



Executive Committee Agenda

Date: Wednesday, September 13, 2023
Time: 9:15 am
Location: Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

Pages

1. **CALL TO ORDER**
2. **APPROVAL OF AGENDA**
 - 2.1 Introduction of New Items
 - 2.2 Approval of Agenda
 - 2.2.1 Agenda Context Notes
3. **RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING**

None
4. **ADOPTION OF MINUTES**
 - 4.1 August 25, 2023 draft minutes

pending
5. **FOLLOW UP ACTION LIST AND UPDATES**
 - 5.1 Follow Up Action List/Director/CAO Updates

pending
 - 5.2 Local Trust Committee Chair Updates
 - 5.3 Islands Trust Conservancy Liaison Update
 - 5.3.1 **ADOPTED July 18, 2023, Islands Trust Conservancy / Executive Committee Liaison meeting minutes** 5 - 9

For information.
6. **BYLAWS FOR APPROVAL CONSIDERATION**
 - 6.1 **Gambier Island Freedom of Information and Privacy Protection Bylaw No. 157 - RFD** 10 - 18

That the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 157, cited as “Gambier Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 157, 2023” in accordance with Section 27 of the *Islands Trust Act*.
7. **TRUST COUNCIL MEETING PREPARATION**
 - 7.1 Executive

7.1.1	September Trust Council 3-day schedule	
	pending	
7.1.2	September Trust Council draft agenda	
	pending	
7.1.3	June Trust Council draft minutes	
	pending	
7.1.4	Trust Council Follow-up Action List	
	pending	
7.1.5	Resolution Without Meeting Report	
	pending	
7.1.6	Chief Administrative Officer's Report	
	pending	
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	THAT the Executive Committee approve financial sponsorship of \$1000.00 for Development Permit application GL-DP-2023.2.	
8.1.4	Administrative Services	
8.2	Executive Committee Initiated	
8.2.1	Executive	
8.2.2	Trust Area Services	
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11. WORK PROGRAM
- 11.1 Review and amendment of current work program
- pending
12. NEXT MEETING
- See item 2.2.1 Agenda Context notes for a motion to schedule a Special Electronic Meeting.
13. CLOSED MEETING (if applicable)
- That the meeting be closed to the public subject to Sections 90(1)(c)(g) and (i) of the Community Charter in order to consider matters related to employee relations, litigation affecting the Islands Trust and receipt of advice that is subject to solicitor-client privilege and that staff attend the meeting.
14. ADJOURNMENT



Islands Trust Conservancy Board Executive Committee Liaison Meeting Minutes of the Regular Meeting

Date: Wednesday, July 18, 2023
Location: 1:00 p.m.
Islands Trust Victoria Boardroom
200-1627 Fort Street, Victoria, BC

Board Members Present Risa Smith, Chair
Linda Adams, Board Member
Lisa Gauvreau, Board Member
Susan Yates, Trustee
Tobi Elliott, Vice-Chair, Executive Committee and ITC Board Member

Regrets Ken Thomas, Board Member

Executive Committee Members Present Peter Luckham, Chair, Executive Committee
David Maude, Vice-Chair, Executive Committee
Timothy Peterson, Vice-Chair, Executive Committee

Staff Present Clare Frater, Director, Trust Area Services
Kate Emmings, ITC Manager
Russ Hotsenpiller, Chief Administrative Officer
Corlynn Strachan, Administrative Assistant/Recorder
Carla Funk, a/Strategic Fundraising Specialist

Public Attendees Three members of the public attended.

1. CALL TO ORDER

Chair Smith called the meeting to order at 1:03 p.m. and acknowledged the meeting was held on the territory of the Coast Salish peoples.

1.1 Introductions and context for annual meeting

Chair Smith welcomed guests and initiated introductions.

2. APPROVAL OF AGENDA

The following addition to the agenda were presented for consideration:

4.3.5 Climate Change adaptation

By **general consent** the agenda was approved as amended.

3. MINUTES/COORDINATION

3.1 July 13, 2022 ITC-EC Liaison Meeting Minutes (Adopted, for information only)

Received for information.

4. BUSINESS

4.1 Items for Information

4.1.1 ITC 2022/23 Year in Review – Presentation

Manager Emmings provided a PowerPoint presentation on the work of the Islands Trust Conservancy, including First Nations Reconciliation, the 2023-2026 Islands Trust Conservancy Plan, the Regional Conservation Plan, property management, Species at Risk Program, donor engagement, communications and challenges/opportunities for ITC into the future.

4.1.2 2022/23 Executive Committee Updates

CAO Hotsenpiller, Executive Committee Chair Luckham, and Trustee Elliott provided an overview of Executive Committee and Trust Council work and concerns.

Priorities and discussion included:

- Training and orientation for newly elected trustees
- Trustee interest in reviewing policies and bylaws
- Development of a sophisticated request to the province to augment funding (some feel that conservation could be a centrepiece of this)
- Reconciliation including engagement and a better referral process
- Revised policy statement (now that there is staff capacity the project will proceed)
- Housing affordability
- Water availability
- Climate Change Initiatives
- Governance review (Council has not decided on the role of conservation in the review)
- Establishing not just a Strategic Plan for Trust Council, but also goals for Trust Council, and noting that the ITC Regional Conservation Plan may provide direction on a potential format for Trust Council's Strategic Plan
- Opportunities for information sharing

4.2 Roundtable: Focus on Collaboration

Discussion ensued on:

- Corporate planning framework, and using the work plan from the Islands Trust Conservancy Regional Conservation Plan as a template to honour strategic goals.

- Collaboration between the Islands Trust and Islands Trust Conservancy to learn from each other, with potential for discussion through the Governance Committee.
- Using a “paradigm shift” for understanding the work of the Islands Trust and how Islands Trust deliver on its’ mandate in a more meaningful way for First Nations and everyone.
- Using the progress report to analyze the work begin accomplished by Trust Council, including its work program.

4.3 Items for Discussion

4.3.1 ITC Board - Executive Committee Areas of Responsibility - Briefing

Manager Emmings presented the briefing which summarized the areas of responsibility under internal policy and Islands Trust Council Bylaw No. 86.

Discussion ensued on:

- Local trust committee engagement with the Conservancy in an effective manner
- Embracing First Nations relationship building in our work
- Staff capacity to share knowledge with planners
- Changes to regulations for the Professional Governance Act and the impact on the work of biologists
- Regional Planning Committee work on a housing toolkit including suitable land analysis process to identify lands suitable for increase in development, and layering of mapping with conservation information for planning metrics
- The need for mapping and technical expertise, and for a professional biologist

4.3.2 Trust Council Decisions Related to Conservation – Discussion

Discussion ensued on:

- Decisions made at the March Trust Council meeting regarding the Coastal Douglas-fir Biogeoclimatic Zone delegation without consultation with the Conservancy
- Consideration of how Trust Council deals with delegations as a whole and how to institute better practice
- Reviewing meeting procedures and policy
- Making informed decisions through consultation with First Nations, the Conservancy and partners
- Education for trustees regarding internal liaison with the Conservancy

Follow up items for trustees and ITC Board member consideration:

- Creating a mechanism to share in-house biological expertise

- Revision of the Memorandum of Agreement between ITC and Trust Council to consider conservation decisions
- Need for more education on what the Islands Trust Conservancy is and how we do conservation
- Role of governments in conservation and ability for Trust Council to participate in the conversation
- The importance of informed decision making and not making decisions without consideration. Use time to get advice and refer to others.

Manager Emmings noted that staff support would require further direction and provided suggestions including:

- Providing direction to staff through a resolution for priority items
- Trustees taking items under consideration and following up by requesting agenda items for the next meeting

It was noted that Islands Trust Conservancy or the Executive Committee could invite each other to attend their respective meetings to discuss items of mutual interest such as policy review, governance review, and conservation in decision-making.

4.3.3 Provincial Funding Request – Discussion

Discussion ensued on:

- Developing a strong business case and strategy, and appropriate timing for advancing the request
- The Governance Review
- Creating a working group or committee to move forward, with consideration for staff resources
- CAO Hotsenpiller noted meeting more frequently, instead of annually, would be more effective, and advised that the Executive Committee could present at a future ITC Board meeting to keep Board members informed and strategize on a way forward.

ITC-EC-2023-001

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board direct staff to investigate the requirements to create a compelling story on conservation that would be fed into a Provincial funding request.

DEFEATED

4.3.4 First Nations Referral Process Review – Discussion

Discussion ensued on:

- The complexity of the referral process and holding a separate meeting with the new Senior Indigenous Relations Advisor to discuss current framework and direction.

- Holding a joint two hour meeting on the First Nations referrals process, as this is a priority issue that was on the joint agenda, but not covered due to time restraints.

4.3.5 FireSmart Advice to Landowners – Discussion

This item was deferred to a future meeting due to time constraints.

4.3.6 Biologist Support for Planning - Briefing

Manager Emmings provided background information from the July 13, 2022 ITC/EC Liaison Meeting to support a discussion about biologist support for Regional Planning Committee (RPC). Trustee Elliott noted that she may advance further discussion at Trust Council.

5. NEXT MEETING

To be determined in late 2023.

6. ADJOURNMENT

By General Consent, the meeting adjourned at 3:20 p.m.

Risa Smith, Chair

Certified Correct:

Corlynn Strachan, Administrative Assistant/Recorder



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW
SUBMISSION

File No.: GM-BL-157
3900-03:LPS Admin Bylaw

To: Islands Trust Executive Committee **For the Meeting of:** Sept 13, 2023
From: Nadine Mourao, Legislative Clerk **Date Prepared:** August 29, 2023
SUBJECT: Gambier Island Freedom of Information and Protection of Privacy Bylaw No. 157

RECOMMENDATION:

1. That the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 157, cited as “Gambier Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 157, 2023” in accordance with Section 27 of the *Islands Trust Act*.

DIRECTORS COMMENTS:

Gambier Island Local Trust Committee has referred Bylaw No. 157 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.

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW
SUBMISSION

3 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/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 Gambier Island LTC Bylaw No. 157

Alternative:

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

THAT the Executive Committee request that staff advise Gambier Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 157, cited as "Gambier Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 157, 2023", is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Gambier Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Nadine Mourao, Legislative Clerk	August 29, 2023
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	September 1, 2023



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gambier Island Local Trust Committee

Bylaw No.: GM-157

Bylaw Type: Freedom of Information and Protection of Privacy P

Date of resolution referring bylaw to Executive Committee: 29-Aug-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: 29-Aug-2023

Reading:

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 157

A Bylaw to designate the head of the Gambier 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 Gambier Island Local Trust Committee the authority to designate a person as the head of the Gambier Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the Gambier Island Local Trust Committee the authority to set any fees the Gambier Island Local Trust Committee requires to be paid under section 75 of the Act,

THE GAMBIER ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "Gambier Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 157, 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 Gambier 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 Gambier 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. "Gambier Island Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 57, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this 29TH DAY OF AUGUST , 2023

READ A SECOND TIME this 29TH DAY OF AUGUST , 2023

READ A THIRD TIME this 29TH DAY OF AUGUST , 2023

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

ADOPTED THIS
_____ DAY OF _____ ,20__

Chairperson

Secretary

PROPOSED

**Gambier Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 157 - 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



BRIEFING

To:	Trust Council	For the Meeting of:	September 26, 2023
From:	CAO	Date Prepared:	September 5, 2023
SUBJECT:	Request for a Provincial Review of the Islands Trust		

PURPOSE: To reconsider a request made by the Islands Trust to the Province for a review of the Islands Trust under Section 8(2) (e) of the [Islands Trust Act](#).

