal and provincial ministries, marine Indigenous groups and coastal local governments within eight regional districts. **Trans Mountain is committed to ongoing engagement with you and is seeking your feedback on the *Existing Shorelines Condition Report* no later than Monday, June 26, 2023.**

To access the report, please use the following link and password. Please note, the password must be copied and pasted into the login portal.

Existing Shorelines Conditions Report Summary

The report is "for the purpose of assisting recovery and restoration in the event of a ship-sourced marine spill" and must outline pre-spill shoreline conditions for 500 metres on each side of the shoreline point closest to six key areas selected by the Province. Polaris Applied Sciences was retained for this purpose. The required components are maps, land ownership, nearby water bodies, past and present land use, soil, water and sediment characteristics, and Indigenous traditional and cultural uses. Details about predominant current and wind direction as well as wildlife abundance are also included.

The six key areas selected by the Province along the marine shipping route are reflective of the Trans Mountain Expansion Project potential spill scenario locations studied for the application. They are:

- English Bay (Location B)
- Roberts Bank (Location C)
- Strait of Juan de Fuca (south of Race Rocks) (Location G)
- Strait of Georgia (Location D)
- Arachne Reef (Location E)
- Buoy J (Location H)

Note: Appendix 1 of the report contains the fact sheets for the six areas mentioned above.

Please direct your questions and comments to Mariah Brusatore, Marine Stakeholder Engagement and Communications Coordinator, at mariah_brusatore@transmountain.com. If you would like to arrange a meeting to discuss the contents of the report, please let us know.

Sincerely,

Mariah Brusatore

Marine Stakeholder Engagement and Communications Coordinator
(Contractor/Consultant | Contractuelle/experte-conseil)

C: 778.836.8821

mariah_brusatore@transmountain.com

Trans Mountain Expansion Project

Toll Free: 1.866.514.6700 | E: info@transmountain.com | W: transmountain.com

Follow: @TransMtn



EAC Condition 39

As required by the amendment to Trans Mountain's BC Environmental Assessment Certificate (EAC) issued by the Province of BC on February 24, 2022, Trans Mountain must prepare an *Existing Shorelines Condition Report* and submit to the Province within 18 months (August 2023). The report is "for the purpose of assisting recovery and restoration in the event of a ship-sourced marine spill" and must outline pre-spill shoreline conditions for 500 metres on each side of the shoreline point closest to six key areas selected by the Province. Refer to figure 1 below for locations to be studied in the Existing Shoreline Conditions Report.

Polaris Applied Sciences has been retained for this purpose.