BACKGROUND: On July 8, 2022, a Chair letter was sent to the Province requesting a review of the Islands Trust (Attachment 2). On September 23, a response was received to the request from then Minister Nathan Cullen (Attachment 3). The matter was held over as Minister Kang was appointed on December 7, 2022. At the March 2023 Trust Council meeting a motion was made to return the matter to Trust Council to revisit the request.

A chronology of actions on this matter is attached to this report as Appendix 1.

ATTACHMENT(S):

1. Chronology
2. Islands Trust Chair Luckham letter sent July 8, 2022 to Minister of Municipal Affairs, The Honourable Nathan Cullen Re: Request for Provincial Review of Islands Trust
3. Minister Cullen response, September 23, 2023

FOLLOW-UP:

Prepared By:	L Foster R Hotsenpiller
Reviewed By/Date:	September 6, 2023

Attachment 1. Chronology

June 8, 2022, a trustee RFD asking the Province to conduct a provincial review of “Islands Trust” first appeared as [item 7.6.1 on Executive Committee’s June 8 agenda package](#) for consideration to forward to Trust Council’s June 2022 quarterly meeting including late correspondence received in support of the RFD.

June 22, 2022, the trustee sponsored request for decision (RFD) was considered on Trust Council’s June meeting agenda ([see pages 392-394](#)) as item 9.1., “Provincial Review of Islands Trust” ([scroll the slider to 6:48:50 to view the recorded discussion](#)).

Summarized in Trust Council’s (TC) business decision highlights [published the following week, these resolutions were passed by TC at its June meeting with regards to item 9.1., RFD.](#)

TC-2022-071

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

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

CARRIED

TC-2022-072

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

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

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

CARRIED

July 7, 2022, Executive Committee meeting, [late item briefing was received](#) for information at item 8.1.2.3., regarding Office of the Lieutenant Governor’s Correspondence Guidelines ([scroll to 2:22:09 to review the recording](#)).

July 8, 2022, Chair Luckham sent the following letter re: Request for Provincial Review of Islands Trust to the Minister of Municipal Housing, The Honorable Nathan Cullen (See Attachment 1.):

<https://islandstrust.bc.ca/document/request-for-provincial-review-of-islands-trust/>

September 23, 2022, Minister Cullen's response was received (See Attachment 2.):

<https://islandstrust.bc.ca/document/minister-cullen-response-re-request-for-provincial-review-of-islands-trust/>

October 15, 2022, Local Government Elections were held determining Islands Trust Council members for the 2022-2026 term. The new council was sworn-in November 17, 2022, where the new term Executive Committee elected.

November 1, 2022, Minister Cullen's office reached out, via email, to book a meeting with Executive Committee (the new term had yet to convene) which the current EC considered at its November 2, 2022, business meeting as late item 10.2. deciding to defer the item to the in-coming, new term Executive Committee.

November 18-19, 2022, Minister Cullen's response letter was included and discussed at [item 9.1](#) in Trust Council's inaugural new term meeting agenda package and was followed by resolution:

TC-2022-133

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

That Trust Council request staff to return the request for decision Provincial Review of Islands Trust for consideration to the December Trust Council meeting. **CARRIED**

Executive Committee's meetings held November 19 (re: item 9.1.1) and November 23 (re: item 8.1.1.3) discussed meeting preparation re: Minister Cullen scheduled for December 14 to be held in-person.

EC-2022-152

It was Moved and Seconded,

That Executive Committee request staff create speaking notes for the minister's meeting around engaging with the ministry on the following topics: governance, housing authority, funding, and reconciliation. **CARRIED**

December 6-8, 2022, Trust Council's [agenda package item 4.4](#) "June Trust Council Provincial Review Briefing" was considered and the following resolutions passed:

TC-2022-153

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

THAT item 4.4 (June Trust Council Provincial Review Briefing) be postponed to the March 2023 Trust Council meeting for consideration. **CARRIED**

TC-2022-155

It was Moved by Trustee Morrison and Seconded by Trustee Graham,

That Trust Council refer item 4.4 (June Trust Council Provincial Review Briefing) to the Governance Committee for discussion prior to the March 2023 meeting. **CARRIED**

December 7, 2022, Anne Kang appointed Minister of Municipal Affairs by Premier David Eby succeeding The Honorable Nathan Cullen. Minister Kang kept Minister Cullen's December 14 meeting commitment with Executive Committee which was converted to a Zoom electronic format.

January 19, 2023, The Governance Committee (GC) meeting agenda item [11.2](#) was discussed and [11.2.1 \(scroll to 3:33:40 to hear recording\)](#) was forwarded to the February 10, 2023 GC meeting and received as information.

March 7, 2023, returned to Trust Council as agenda item 4.2.7., where the following resolutions were passed:

TC-2023-005 as amended by 006 and 007

That Trust Council directs 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.

CARRIED

TC-2023-008

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

That 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.

CARRIED



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July 08, 2022

File No.: 0400-30 Ministries/MLA

Via email: MAH.minister@gov.bc.ca; nathan.cullen.MLA@leg.bc.ca

The Honourable Nathan Cullen
Minister of Municipal Affairs
PO BOX 9056,
STN PROV GOVT
Victoria BC V8W9E2

Dear Minister Cullen:

Re: Request for Provincial Review of Islands Trust

Thank you again for your recent meeting with the Islands Trust Executive Committee. It was a pleasure to meet you. I am writing to you today on behalf of the 26-member Islands Trust Council to request that the Province of British Columbia conduct a review of the Islands Trust's mandate, governance and structure.

We are requesting that you, as the Minister responsible for Islands Trust, kindly bring this request to the attention of the Lieutenant Governor in Council (Cabinet). We make this request under Section 8(2)(e) of the *Islands Trust Act*.

The requested review could include, but need not be limited to, an assessment of:

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

This request comes after much deliberation and debate at the Islands Trust Council table this term. In our efforts to update the Islands Trust Policy Statement and respond to a Governance Review conducted by external consultants, we have encountered some divergent viewpoints and core questions related to our unique mandate and the efficiency and effectiveness of our governance model and structure. As we approach our fiftieth anniversary, it is vitally important that we coalesce around a common vision and that we have a supportive governance structure and sufficient resources to realize this vision now and into the future. However, we cannot do this work alone. As an agency of the Province, we require provincial leadership, direction, and resources to ensure that we are honouring the vision of 1974 while also addressing the new realities and challenges facing the Islands Trust Area today.

The Islands Trust Area is located within Coast Salish territory and is the homeland to many Coast Salish Peoples who have called this place home since time immemorial. Islands Trust Council has passed a Reconciliation Declaration and is working towards better acknowledging treaty and territorial rights,

.../2

better protecting Indigenous cultural sites and harvesting areas, and building stronger collaborative relationships with First Nations to preserve and protect these special islands in the Salish Sea. Aligning the Islands Trust's governance model, structure, and mandate with the *Declaration on the Rights of Indigenous Peoples Act* will be key to fulfilling Islands Trust Council's (and the Province's) commitments in this regard.

It has been nearly 50 years since the *Islands Trust Act* was initiated and 35 years since it was last meaningfully reviewed by the Province. Islands Trust Council is grateful for the amendments to the Act provided in 2021 but believes that it is now time for a comprehensive provincial review of Islands Trust's mandate, governance, and structure to ensure that these special islands and waters are protected now and into the future. Islands Trust Council stands ready to assist and, to that end, has recently established a new Standing Governance Committee with seven elected members who will be well placed to advise a provincial review process, as needed.

Thank you for considering this important request. We look forward to hearing from you.

Yours sincerely,



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

cc:

The Honourable Janet Austin, Lieutenant
Governor of British Columbia
The Honourable John Horgan, Premier of British
Columbia
B.C. Cabinet Ministers
BOKEĆEN (Pauquachin) First Nation
Cowichan Tribes
K'ómoks First Nation
Klahoose First Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) First Nation
Qualicum First Nation
scəwəθən (Tsawwassen) First Nation
Scia'new (Beecher Bay) First Nation
səilwətał (Tsleil-Waututh) Nation
SEMYOME (Semiahmoo) First Nation
shíshálh (Sechelt) First Nation
Skwxwú7mesh (Squamish) Nation
Snaw-naw-as (Nanoose) First Nation
Snuneymuxw First Nation
Songhees First Nation
Spune'luxutth (Penelakut) Tribe
SĀAUTW (Tsawout) First Nation
Stz'uminus First Nation

łəʔəmen (Tla'amin) First Nation
T'Sou-ke First Nation
Ts'uubaa-asatx (Lake Cowichan) First Nation
Wei Wai Kum (Campbell River) First Nation
We Wai Kai (Cape Mudge) First Nation
WJOŁEŁP (Tsartlip) First Nation
WŚIKEM (Tseycum) First Nation
Xeláltxw (Halalt) First Nation
Xwémalhkwx (Homalco) First Nation
Xwsepsum (Esquimalt) First Nation
xʷməθkʷəy̓əm (Musqueam) First Nation
First Nations Leadership Council
Hul'qumi'num Treaty Group
Laich-kwil-tach Treaty Society
Nanwakolas Council
Naut'sa mawt Tribal Council
Te'mexw Treaty Association
WŚÁNEĆ Leadership Council
Islands Trust Area MLAs
Islands Trust Area MPs
Bowen Island Municipal Council
Islands Trust Council
Islands Trust Website



Peter Luckham, Chair
Islands Trust
200-1627 Fort St
Victoria BC V8R 1H8

Dear Chair Luckham:

Thank you for your letter of July 8, 2022, requesting a recommendation to the Lieutenant Governor in Council to undertake a provincial review of the Islands Trust mandate, governance and structure. The Ministry of Municipal Affairs has responsibility for the *Islands Trust Act* and would be responsible for policy work to support any review that may be undertaken. I appreciate that there are a number of challenges facing the Islands Trust that you have identified in your letter.

The recent governance and management review undertaken by the Islands Trust has highlighted a number of actions the Islands Trust can take within its existing authorities to address some of the emerging concerns and pressures, and I encourage you to look at these opportunities. In addition, with local elections being held on October 15, 2022, the ministry wants to understand the perspectives and opinions that the newly elected Trust Council has on the requested review.

I look forward to learning of the measures being taken by the Trust in response to the governance and management review and in relation to the broader issues that are raised in the context of this request for a review of the Islands Trust governance, mandate and opportunities for alignment with the principles of the Declaration Act.

Thank you again for writing.

Sincerely,

Nathan Cullen
Minister

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 27, 2023
From: Director, Planning Services **Date Prepared:** September 7, 2023
SUBJECT: Bylaw Compliance and Enforcement – Office of the Ombudsperson Report

RECOMMENDATION: That Trust Council direct that the recommendations from the Office of Ombudsperson Report titled: “Voluntary Consultation on Bylaw Enforcement Policies and Practices within the Islands Trust”, dated August 2023, be implemented, and that staff develop and initiate an associated work plan and project charter.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The report submitted by the Office of the Ombudsperson provides an opportunity to ensure administrative fairness best practices are reflected in Bylaw Compliance and Enforcement policies and procedures including handling of complaints against staff. If Trust Council agrees to the recommended changes this may address a number of issues that were previously identified as concerns by trustees. Nevertheless, the Ombudsperson report is not a performance review, it is a policy and procedures exercise. Following implementation of the changes and monitoring of bylaw complaints over an established period, Trust Council may consider whether any further action is required.

1 PURPOSE:

To consider implementing recommendations from the Office of the Ombudsperson to ensure fairness within the policies and procedures for bylaw enforcement by the Islands Trust.

2 BACKGROUND:

The Islands Trust Council (Trust Council) received a report from staff in March 2023, describing the bylaw enforcement process and authorities, the current authorities of local trust committees, trustees and Trust Council, the number and nature of open files; the issues and number and nature of complaints by citizens on how the service is being delivered, including charges of bias, diversity, bullying and proportionality. Following the report was a presentation from staff of the Office of the Ombudsperson and the Attorney General’s office who spoke to current best practices and any issues with the Islands Trust.

Following receipt of the report and discussion with presenters, Trust Council passed the following motion:

“THAT the 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 by law enforcement.”

The review (Ombudspersons Report) has been completed and is attached to this Request for Decision (see Attachment 1: “Voluntary Consultation on Bylaw Enforcement Policies and Practices within the Islands Trust”, dated August 2023).

The Ombudspersons Report was informed by Islands Trust documents:

- Bylaw Compliance and Enforcement Policy 5.5.1
- Bylaw Compliance and Enforcement Best Practices and Procedures
- Handling of Administrative Fairness Complaints Policy 7.1.2
- Bylaw Compliance and Enforcement FAQ pamphlet; and
- Various internal documents (ex: flow charts, templates, and forms)

The Ombudspersons Report drew on numerous resources to evaluate how administrative fairness may be enhanced including providing examples of other jurisdictions. The report outlines the best practice to have a bylaw complaints policy that provides direction to staff and information for the public. Most substantively, the report provides detailed recommendations how to improve policy and procedure content including how to improve a general complaints policy (ex: complaints from the public against staff performance). A brief description of recommendations and staff’s preliminary comments are below.

Best Practice: To have a bylaw complaints policy that provides direction to staff and information for the public	
Recommendation	Comment
Make policies, best practices and procedures publically available	Currently only the policy is publically available; procedures may also be made available
Update policy to reflect best practices and procedures document	Current overlap between policy and procedure, recommend updating both documents
Include a policy to assist staff in exercising discretion	Recommend including in comprehensive policy amendment
What to include within a publicly available policy on bylaw complaints	
Various content recommendations (purpose, guiding principles, definitions, roles and responsibilities, confidentiality, procedures for handling complaints about bylaw violations)	Numerous specific recommendations may be incorporated when updating policies and procedures. New additions would include “definitions”, “confidentiality”, sub procedures for handling complaints, “equitable enforcement”, and “complaints closed following an investigation”
Update communications (forms, letters, and other communications) to follow principles of administrative fairness and to ensure that the reader is in mind	Communications should be updated to ensure that Individuals are provided with adequate notice of decisions, information about their opportunity to be heard within the bylaw enforcement process, fulsome, clear and understandable reasons for decisions, and information on review or appeal options available to them.

Additional complaints related to bylaw enforcement (staff)	
Amend “Handling of Administrative Fairness Complaints” Policy to reflect its function as a general complaints policy.	This would help provide clarity to the public, staff and elected officials. These revisions can be made with suggested edits from resources provided.

Following receipt of this work, Trust Council may provide direction on how it wishes to proceed, either to continue with current practice or direct changes in either policy, practice or both.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Updating Bylaw Compliance and Enforcement Policies and Procedures will be added to the Executive Committee work program. Staff resourcing may be challenging and compete with current other policy amendments currently being worked on. Prioritization of policy amendments may be reconsidered.

FINANCIAL:

Staff may be able to draft amendments as described although Trust Council or Executive Committee may prefer to have an external contractor perform this function. A work plan would need to be created to assess cost and estimated resources.

POLICY:

- Bylaw Compliance and Enforcement Policy 5.5.1
- Bylaw Compliance and Enforcement Best Practices and Procedures
- Handling of Administrative Fairness Complaints Policy 7.1.2

IMPLEMENTATION/COMMUNICATIONS:

The current “draft” Bylaw Compliance and Enforcement Best Practices and Procedures could be posted online with removal of draft label. Communications will be included in Trust Council decision highlights. Further communications may be considered when revised policies and procedures are presented to Trust Council. New policies and procedures will require staff orientation and training. A change management plan may accompany draft revisions.

FIRST NATIONS:

First Nations have not been specifically addressed in this report.

OTHER:

4 RELEVANT POLICY(S):

- Bylaw Compliance and Enforcement Policy 5.5.1
- Bylaw Compliance and Enforcement Best Practices and Procedures
- Handling of Administrative Fairness Complaints Policy 7.1.2

5 ATTACHMENT(S):

1. Voluntary Consultation on Bylaw Enforcement Policies and Practices within the Islands Trust, Office of the Ombudsperson, dated August 2023

RESPONSE OPTIONS

Recommendation:

That Trust Council request the Executive Committee to manage implementation of the recommendations in the Office of Ombudsperson Report titled: "Voluntary Consultation on Bylaw Enforcement Policies and Practices within the Islands Trust", dated August 2023.

Alternative:

That Trust Council not proceed with amending Bylaw Compliance and Enforcement Policies and Procedures or the Handling of Administrative Fairness Complaints policy.

That Trust Council request staff for more information [list requested information].

Prepared By: **Stefan Cermak, Director, Planning Services**

Reviewed By/Date: **Russ Hotsenpiller, September 8, 2023**

VOLUNTARY CONSULTATION ON BYLAW ENFORCEMENT POLICIES AND PRACTICES WITHIN THE ISLANDS TRUST

**CONSULTATION AND TRAINING TEAM
OFFICE OF THE OMBUDSPERSON**



OMBUDSPERSON
BRITISH COLUMBIA

AUGUST 2023

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Introduction

The following feedback is provided by the Office of the Ombudsperson's Public Authority Consultation and Training team at the request of the Director of Planning Services of the Islands Trust. This request was in response to the Islands Trust's Trust Council resolution, passed at the Trust Council's quarterly meeting on March 10, 2023. We understand that the resolution states:

That the 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 improvement and changes to them as may be required to bring the policies and practices into conformity with best practices for local government bylaw enforcement.

We appreciate the opportunity to learn more about bylaw enforcement within the Islands Trust, and to provide feedback from our perspective on fairness. While we hope that the information we provide is helpful, this feedback should not be taken as legal advice or formal recommendations from the Ombudsperson. Our Voluntary Consultation Policy, which was previously provided as well, is attached at the conclusion of this document for your reference. Please note that it highlights that consultations do not limit, bind or bias the Office of the Ombudsperson from future analysis or investigation of a complaint that may relate to this consultation.

To inform our consultation and subsequent feedback, we have reviewed the following Islands Trust documents:

- Bylaw Compliance and Enforcement Policy 5.5.1;
- Bylaw Compliance & Enforcement Best Practices & Procedures internal document (currently labeled as "draft");
- Handling of Administrative Fairness Complaints Policy 7.1.2;
- Bylaw Compliance and Enforcement Frequently Asked Questions pamphlet; and
- Various flow charts, forms, and template letters utilized by bylaw enforcement staff throughout the course of their work.

We also completed our own research into bylaw enforcement and reviewed our office's [Bylaw Enforcement: Best Practices Guide for Local Governments](#). This *Guide* provides relevant guidance on ensuring that bylaw enforcement policies and practices are administratively fair, and we will not be repeating all of that guidance within this feedback. In addition, we reviewed our Best Practices Checklists at the conclusion of our *Guide*.

As part of our review, we also looked at the bylaw enforcement policies of other local governments, including the [City of Coquitlam's](#) Bylaw Enforcement Policy available on their website, the [District of Clearwater's policy](#), and the [Columbia Shuswap Regional District's](#), each of which have details within them and wording which may be useful. We are sharing these as examples and for reference and not as an endorsement or recommendation of these policies.

This report is intended for the use of the Islands Trust to assist with revising bylaw enforcement policies and practices in accordance with administrative fairness. Our review and feedback fall under section 9 of the *Ombudsperson Act*, and information obtained by staff at the Office of the Ombudsperson remains confidential.

Scope of Consultation

The scope of our consultation was to review the policies and procedures followed by bylaw enforcement staff at the Islands Trust and to provide our feedback and suggestions on ways in which administrative fairness may be enhanced.

As part of the consultation, we did not review previous bylaw enforcement activities within the Islands Trust. This is because our team is unable to audit specific bylaw enforcement events or past scenarios. Our team does not review or comment on individual cases; instead, we are focused on providing administrative fairness feedback to enhance policies and procedures at public organizations under the jurisdiction of the *Ombudsperson Act*.

In addition, it is outside the scope of our consultation to provide feedback on the section within the Best Practices & Procedures internal document which addresses the Bylaw Enforcement Notices and Dispute Adjudication System (section D) and associated forms and flow charts. This is because the decisions made within that process are made in accordance with the individual bylaws of the Islands Trust areas, the *Local Government Bylaw Notice Enforcement Act*, and the Bylaw Notice Enforcement Regulation, and we generally do not comment on procedures set out in legislation unless requested as part of a review of the legislation. However, as this process is the primary appeal process regarding bylaw violations for the Islands Trust, we would like to highlight our Quick Tip document [Leading Practices in Conducting Appeals](#) for general information on administrative fairness within appeal processes.

Administrative Fairness in Bylaw Enforcement

Our Office's [Bylaw Enforcement: Best Practices Guide for Local Governments](#), states that “administrative fairness refers broadly to an overall approach to administrative decision-making that is transparent, fair and accountable” (page 7). For a detailed list of what fairness means within bylaw enforcement, see page 7 of the *Guide*.