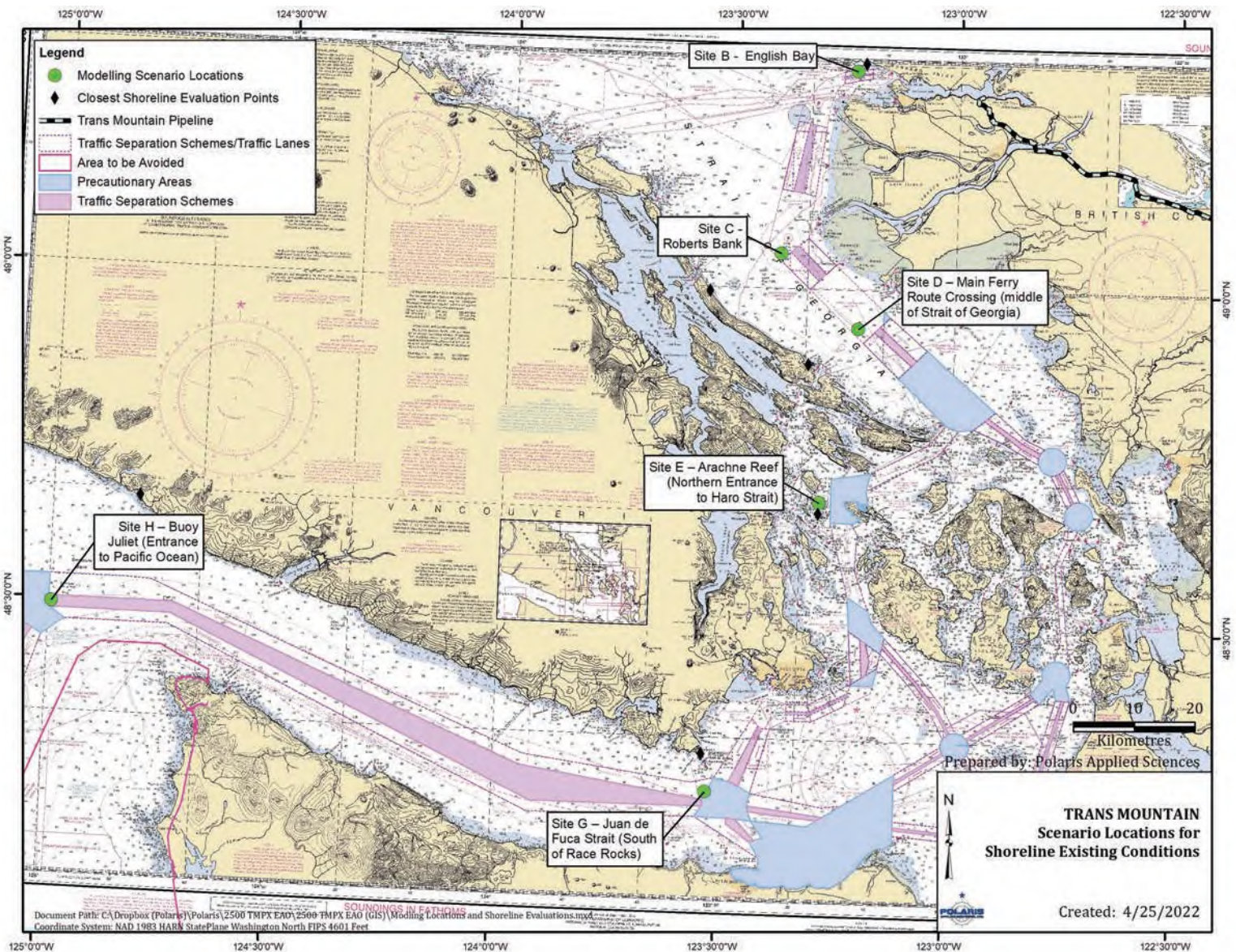


Figure 1: Locations to be studied in the Existing Shoreline Conditions Report

Existing Shoreline Conditions Report

REQUIREMENTS

The six key areas selected by the Province along the marine shipping route are reflective of Trans Mountain Expansion Project potential spill scenario locations studied for the application.

- English Bay (Location B)
- Roberts Bank (Location C)
- Strait of Juan de Fuca (south of Race Rocks) (Location G)
- Strait of Georgia (Location D)
- Arachne Reef (Location E)
- Buoy J (Location H)

Required components of the report are maps, land ownership, nearby water bodies, past and present land use, soil, water and sediment characteristics, and Indigenous traditional and cultural uses. Details about predominant current and wind direction as well as wildlife abundance are also to be included.

To complete the report, Trans Mountain is required to engage with federal and provincial ministries, marine Indigenous groups and coastal local governments within eight regional districts.

Approach to Data Collection

To prepare this report, data will be collected through a variety of methods including literature and database searches, field site reconnaissance and consultation. Existing information sources include but are not limited to BC Ministry of Environment land and coastal geodatabases, coastal sensitivity atlases (BC, Environment and Climate Change Canada) and Western Canada Marine Response Corporation geographic response plans. Field reconnaissance and input from stakeholders and Indigenous communities will be important to ensure the report is accurate for this specific context.

Trans Mountain is interested in any information from your community related to the following items in the vicinity of any of the six locations, particularly for 500 metres each side of the shoreline point closest to the six key areas selected by the Province of BC:

- Current photographs
- Land ownership
- Indigenous traditional and cultural uses
- Nearby water body and water withdrawal locations
- Abundance of typical, sensitive and at-risk flora and fauna species for each location
- Shoreline, water and sediment characteristics
- Dominant current and wind direction
- Past and present land-uses (e.g., commercial, agriculture, industry)
- Infrastructure



Timeline

Data collection will continue through the summer of 2022. A draft of the report is expected to be available for review and feedback by stakeholders and Indigenous groups in fall 2022.