In the context of bylaw enforcement, having administratively fair, reasonable, and transparent practices in bylaw enforcement can help to instill public confidence in your organization and to resolve bylaw matters efficiently and with minimal conflict.

Generally, a key aspect of administrative fairness is meeting the duty of procedural fairness. This requires that decision makers follow a fair decision-making process when making decisions that impact the rights, privileges, and interests of an individual or an organization. There are two key aspects of the duty of procedural fairness:

- **The right to an impartial decision maker:** Impartiality is about the state of mind and attitude of the decision maker. To be impartial, decision makers must be unbiased, have an open mind and not prejudge the case or decision they will make.
- **The right to be heard and participate in the decision-making process:** Individuals or groups who are impacted by decisions have a right to participate and be heard in the decision-making process. This includes being notified in advance of the decision being made, and receiving information about the decision-making rules and criteria, as well as the decision-making process the decision maker will follow. It also includes providing an opportunity for those impacted by the decision to be heard and have their information considered in the decision-making process.

Procedural fairness also generally requires providing clear and understandable reasons for the decision and information about any available appeal or review options. In addition, procedural fairness requires a timely decision-making process.

In the context of bylaw enforcement, the duty of procedural fairness applies to bylaw enforcement staff whenever they are making a decision that directly impacts a person or organization's rights, privileges or interests.

Below we have summarized principles of administrative fairness, including procedural fairness considerations, that we suggest be incorporated into the current bylaw enforcement policies and practices for the Islands Trust and which we will discuss further in our feedback below. These include:

- Providing individuals with notice of decisions related to bylaw enforcement. This includes providing notice that a potential bylaw infraction is being investigated and providing notice of inspections of private property. It also includes providing notice of any potential enforcement action.
- Providing those who are impacted by bylaw enforcement activities, including investigations, with an opportunity to be heard and participate in the process, and at multiple times within the process when decisions are being made.
- Ensuring that individuals who are impacted by decisions are provided with understandable and meaningful reasons for the decision(s) made throughout the bylaw investigation and enforcement process. We have a Quick Tip document on [The Reasons for Reasons](#) which bylaw enforcement staff may find useful.
- Transparency is an important part of administrative fairness. As such, the policy and procedures followed by the Islands Trust in bylaw enforcement which indicate the decision-making processes used by bylaw enforcement staff should be publicly accessible (ie. on the Islands Trust's website).
- Exercising discretion fairly is integral, as much of bylaw enforcement and related decisions are discretionary on the part of bylaw enforcement staff. We have a Quick Tip document on [Exercising Discretion Fairly](#) which may be useful.
- Managing the expectations of individuals is very helpful for maintaining positive relationships with those who may be involved in bylaw enforcement. Therefore, it is beneficial to set out and follow timelines within the Islands Trust's policies and procedures in relation to bylaw enforcement.

Feedback on administrative fairness within the Islands Trust's current policies and practices related to bylaw enforcement

Best Practice: to have a bylaw complaints policy that provides direction to staff and information for the public

Our *Bylaw Enforcement: Best Practices Guide* states that a best practice is for “[l]ocal governments [to] develop and implement a bylaw complaints policy that provides direction to staff and information for the public about: how to make complaints; which staff members are responsible for receiving, recording and responding to complaints; how staff will record and respond to complaints; [and] how complainants will be informed of outcomes” (see pages 18-20). Having such a policy which is available publicly is important for several reasons: it ensures consistency on the part of the local government; it supports transparency and fairness in the processes followed; and it can enhance the efficiency of responding to and resolving any identified bylaw violations as all parties will have a shared understanding of the process being followed.

We understand from you that the Islands Trust currently has a publicly available Bylaw Compliance and Enforcement Policy and an internal Bylaw Compliance & Enforcement Best Practices & Procedures document for staff. The internal document sets out in some detail the bylaw enforcement process.

We would suggest, regardless of what internal policies or procedures are maintained, that a publicly available policy be drafted that comprehensively sets out the Islands Trust's approach to bylaw complaints and enforcement in a clear and detailed manner. This policy should specifically set out the steps that will be taken to ensure bylaw enforcement decisions are made fairly. Furthermore, we note that there are aspects within the Islands Trust's internal Best Practices & Procedures document which could be used to enhance the current publicly available Bylaw Compliance and Enforcement Policy. Once a publicly available policy is developed, it will be important to ensure that any internal documents related to bylaw enforcement are consistent with the publicly available processes and contain procedures which are administratively fair. We suggest you may also wish to seek legal advice to ensure the bylaw enforcement policy and process you adopt is legally sound and fair.

Additionally, our *Guide* also suggests having a policy (see pages 12-14) which assists staff in exercising discretion when making enforcement decisions. In our view, for the purposes of bylaw enforcement within the Islands Trust, information about how staff at the Islands Trust exercise discretion fairly when making enforcement decisions could be placed in the publicly available comprehensive policy as described above; a separate policy is not necessarily required.

What to include within a publicly available policy on bylaw complaints

Below we have set out some thoughts and suggestions for your consideration on the potential contents of a publicly available bylaw complaints policy:

- Purpose of bylaw complaints policy: We note that the current Policy and the Best Practices & Procedures internal document both have a general purpose statement which may be more appropriate for the section on Guiding Principles, (see below). A revised purpose statement could state that the policy is to establish the procedures for effectively and fairly receiving,

reviewing, recording, and responding to bylaw complaints, and addressing possible and confirmed bylaw violations within the Islands Trust. The Islands Trust's legal authority for enforcing bylaws should be stated here as well (we noted this is currently absent from both the Policy and the Best Practices & Procedures document).

- Guiding Principles: This section would be to clarify the overarching purpose of bylaw enforcement within the Islands Trust, ie. "[T]o ensure public safety and support the objective of the Islands Trust to preserve and protect the trust area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally by ensuring compliance with Local Trust Committee's Bylaws" (taken from the Purpose within current Policy and the Best Practices & Procedures document).

The prioritization of bylaw violations can be helpful to include for both staff and the public. For example: 1. Safety to the public or environment, 2. Significant negative impact to others, 3. General nuisance. This would be more detailed than the current statement within the Best Practices & Procedures document which states "[t]his [complaint-based] system gives priority to those bylaw infractions of greatest concern to island communities" as you could specifically state which types of matters are given priority because they are considered to be of greatest concern. You may wish to review the bylaw enforcement policies from other local governments (see above) for examples of prioritization of bylaw complaints.

It would also be beneficial to clearly state that the objective is for bylaw enforcement action to be proportionate to the nature of the violation found. For this, you could utilize the statement within the Best Practices & Procedures document which states that "[c]ompliance is sought through a combination of education, mediation and enforcement techniques" (page 5).

The discretion held by the Islands Trust as to whether and how to enforce bylaws could be explained here as well. We note that the current Policy has both a section on "Priority of Investigation" as well as a section on "Commencing Investigations" which could be combined and clarified. In addition, we note that the Best Practices & Procedures and the Islands Trust FAQ for Bylaw Compliance and Enforcement states that bylaw enforcement is complaint-based and based on budget; this could also be acknowledged here.

- Definitions: We suggest including a comprehensive list of definitions of the terms used within the policy and pertinent to decisions related to bylaw enforcement. This section could clearly define a "bylaw complaint" and could incorporate the current wording used in the Best Practices & Procedures document which clarifies "[w]hat is not a complaint". In addition, "malicious" or "frivolous" complaints as referred to within the Best Practices & Procedures document could be defined, among other specific terms utilized.
- Roles and responsibilities: The policy should clearly state the roles and responsibilities of all staff and Trustees of the Islands Trust in relation to bylaw enforcement. While we note the Best Practices & Procedures document does refer to the roles and responsibilities of some staff involved, it may be useful to have a specific section which clearly outlines them.

- Confidentiality: We suggest including a specific section in the policy on confidentiality, as we noted that the internal Best Practices & Procedures document only references confidentiality in relation to the section titled “[c]omplainants must identify themselves”. This specific section could address the responsibility of all staff to maintain confidentiality and identify any specific parts of the process where staff have an obligation to maintain confidentiality. It could also highlight how the identity of an individual complaining about a possible bylaw violation will be kept confidential, and that the details of an investigation will be kept confidential by the Islands Trust. We suggest the policy also reference any specific legislation (for example: *FOIPPA*) or other sources of any confidentiality requirements.
- Procedures for handling complaints about bylaw violations: While we recognize that the Best Practices & Procedures document provides detail in this regard, we would suggest considering including sub-sections within the publicly available policy that cover the following:
 - How bylaw complaints are received: This is in essence the section within the current Best Practices & Procedures document which currently states “How can complaints be sent to the Islands Trust”. We noted that the Best Practices & Procedures document states that while complaints must be submitted in writing, there are accommodations made for those who may have language related barriers. This supports accessibility to the bylaw complaint process and we would encourage you to enhance this to ensure that anyone who may have difficulty submitting a complaint in writing be supported by staff in order to do so. This could be achieved by including a statement within the policy and on any complaint forms which indicates that if a person has difficulty submitting a complaint in writing, they may contact the Islands Trust staff who will assist in taking their complaint. Ensuring that public services/programs are accessible to all is an important aspect of administrative fairness.
 - Bylaw complaints will be acknowledged: Set out who will receive bylaw complaints, how, and within what number of days they will be acknowledged.
 - Bylaw complaint review process: This part of the policy should set out the process Islands Trust staff will follow to review and determine whether to investigate a complaint. This is currently addressed in Section A3 of the Best Practices & Procedures document and you may wish to incorporate some or all of this content into the publicly available policy. Section A3 outlines that “[o]n receipt of a file, the BCEO will conduct a file analysis” and should do so within 3 working days. The section titled “What is a case file analysis” explains the criteria that will be used to determine whether to investigate the complaint. Ideally, a reference would be made back to the Purpose and Guiding Principles statements within the same policy.
 - Investigations into possible bylaw violations: This part of the policy should explain the process that will be followed when investigating a bylaw complaint, including who is authorized to investigate complaints. Below we set out the topics that should be covered:

Notice of bylaw investigation and/or site inspection

The policy should set out the process that should be followed to notify the subject of a bylaw complaint of the complaint about them (this process will likely vary depending on the nature of the bylaw complaint) and also regarding any planned site inspection.

In most circumstances, a person should be provided with information about the nature of the possible bylaw violation being investigated and any relevant evidence in support of the violation so that they can respond to the allegation and provide information or evidence they have which is relevant to the investigation.

Our review of a template letter titled, in part, “Notice to Respondent” appears to provide this notice to individuals who are the subject of a bylaw investigation. The practice of providing these types of notice letters, though, is not explicitly stated within either the current policy or Bylaw Compliance & Enforcement Best Practices document; it may be what is referred to in this passage: “[w]hen a file is opened, the BCEAA will send an email...to the property owner/respondent” (page 11 of Bylaw Compliance & Enforcement Best Practices). However, it is unclear from the document exactly what the content and purpose of this email should be. Therefore, we would suggest that the notification process to individuals who are the subject of a bylaw investigation, as stated above, be set out within the publicly available policy.

There may be some circumstances when it may be reasonable to commence a bylaw investigation and/or conduct a site inspection without providing notice to the subject of the investigation. We suggest the Islands Trust’s policy clearly state which types of circumstances this may occur (such as immediate threat to life, environment or human health), the legal authority for acting without notice, and the steps that will be taken to ensure notice is provided at the earliest opportunity. A fulsome discussion on inspecting private property as part of a bylaw enforcement investigation begins on page 30 of our *Guide*. As it acknowledges, an inspection on private property can be a significant intrusion into a space that would otherwise be private. In particular, individuals may have personal circumstances which could lead them to feel threatened, intimidated, or otherwise uncomfortable with a bylaw enforcement staff member attending their property without providing adequate notice.

Currently, the Best Practices & Procedures document indicates that for all bylaw complaints where there may be a potential violation, the Bylaw Compliance and Enforcement Officer (BCEO) will conduct a site inspection of the property for multiple purposes (section A4). However, there is no explicit requirement that the BCEO provide notice of the property inspection to the individual (identified as the Respondent) or information about the nature of the bylaw complaint regarding them/their property and the reasons the BCEO has for investigating the complaint. There is only a requirement that the BCEO send a letter to the Respondent when they have “confirmed by inspection or other means that a contravention of a bylaw has occurred or is occurring” (Best Practices & Procedures page 11, “Communications with Respondents”). In addition, section 4.4 of the Best Practices & Procedures document states that “BCEOs

have the legal authority to conduct an inspection, sometimes with notice, but for most of the land use bylaws, no notice is required”.

Our *Bylaw Enforcement: Best Practices Guide* (pages 31 to 32), states that while local governments do not need a warrant or permission from the owner or occupier to enter property, inspections must be done in a reasonable manner and at a reasonable time, and an inspector must take reasonable steps to advise the owner or occupier before entering the property. Therefore, it is important to set out the legal authority that the Islands Trust has to enter a property in order to inspect the property which is the subject of a bylaw investigation. The publicly available policy should also set out what process will be followed to enter a property (both with and without notice) and outline how this process meets any legal requirements. We would suggest that further review of the current approach be undertaken to ensure that the current approach is reasonable and is consistent with legal and fairness principles.

In addition, we would suggest removing section A6 of the Best Practices & Procedures document which states that “[w]hen visiting properties, BCEOs have no obligation to respond to questions directed to them” as this is not aligned with the principles of administrative fairness. Generally, being administratively fair requires letting individuals who are the subject of the bylaw complaint investigation know the purpose of your visit and answering any reasonable questions related to the visit and to any bylaw complaint investigation that is underway.

To summarize the above, the publicly available policy should require that, subject to specific exceptions set out in the policy, BCEO’s should notify the subject of a bylaw investigation of an investigation into a potential bylaw violation, including information about the nature of the violation being investigated. This includes providing notice to individuals of the need for a site inspection in order to gather evidence. While doing so, it is important to meet any privacy or confidentiality obligations that may exist in each circumstance.

Opportunity to be Heard

Providing the opportunity to be heard is an important aspect of administrative fairness; this means notifying a person about an alleged bylaw infraction and providing them a chance to respond. It is important that the policy explain when and how the subject of the bylaw complaint will be provided with an opportunity to be heard and participate in the investigative process.

Progressive enforcement

This section of the publicly available policy can also detail the progressive enforcement steps that bylaw enforcement staff will take if a bylaw violation is found through an investigation; section A7 of the Best Practices & Procedures internal document could be used here. In addition, this section of the policy could also address the discretion (referred to as ‘judgement’ within the Best Practices & Procedures) held by those staff involved in bylaw enforcement. This may include setting out how bylaws will generally

be interpreted and what factors will be considered to determine whether and how to take bylaw enforcement action with respect to a bylaw violation.

Equitable enforcement

In addition, you may also wish to include a requirement that bylaw enforcement staff be equitable in their approach. This means that bylaw enforcement staff should consider each person's unique circumstances when determining the appropriate and fair investigative approach and enforcement actions to take in relation to bylaw complaints. A discussion and example of what this may look like in practice can be found in our *Bylaw Enforcement: Best Practices Guide* on page 41.

- Complaints closed following an investigation: The policy should state when a complaint will be closed after an investigation is completed (and if applicable, any related bylaw enforcement action is taken) and how those impacted by the closure of the file (particularly the person who made the bylaw complaint and the person subject to the bylaw complaint) will be notified of that decision. It should also include a requirement, within the bounds of any privacy or confidentiality requirements, to explain the outcome of the bylaw investigation and the reasons for any decision to enforce or not enforce a bylaw. Information should be included regarding any available review or appeal options. While the current Best Practices & Procedures document does address the circumstances when files will be closed (page 5 and also page 8), there are details which could be added to ensure the closure of files is completed in a way which is administratively fair; including ensuring that the reasons for the decision to close the file are provided to individuals (identified as the Respondent) along with information on how to appeal decisions made by bylaw enforcement staff.

Forms, letters and other communications with individuals should reflect administrative fairness

As part of our consultation, we reviewed a number of template letters and forms which it appears that bylaw enforcement staff use, and which are referred to or linked within the Best Practices & Procedures internal document, when communicating with individuals who may be involved in bylaw enforcement. As part of our review, we will not offer individual comments on the template documents, but rather more general comments as set out below. First, we note that it is important for the forms and template letters, as well as all other communications with individuals, to be consistent with and demonstrate that the Islands Trust is following the principles of administrative fairness. This means that, when communicating with individuals, individuals should be provided with adequate notice of decisions, information about their opportunity to be heard within the bylaw enforcement process, fulsome, clear and understandable reasons for decisions, and information on review or appeal options available to them.

Additional details on the importance of reasons and how to provide meaningful and understandable reasons can be found within our [The Reasons for Reasons](#) Quick Tip document (also referred to above). Overall, it is important that the reasons for decisions include:

- The issue(s) decided upon, or to be decided upon

- The facts, information and evidence considered by the decision-maker
- The decision-making criteria (such as the bylaw)
- An analysis by the decision-maker
- The decision itself, and
- Appeal and review options available.

It is also important for communications with individuals to be understandable while being informative, particularly for those who may have no knowledge of the subject matter (such as bylaws and bylaw enforcement) and keeping in mind the goal of compliance with bylaw enforcement. Our Reasons for Reasons document highlights that when providing written reasons, the reasons should be drafted with the reader in mind and be written in a way that is understandable to them. Our review indicates that some of the forms and template letters being used by bylaw enforcement staff are formal and may be difficult for individuals to understand, and we would encourage you to review these while considering all aspects of administrative fairness and legal requirements.

Additional complaints related to bylaw enforcement

It is important to note that the Islands Trust may also receive complaints which are not about alleged bylaw violations but may still relate to bylaw enforcement, such as the conduct of bylaw enforcement staff. It is important to have an established process for receiving and responding to all types of complaints, including those regarding staff conduct. Therefore, we suggest it is important that the Islands Trust have a general complaints policy which addresses any complaints and concerns related to services provided and decisions made by the Islands Trust generally.

Our review of the Handling of Administrative Fairness Complaints Policy is that it appears to be serving as a general complaints policy as it covers several matters a person may complain about, such as the conduct of staff or the delivery of other services. However, we suggest you may wish to amend the Policy's title and content to reflect its function as a general complaints policy. We also suggest continuing to use administrative fairness principles as part of how these complaints are analyzed and addressed.

Should you decide to revise the current Administrative Fairness Complaints Policy into the suggested general complaints policy, our [Complaint Handling for Local Governments](#) Quick Tip document, as well as our [Complaint Handling Guide](#) and [Model Complaints Policy](#) may be useful.

Summary

The investigation of bylaw matters and the enforcement of bylaws can significantly impact those involved in these processes, including bylaw staff, complainants and those subject to bylaw investigations. It is best practice to have a bylaw complaints policy which provides direction to staff and information for the public about the ways in which bylaws are enforced (see page 20 of our *Bylaw Enforcement: Best Practices Guide*). This supports the administratively fair, efficient, and reasonable enforcement of bylaws. It will also support public confidence in the fairness of bylaw enforcement by the Islands Trust and it may help to reduce conflict in the bylaw enforcement process.

In conclusion, we hope that this feedback is helpful to ensure fairness within the policies and procedures for bylaw enforcement by the Islands Trust.

VOLUNTARY CONSULTATION POLICY



OMBUDSPERSON
BRITISH COLUMBIA

The Office of the Ombudsperson's mandate includes supporting public organizations under our jurisdiction to deliver their programs and services fairly. As part of this work, public organizations may voluntarily consult with our Public Authority Consultation and Training Team (PACT) to informally address administrative fairness issues outside of an investigation. During voluntary fairness consultations the PACT team will:

- work informally and collaboratively with public organization staff;
- share our knowledge of the principles of administrative fairness;
- provide practical advice and suggestions to support public organizations to be fair in the delivery of their services and programs;
- focus on proactively addressing fairness issues outside of the context of a formal investigation by our office; and
- consult with public organizations on the development of best practice resources for their sector.

When we conduct a voluntary fairness consultation, we are not providing legal advice or formal findings and recommendations from the Ombudsperson. While we hope our suggestions will be considered as ways to support and enhance fairness in policies and programs, public organizations are not required to implement the suggestions provided. A public organization's participation in a voluntary fairness consultation does not limit, bind or bias the Ombudsperson or Ombudsperson staff in the analysis or investigation of a complaint on the Ombudsperson's own motion that relates to the subject matter of a prior voluntary consultation.

The PACT team conducts voluntary fairness consultations on administrative fairness issues that are not currently the subject of an active Ombudsperson investigation. The PACT team has no role or involvement in the investigative process or investigative decision making. However, during a voluntary fairness consultation, the PACT team may review our internal case management system and consult with investigative staff to gather relevant information about previous complaints made to our office about the organization and related investigations. The PACT team may also provide follow-up assistance to support the organization in the implementation of changes being made to address fairness issues identified through an investigation.

At any point in the voluntary consultation process, if significant administrative fairness issues are identified that are not resolved through the voluntary consultation and could result in findings of unfairness under section 23 of the *Ombudsperson Act* (for example, unjust, oppressive, or contrary to law), the matter may be raised further within our office for additional review and possible investigation. In these rare circumstances, the PACT team will inform the public organization before deciding whether to escalate such matters. In such cases, the voluntary consultation would be terminated before an investigation is commenced.