TO LEARN MORE ABOUT THE REPORT

and how your community input would be included, please contact us to schedule a meeting:

- Port of Vancouver/BC Lower Mainland areas:
Stephanie Snider: stephanie_snider@transmountain.com
- Vancouver Island and Gulf Island areas:
Sheran Bathurst: sheran_bathurst@transmountain.com

CONTACT US:

Trans Mountain Expansion Project

✉ info@transmountain.com

☎ 1.866.514.6700

🌐 transmountain.com



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PO Box 81018, Burnaby, BC
V5H 3B0 CANADA



TRANSMOUNTAIN
323



May 17, 2023

Ref: 119763

Islands Trust
200-1627 Fort Street
Victoria, BC
V8R 1H8

Dear Islands Trust:

On behalf of the Ministry of Energy, Mines, and Low Carbon Innovation (Ministry), I am writing to invite you to participate in a province-wide engagement with municipalities and regional districts to inform the development of a policy governing the connection of cryptocurrency mining projects to electricity systems in B.C. The Ministry is also engaging with First Nations, industry, and utilities on this issue.

Cryptocurrency mining in B.C.

Cryptocurrency mining is the process where specialized computers that are connected to the internet solve complex mathematical problems for a specific cryptocurrency (e.g., Bitcoin) and receive payment in the form of that cryptocurrency. Cryptocurrency mining projects typically consume electricity to power these specialized computers and can range in size from a few megawatts connected to the electricity distribution system to much larger facilities connected to the electricity transmission system.

B.C.'s clean, affordable electricity has attracted unprecedented interest from cryptocurrency miners. While BC Hydro welcomes new load and has available energy to use strategically for electric vehicles, heat pumps, clean technology, and industry, the unchecked growth of cryptocurrency mining operations in B.C. could make it more difficult to meet electrification goals in support of CleanBC and keep rates low for customers. To preserve B.C.'s electricity supply, while giving government and BC Hydro sufficient time to engage with stakeholders and First Nations to develop a permanent framework for any future cryptocurrency mining operations, a temporary suspension of new cryptocurrency mining connections to BC Hydro's grid was implemented.

In December 2022, a temporary (18-month) suspension on BC Hydro connecting new cryptocurrency mining operations to the electricity grid was put in place to provide time for the development of a permanent policy that balances First Nations' and the public's interests with the commercial interests of BC Hydro and cryptocurrency mining operations. The temporary suspension does not affect cryptocurrency mining projects that are already connected, or projects that are very close to connecting (signed Facilities Study Agreement). No new cryptocurrency projects may enter the queue or initiate the process of connection with BC Hydro during the suspension period.

Development of a policy framework for cryptocurrency mining connections in B.C.

The development of a policy governing the connection of cryptocurrency mining projects to electricity systems in B.C. is likely to influence the conditions under which future cryptocurrency mining projects could be permitted to connect to electricity systems in B.C.

Although the temporary suspension on BC Hydro connecting new cryptocurrency mining operations did not apply to utilities other than BC Hydro, a permanent policy may extend to all utilities within B.C.

The Ministry is committed to engaging with municipalities and regional districts to seek feedback on the development of a permanent policy regarding cryptocurrency mining connections to the electricity system. The Ministry is interested in information on potential opportunities or impacts a permanent policy governing the connection of cryptocurrency mining operations could pose to your municipality. The feedback gathered will be used to inform Provincial decisionmakers' future deliberations on this policy.

The engagement process

The engagement will be conducted through virtual or in-person workshops and held in two stages:

1. An initial discussion in which we share information about cryptocurrency mining in B.C. and our preliminary thinking about policy options, and ask for your early comments on potential opportunities and impacts of these; and
2. A second discussion in which we share refined policy options, informed by the first discussion, and ask for your feedback on these options.

The Ministry will be seeking feedback from municipalities and regional districts at both stages of the engagement through open discussion in the workshops and written submissions.

All information provided by stakeholders through this engagement process will be treated in accordance with the *Freedom of Information and Protection of Privacy Act*.

Based on your interest in further engagement, the follow-up e-mails will provide more information about the process and how you can participate.

We invite you to participate in an engagement process for municipalities and regional districts on a permanent policy framework for cryptocurrency mining. If you would like to participate, please indicate this interest by sending an email to electricity.policy@gov.bc.ca by June 7, 2023.

Thank you, and we look forward to our dialogue.

A handwritten signature in blue ink, appearing to be 'Les MacLaren', with a stylized, flowing script.

Les MacLaren
Assistant Deputy Minister