Voluntary fairness consultations occur under section 9 of the *Ombudsperson Act*, and information obtained by Ombudsperson staff is securely stored and confidentially retained by our office on our electronic database. This information is excluded from disclosure under the *Freedom of Information and Protection of Privacy Act* (section 3(1)(c)). If our office receives a complaint about a matter that was subject to a voluntary fairness consultation, Ombudsperson investigative staff may review records relating to the voluntary consultation that are stored on our office's electronic case management system.

The Office of the Ombudsperson is an oversight office, independent of government, that investigates complaints about administrative unfairness and makes recommendations for system-wide improvements. The office also offers advice and investigates allegations of serious wrongdoing from BC public servants. Our Consultation and Training Team offers educational webinars, training workshops and individual consultation with public organizations to support fairness and continuous improvement across the public sector. For more information, please contact us at consult@bcombudsperson.ca.



OMBUDSPERSON
BRITISH COLUMBIA

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REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 25, 2023

From: David Marlor, Director,
Legislative Services **Date Prepared:** September 7, 2023

SUBJECT: Review of Trust Council Policies

RECOMMENDATION:

THAT Trust Council rescind:

1. Policy 2.1.5 Islands Trust Legislative Structure;
2. Policy 2.1.8 Development Approvals Information Bylaws;
3. Policy 2.2.4 Meeting Procedures Bylaw 101;
4. Policy 4.1.6 Local Trust Committee Guidelines for Authorizing Decisions;
5. Policy 4.1.10 Use of Islands Trust Flag;
6. Policy 4.1.12 Associated Islands Project Prioritization Criteria;
7. Policy 4.3.1 Local/Island Advisory Transportation Committees Policy;
8. Policy 6.11.1 Trustee Staff Responsibility Guide;
9. Policy 7.1.3 Use of Local Trustee Letterhead; and
10. Policy 8.1.1 Staff Organization Chart.

THAT Trust Council request staff to review, update and report back to Trust Council with recommendations for amendments to Islands Trust Council policies, and where possible, combine similar policy documents to reduce redundancies.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

This program of review will modernize Trust Council's policies by reducing the number of policies, removing redundancies and outdated policies, and bringing all policies up to date with legislation and current practices. This program does not prevent council committees from identifying policy changes, and those could be undertaken as requested by Trust Council.

1 PURPOSE: To update Trust Council policies to reflect current operational needs and changes over time in legislation.

2 BACKGROUND:

Trust Council began adopting policies following the update to the *Islands Trust Act* in the late 1980s, and the new requirement to adopt a Policy Statement. Trust Council's policies are intended to cover topics that the legislation does not require to be regulated by bylaw, but are desirable to provide guidance for day-to-day operations.

Trust Council has 102 policies. Staff has undertaken a preliminary review of all 102 of these policies. This review considered the relevance of the policies, and whether or not they require updating in relation to legislation changes and current practices. Some policies may require amendments following review by specific council committees, and these specific amendments are not included in this initial staff review. Where possible, those amendments could be included when specific policies are brought back to Trust Council for consideration of amendments.

All Trust Council policies are available on the Islands Trust website.

<https://islandstrust.bc.ca/about-us/accountability/policies/>

A. Policies to be Rescinded

Of the 102 policies, Staff recommend that Trust Council rescind the following 10 policies, as they are either out of date or redundant. The 10 policies for consideration of rescinding are:

1. **Policy 2.1.5 Islands Trust Legislative Structure.** This is simply a single page diagrammatic showing the local trust committee's relationship to Trust Council and Islands Trust Conservancy Board. As this is not in policy format and does not provide any policy direction, staff recommend that Trust Council rescind this policy.
2. **Policy 2.1.8 Development Approvals Information Bylaws.** Trust Council adopted this policy in 1998, and has not updated it since. Recent changes to legislation has transferred the adoption of Development Approval Bylaws to local trust committees, with Trust Council oversight the same as for any other local trust committee bylaw. Given this, Staff recommend that Trust Council rescind this policy.
3. **Policy 2.2.4 Meeting Procedures Bylaw 101.** Trust Council adopted this policy in 2004, and has not updated it since. This is simply an unsigned copy of Trust Council's Meeting Procedures Bylaw 101. As this is a bylaw, it is not appropriate to repeat it in a policy format. Staff recommend that Trust Council rescind this policy.
4. **Policy 4.1.6 Local Trust Committee Guidelines for Authorizing Decisions.** Trust Council adopted this policy in 1993, and last updated it in 1998. This policy attempts to summarize when local trust committee decisions must be done by bylaw and by resolution. It is repeating legislation and as such, it is possible that this document can become outdated fast, or could be incorrect or misleading without the context of the legislation. Given this, and the fact this is not policy, Staff recommend that Trust Council rescind this policy.
5. **Policy 4.1.10 Use of Islands Trust Flag.** Trust Council adopted this policy in 1999, and has not updated in since. At the time, Islands Trust designed a flag that could be flown by local trustees on the islands. Today Islands Trust does not maintain or produce a flag, and therefore this policy is redundant. As such, Staff recommend that Trust Council rescind this policy.
6. **Policy 4.1.12 Associated Islands Project Prioritization Criteria.** Trust Council adopted this policy in 1998, and has not updated it since. As other Trust Council policies related to prioritization of local trust committee and regional project work have been updated, this policy is out of date and redundant. Given this, Staff recommend that Trust Council rescind this policy.
7. **Policy 4.3.1 Local/Island Advisory Transportation Committees Policy.** Trust Council adopted this policy in 1992, and has not updated it since. The Policy is specific to the implementation of the then new road standards agreement. While the agreement is still relevant, any committee established by a local trust committee should fall under the umbrella of the advisory planning commission legislation; therefore local trust committee advisory planning

commission bylaws, and Trust Council policies on advisory planning commissions will suffice. Given this, Staff recommends that Trust Council rescind this policy.

8. **Policy 6.11.1 Trustee/Staff Responsibility Guide.** Trust Council adopted this policy in 1992, and has not updated it since. This policy is a list of duties for Trust Council and committees, and for various staff groups. It does not provide any policy direction and may conflict with other policies (such as terms of reference for council committees), new or amended legislation and staff job profiles. Given this, Staff recommends that Trust Council rescind this policy.
9. **7.1.3 Use of Local Trustee Letterhead.** Trust Council adopted this policy in 1994 and updated it last in 2003. Since then the use of letters as a means of communication has reduced greatly and has been replaced mostly by email. Staff used to provide each trustee with their own letterhead for writing; however, as all work of local trust committee is by resolution of the local trust committee, all official correspondence should be on Islands Trust Letterhead. Given that trustees are no longer provided with their own letterhead and the change to electronic communications, Staff recommend that Trust Council rescind this policy.
10. **8.1.1 Staff Organization Chart.** This is a single page showing the staff reporting structure. As this is not policy and staff organization is an administrative function overseen by the Chief Administrative Officer, Staff recommend that Trust Council rescind this policy.

B. Policies to be Combined

As Trust Council adopted policies over the years, many had similar subject matter as previous policies. Many of these could be combined to create more robust and less repetitive policies, as well as reduce potential conflicts between policies. Staff undertook a preliminary analysis and review for the types of policies that could be combined, and this is provided for illustrative purposes only. Review of each subject area would be in conjunction with the relevant Director, and staff would then bring back to Trust Council specific recommendations for policy amendments, including where possible, combining policies.

1. Policy Statement

There are two policies related to the policy statement; **1.2.1 Policy Statement Amendment** deals with amendments to the Islands Trust Policy Statement, and **1.3.1 Policy Statement Implementation** deals with implementation of the Islands Trust Policy Statement policies. Both of these policies will likely be redundant should Trust Council adopt an amended Islands Trust Policy Statement (draft Bylaw 183). Once this bylaw is adopted, the new language in draft Bylaw 183 on implementation and amendments should be reviewed and policies 1.2.1 and 1.3.1 amended accordingly to remove repetition and redundancies. At this time, these two policies, if still warranted, could be combined into one.

2. Rules of Conduct

There are two policies related to rules of conduct; **2.1.1 Statutory Rules of Conduct** and **2.1.2 Standards of Conduct**. As these two policies deal with similar issues, they could be combined into one policy, and redundancies removed. At the same time, these two policies should be updated to reflect current conditions and legislation.

3. Trust Council Meeting Preparation

There are two policies related to Trust Council Meeting Preparation; **2.1.1 Requests for Decision (RFD)/Reports** and **2.2.2 Council Meeting Preparation**. These two policies could be combined into a single policy and better provide policy direction for written materials going to Trust Council agendas. Both policies will also need updating as much of the timelines and

procedures are out of date, and in some instances repetitive of processes contained in Trust Council meeting procedures bylaw.

4. Resolutions-without-meeting

There are three policies dealing with resolutions-without-meeting; **2.2.3 Trust Council Resolutions Without Meeting, 2.4.2 Executive Committee and Islands Trust Conservancy Board Resolutions Without Meeting, and 4.1.5 Local Trust Committee Section 26 Resolutions-without-meeting.** As all of these deal with policies related to when and how resolutions-without-meeting are to be used, they should be combined into a single policy. All three require amendments to bring them up to date.

5. Executive Committee

There are four policies dealing with the Executive Committee operations; **2.4.1 Executive Committee Terms of Reference, 2.4.3, Executive Committee Election, 2.4.4 Executive Committee Legislative Role and 2.4.6 Executive Committee Meeting preparation.** All four of these could be combined into a single policy. All four require updating.

6. Local Trust Committee Meetings

There are two policies related to local trust committee meetings; **4.1.1 Local Trust Committee Chair Guidelines, and 4.1.2 Local Trust Committee Meeting guidelines.** These can be combined into one policy with edits to update.

7. Local Trust Committee Model Bylaws

There are three model bylaws; **4.1.3 Model Local Trust Committee Meeting Procedure Bylaw, 4.1.4 Model Local Trust Committee Development Procedures Bylaw, and 4.1.14 Model Development Permit Guidelines for Eagle, Raptor and Heron Habitat Protection.** These should be reviewed for relevance, and possibly combined into a single policy containing all local trust committee model bylaws.

8. Advisory Planning Commissions

There are two policies related to advisory planning commissions; **4.2.1 Advisory Planning Commission Terms of Reference, and 4.2.2 Advisory Planning Commission Operating Guidelines.** These should be combined into one policy regarding advisory planning commissions.

9. Application Processing Services

There are two policies related to application processing; **5.6.1 Application Processing Services, and 7.2.4 Application Fee Refund.** Both of these policies should be combined into one.

10. Priority Setting

There are two policies related to priorities; **6.2.1 Priority Setting/Review Guidelines, and 6.7.1. Work Program, Follow-up Action List and Priorities Report.** As there are some redundancies between these policies, these should be combined into a single policy and updated.

11. Budget Process

There are three policies related to the budgeting process; **6.3.1 Budget Process, 6.3.2 Special Property Tax Requisition, and 6.6.1 By-Election Funding.** As all three of these policies deal with the process of developing a budget, they should be combined into one policy, but remain separate from the financial management policies.

12. Financial Management

There are two policies related to financial management; **6.5.1 Reserves and Surplus**, and **6.5.2 Budget Control and Adjustment Authority**. As these policies deal with aspects of managing finances, they should be combined into one policy.

13. Legal Advice

There are two policies related to provision and management of legal advice; **2.1.6 Legal Advice**, and **6.9.2 Legal Services Access and Management**. These should be combined into one policy and updated.

14. Trustee Travel, Conference and Training

There are three policies related to trustee travel, conference attendance and training; **6.12.1 Trustee Training/Conference Attendance**, **6.12.2 UBCM/AVICC Membership and Resolutions**, and **7.2.3 Trustee Travel**. These policies should be combined into one, and updated.

15. Administrative and Procedural Fairness

There are four policies related to administrative fairness; **5.4.2 Procedural Fairness in Rezoning**, **7.1.1 Administrative Fairness Principles**, **7.1.2 Handling of Administrative Fairness Complaints**, and **7.1.5 Ombudsperson Referrals**. As all four of these policies are related and have overlapping policies, they should be combined into one policy and updated.

16. Communications

There are three policies related to communications; **6.10.2 Communications**, **7.1.4 Use of Islands Trust Letterhead**, and **7.1.6 Corporate Logo**. As these relate to communication they should be combined into one policy, with redundancies removed and updated.

17. Correspondence

There are three policies related to correspondence; **7.1.7 Receipt of Confidential Information from External Government Organizations and Agencies**, **7.4.1 Incoming Local Trust Committee Correspondence General**, and **7.4.2 Chair and Executive Committee Correspondence**. As all of these deal with correspondence and have overlapping policies, these should be combined into one policy and updated.

18. Freedom of Information and Protection of Privacy

There are two policies related to Freedom of Information and Protection of Privacy; **7.6.1 Freedom of Information and Protection of Privacy**, and **7.6.2 Freedom of Information and Protection of Privacy Procedures**. These two policies should be combined into one policy and updated.

The result of the above changes would be consolidation of policies that are similar or deal with similar topics. This will lead to removal of contradicting, repetitive and redundant policies. This step will include updating the policies as necessary, and those updates would be highlighted for Trust Council in the revised documents at the time of considering those amendments. The changes proposed above would remove 10 redundant and out of date policies, and combine 46 other policies into 18 new policies, resulting in a reduction from 102 policies to 64 policies.

The amendments proposed to these policies will not preclude further amendments as recommended by the Governance Committee, or any other Council Committee that may result from the work they are doing. This exercise is to consolidate, remove redundancies and repetition, and update policies to reflect today's legislation and best practices.

Following the completion of this phase, staff will continue to review the remaining 44 policies for updating, and will bring a report back to Trust Council with recommendations for those that Staff has identified as needing amendments.

If Trust Council passes the resolutions as recommended, Staff will:

1. Delete the 10 policies identified for rescinding; and
2. Make amendments to the other 48 as indicated in this report, undertaking a few at a time and bring back to subsequent Trust Council meetings for consideration of adoption of a new "combined" policy and rescinding of the old policies. If staff were able to bring back two combined policies per Trust Council meeting, then it would take nine Trust Council meetings to complete all 18 listed here. This would take this phase of this project to December 2025. If staff were able to bring back three combined policies per Trust Council, then this would take this phase of the project to March 2025.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Staff will undertake the work and plan to bring two to three amendments to Trust Council each quarter.

FINANCIAL:

No financial implications.

POLICY:

No policy implications.

IMPLEMENTATION/COMMUNICATIONS:

Staff will post amended policies to the website as they are adopted by Trust Council, and advise staff and trustees by email.

FIRST NATIONS:

No First Nations implications.

OTHER:

No other implications.

4 RELEVANT POLICY(S):

N/A

5 ATTACHMENT(S):

N/A

RESPONSE OPTIONS

Recommendation:

THAT Trust Council rescind:

1. Policy 2.1.5 Islands Trust Legislative Structure;
2. Policy 2.1.8 Development Approvals Information Bylaws;
3. Policy 2.2.4 Meeting Procedures Bylaw 101;
4. Policy 4.1.6 Local Trust Committee Guidelines for Authorizing Decisions;
5. Policy 4.1.10 Use of Islands Trust Flag;
6. Policy 4.1.12 Associated Islands Project Prioritization Criteria;
7. Policy 4.3.1 Local/Island Advisory Transportation Committees Policy;
8. Policy 6.11.1 Trustee Staff Responsibility Guide;
9. Policy 7.1.3 Use of Local Trustee Letterhead; and
10. Policy 8.1.1 Staff Organization Chart.

THAT Trust Council request staff to review, update and report back to Trust Council with recommendations for amendments to Islands Trust Council policies, and where possible, combine similar policy documents to reduce redundancies.

Alternative:

Trust Council could determine that, rather than rescind one or more policies, that it request Staff to update those policies.

Prepared By: David Marlbor, Director, Legislative Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/September 7, 2021
Executive Committee/September 13, 2023



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2023
From: CAO **Date Prepared:** September 5, 2023
SUBJECT: Corporate Planning Framework for the Islands Trust

RECOMMENDATION:

1. That Trust Council approve the attached Draft Corporate Planning Framework, and
2. THAT Trust Council request that Governance Committee continue work on Corporate Plan development.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: This recommendation is a reasonable means forward for the reimagining of corporate, strategic and financial planning at the Islands Trust. It is also fair to conclude that 75 % of the processes contemplated by the corporate plan exist in current practice. The priority will be in broadening the scope of the plan, including greater financial detail, delegating appropriate responsibility and reporting/progress management.

If Trust Council wishes to take a different approach to this work then this process should be concluded or amended.

- 1 **PURPOSE:** To approve a framework for a Corporate Planning process for the Islands Trust.
- 2 **BACKGROUND:** At Trust Council direction, and guided by recommendations from the Governance Review 2022, Governance Committee is in the process of developing a corporate planning process for the Islands Trust. Implementation of a new corporate planning process is intended to be a long term project that will bring greater clarity in process and outcomes to strategic and operational work at the Trust. Governance Committee requested the assistance of a working group of FPC to provide an initial outline and rationale. The working group is made up of Trustees Patrick, Evans and Boland with the aid of staff.

Work started in February with the development of a process document with significant reference to the [District of Saanich](#) planning process as a roadmap. Further work in the spring saw the document mature to a fully corporate framework that could provide a way forward for the Islands Trust.

This is the initial planning phase of the project. Before we do the hard work of actually developing an Islands Trust Corporate Plan the committees and and staff working on this process need confirmation that we are going in the right direction. Attached for consideration of Trust Council is a draft framework and it is provided in order to get approval from Trust Council.

The next steps are outlined in the following table, but in general there will need to be a significant investment of time and analysis between elected officials on both Committees and staff on:

- Determining processes for selecting major projects
- Establishing criteria for project selection
- Determining a reasonable level of detail that can be provided to elected officials as they populate and monitor a corporate plan
- Adopting and maintain a structured decision making process and ethic at the Islands Trust
- Linking, in a number of ways, the strategic projects of the Trust and the financial function
- Developing meaningful ways of measuring progress and reporting to Council
- Incorporating reconciliation work throughout the planning process, and
- Policies to aid all of the above.

It is important to remember that in doing this work, the Islands Trust is doing two things:

1. Development of a corporate framework with related policies and practices, and subsequently,
2. Developing a corporate plan for the term with new goals and objectives.

What do we do from strategic and budgetary perspectives in the interim? As we are in a period of transition, we will continue work on the current strategic plan and any associated budget requirements. This in no way limits trustees from sponsoring new work and adding it to the current budget cycle. Indeed, there will likely be a period where we bring in some best practices from the corporate planning processes, say for instance with business plans, before we have fully adopted a new approach.

If Trust Council approves this framework, the schedule below provides an approximate timeline. Our goal would be to have a new corporate plan in place for fiscal 2024/25.

CORPORATE PLANNING PROCESS ROADMAP	TIMELINE	NOTES
PHASE 1: Assess the Environment (SWOT)	June 2023	Occurred in June
PHASE 2: Develop a Term Strategic Plan Part 1 – Direction & Goal Setting Step 1: Determine the Vision Step 2: Understand the Mission/Mandate Step 3: Determine Values	September 2023	Trust Council is in the process of developing a vision and seeking agreement on the mission of the Trust
Step 4: Determine & Prioritize Goals & Objectives	September 2023 to June 2024	Analysis and policy development to Part 1.4 through Phase 3 is significant and would be the next tasks in plan development.
Part 2 – Strategy Implementation Step 1: Determine actions to achieve objectives Step 2: Prioritize actions & Assign Responsibilities		
		New concept, needs to be developed by staff.

PHASE 3: Develop Departmental Plans to support strategies and financials		
PHASE 4: Develop the Annual Budget & Long-Term Financial Plan Step 1: Review Background Documents Step 2: Budget Submissions Step 3: Draft Annual Budget & Draft Financial Plan Step 4: Senior Management Review Step 5: Financial Planning Committee Review Step 6: Trust Council Review Step 7: Public Feedback & Consultation with Municipalities Step 8: Financial Planning Committee Review Step 9: Trust Council Approval Step 10: Financial Plan Bylaw Submission to Minister	August 2024 to March 2025	1. Relevant policies and planning needs to further integrate projects and financials 2. By the end of June the Corporate Plan process and framework, with policies, would be ready to be implemented for the 2025 budget cycle.
PHASE 5: Monitoring, performance management and risk assessment	Post March 2025	3. New process needs development

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

This is a current strategic direction of Trust Council and the responsibility of both Executive Committee and Governance Committee. There will need to be the following staff resources dedicated to the project over the next 8 to 10 months.

Assumptions:

Working term: October 2023 to May 2024.
Committee meetings: October 2023 to May 2024: 9 meetings approx. for either subgroup or GC
Staff meetings: 5-6 half day meetings or equivalent October-May
Analysis of plan, committee planning, budget planning, link to LTC projects, other
Policy Development
Communications
Training: at this point this item is hard to approximate, depends on monitoring and reporting requirements.

	Notes	Hours	Totals
CAO	Main contact and project lead Department planning, Committee liaison Ongoing strategic management	5 hours a week for 32 weeks	160 hours
Executive Coordinator	Administration, agenda development	2 hours a week for 32 weeks	64 hours

Director of Leg Services	Policy Development, training	1 week of work	40 hours
Director of Admin Services	Corp/budget rationalization, FPC contact	1-2 hours week for 20 weeks	20-40 hours
Director of TAS	General policy development, analysis, training	1.5 week	60 hours
Dir of Planning Services	Policy development, training	1-2 hours week for 20 weeks	40 hours
Communications	Internal and external comms needed, mainly next fiscal year.	pending	
Sub Committee	1 meeting a month from Oct to May		
Governance Committee	3-4 meetings, Oct to May		

FINANCIAL: Limited requirement for funding this fiscal year.

POLICY: a number of policies will need to be amended or created to realize a new corporate planning process including:

- **2.3.1 Council Committee Systems** – updated to include as necessary the committees' roles in the implementation of the Corporate Plan
- **2.4.1 Executive Committee Terms of Reference** - dated to include as necessary the Executive Committee's roles in the implementation of the Corporate Plan
- **5.9.1 Best Management Practices for Delivery of Local Planning Services** – updated to reflect how projects of local trust committees and Regional Planning Committee will be evaluated against the Corporate Plan for budget purposes.
- **6.2.1 Priority Setting/Review Guidelines** – to incorporate the Corporate Plan into priority setting for all Trust Council bodies.
- **6.3.1 Budget Process** – to adjust timelines and processes to reflect the process outlined in the Corporate Plan.
- **X.X.X Corporate Plan** – a new policy that establishes Trust Council's corporate plan. Once Trust Council has settled on the scope of corporate plan, Staff will draft a new policy with the Corporate Plan language in it, which Trust Council may then consider for adoption. This new policy will likely be numbered 6.1.2 and follow the 6.1.1 First Nations Engagement Principles in the list of policies.

Depending on the scope of the final Corporate Plan adopted by Trust Council, there may be other policies that will require consequential amendments to bring them in line with the Corporate Plan. These will be identified and brought to council for consideration once the Corporate Plan has been adopted. The above five listed policies are more critical to the implementation of the Corporate Plan and therefore amendments to them should be considered concurrently with the Corporate Plan to ensure no conflicts, and that processes are clear.

IMPLEMENTATION/COMMUNICATIONS: pending

FIRST NATIONS: Integration of Islands Trust First Nations principles, recognition, reconciliation and engagement work will occur throughout the plan and is assumed to be a constant in work and project planning as well as business development.

OTHER:

4 RELEVANT POLICY(S):

5 ATTACHMENT(S):

a. Draft Corporate Plan Framework, August 2023

RESPONSE OPTIONS

Recommendation:

- 1. That Trust Council approve the attached Draft Corporate Planning Framework, and**
- 2. THAT the Governance Committee continue work on Corporate Plan development.**

Alternative:

Prepared By: R Hotsenpiller

Reviewed By/Date: David Marlor, Director, Legislative Services/September 5, 2023
Executive Committee/September 13, 2023

ISLANDS TRUST
DRAFT
CORPORATE PLANNING PROCESS
DRAFT FRAMEWORK

August 30, 2023

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CORPORATE PLANNING

The Islands Trust Governance Review Report, February 2022 states *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.” That planning process would begin with **goals**, proceeds to **initiatives** to achieve the goals, and then converts the initiatives into **financials**.”* [Emphasis added].

In this context a corporate, as distinct from a strategic plan, is a more comprehensive planning exercise that incorporates strategic initiatives, operational resourcing, financial performance and monitoring/risk management.

This recommendation highlights the need to engage in high-level planning for the longer-term, as well as more detailed planning that takes place on an annual basis. This draft corporate planning process document seeks to incorporate the elements of both.

PHASE 1: Assess the Environment (SWOT)

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.

Ideas

The move towards a corporate planning process, that includes strategic planning, is a new approach for the Islands Trust.

An important point, the corporate plan is a long term plan that is supported by rigorous annual review by Trust Council.

A new idea that provides an opportunity to understand what is going on around us and inside the organization. A SWOT can be undertaken annually in order to stay current and inform any changes in direction

- 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. Once SWOTs have been identified and listed, examining relationships between concepts can create a deeper, more concrete understanding of the organisation’s context. A SWOT matrix can be useful in this analysis:

	STRENGTHS	WEAKNESSES
OPPORTUNITIES	How can strengths be used to take advantage of opportunities ?	How can opportunities be used to compensate for, or overcome weaknesses ?
THREATS	How can strengths be used to mitigate or avoid threats ?	Can strong policies or processes be used to defend against areas of weakness and avoid or mitigate threats ?

Once an understanding of the organisational context is achieved, a Strategic Plan appropriate to the context can be developed.

Trust Council undertook a SWOT analysis in June 2023, however it is likely that the process would be repeated for corporate planning in 2024 to refresh ideas

PHASE 2: Develop a Term Strategic Plan

The Strategic Plan sets out the vision of the organisation, sets long-term goals and priorities that will move the organisation towards that vision, and outlines initiatives and actions to achieve those goals. The Strategic Plan is created by Trust Council at the start of each 4-year term.

In general, the foundational aspects of the Strategic Plan do not change throughout the term. However, certain elements are revisited annually (or as needed) to ensure ongoing relevance and appropriateness, and progress reporting against the plan should take place regularly, at least quarterly.

The Strategic Plan can be separated into two parts: Part 1 – Direction & Goal Setting; and Part 2 – Implementation Strategy.

Part 1 – Direction & Goal Setting

This part of the Strategic Plan is developed and approved by Trust Council early in the term. Establishing a Trust Council approved Vision, Mission/Mandate, Values, and Goals is the starting point by which all work will flow. It provides the basis for prioritization and funding of initiatives, and guides the work of Trust bodies and staff.

Step 1: Determine the Vision

Trust Council must establish its vision for the Trust Area. A vision statement embraces a forward-looking posture that, in general terms, states what Trust Council desires the Trust Area to be or look like. Many local governments refer to their Official Community Plan as their visionary document. For Islands Trust, the comparable document would be Trust Council's Policy Statement.

Step 2: Understand the Mission/Mandate

A mission statement outlines who we are and what we are here for. In the Islands Trust context, our mission is established by the Islands Trust object outlined in the Islands Trust Act: *"To preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia."*

Trust Council must aim to understand and agree on interpretation of the mandate to facilitate the development of a focused and prioritized strategic plan.

The strategic plan is long-term

This where performance management is used to ensure projects are relevant

The heart of long range planning, this is where the most work will be required in order to i) establish good procedures, processes and policies, and ii) to ultimately choose specific goals, objectives and work.

Step 3: Determine Values

Understanding the values that Trust Council holds and agrees to will facilitate better and more stream-lined decision making in all areas of Trust work, but primarily in the goal setting and implementation strategy setting exercises associated with the strategic plan, as well as during the annual budget cycle. For example, if Trust Council holds 'transparency' as a key value, they may more likely set goals, determine strategies, and direct finances towards work that supports this value such as the live-streaming, recording and posting of all public meetings. A Trust Council who does not hold a high level of transparency as a value may not direct resources towards such functions.

Trust Council's [policy 2.1.3 Governance Principles](#) approved in September 2009 determines Trust Council's values to be: Teamwork; Openness; Fairness; Respect; Leadership; Direction; Chair; Equity; Service Quality; Responsible and Responsive; Fiscal Resources; Community Involvement; Policy Development; Interagency Relations; Advocacy; Innovation; Authority; Management; Decision Making. Trust Council has the opportunity to update these values as part of the strategic planning process.

Trust Council will likely want to review these principles to ensure they are up to date.

Step 4: Determine and Prioritize Long-Term Goals & Objectives

Trust Council must establish goals and objectives that will facilitate movement towards the established Vision, will further the established Mission/Mandate, and will embrace the agreed up on Values.

The hard work starts

Goals in the strategic plan are generally broad statements that describe a preferred future within specific thematic areas. Objectives are shorter-term, more measureable actions that will help achieve the overall goal. Goals and objectives guide priority setting, provide a framework to evaluate organisational performance, and will guide day-to-day decision making and organisational activities.

Once objectives for each goal are set, they must be prioritized to provide a basis for human and financial resource allocation. Setting out what objectives should be focused on now, next, and later is an important step in the plan.

Part 1 of the Strategic Plan generally does not change throughout the term but is referred to regularly during decision making, such as during the annual budget cycle. If new situations arise throughout the term that require amending any element of Part 1 of the Strategic Plan, Trust Council will do so as required.

Part 2 – Strategy Implementation

This part of the Strategic Plan outlines the initiatives Trust Council will undertake to achieve the long-term goals and objectives set in Part 1 of the plan. Each initiative should be clearly linked to a specific goal(s) and should include a high-level description of the undertaking as well as planned timing for the work and its completion. This part of the plan is developed by both Trust Council and staff.

Step 1: Determine actions to achieve objectives (i.e.: what we will do)

Staff are key players in determining how Council's determined objectives might be achieved. Upon receipt of an approved Part 1 of the strategic plan, staff prepare options to achieve each objective(s) for Council's consideration. It is important to note that a single action may further more than one objective.

Step 2: Prioritise actions over Timeline (i.e.: when we will do it) & Assign Responsibilities

When specific actions have been agreed to, they should be prioritised over a set and reasonable timeline. Assigning a timeline for actions, preferably by quarter or by month, provides milestone markers by which strategic plan progress can be measured. Assigning who has responsibility for each action ensures accountability in moving each action forward.

The SWOT analysis and Part 1 of the Strategic Plan are useful references during prioritization exercises. For example, if an opportunity for time-sensitive grant funding is identified in the SWOT and goals/objectives are set that could make use of the funding opportunity, planning for an action associated with the funds may need to be prioritised within grant deadlines.

Part 2 of the Strategic Plan is reviewed regularly, by way of progress reporting from staff that provides updates on progression of planned initiatives.

PHASE 3: Develop Departmental Work Plans

Departmental work plans outline the major actions and activities that each department will undertake to move specific Strategic Plan initiatives forward. They work alongside the strategic plan to bring tactical, day-to-day actions to life. Both plans are key to effectively drive performance and attain goals.

Where Part 2 of the Strategic Plan sets out what we will do and when we will do it, departmental plans set out the detail on *how* we will do it. These plans provide a key link between the Strategic Plan and the annual budget process and longer-term financial plan.

New emphasis...a goal of the corporate plan is require more rigor between a goal of Trust Council and the ultimate outcome or results desired and to track progress and course correct on a required basis.

New idea....

Departmental work plans would be a new concept at the Islands Trust. There may be benefit to have work be managed and communicated on a departmental basis rather than a project basis. This could give a better idea of staff resources across the Trust.

Departmental work plans identify projects and set timelines, along with milestones to measure performance against the plan. The first year of each departmental work plan contains a greater level of detail and feeds heavily into the annual budget process (see Phase 4, step 2b).

In the Islands Trust context, departmental work plans may be developed for each business unit (Chief Administration, Legislative Services, Trust Area Services, Planning Services, and Administrative Services). Management staff hold primary responsibility for developing work plans for their respective areas of oversight.

PHASE 4: Develop the Annual Budget & Long-Term Financial Plan

The annual budget process embraces the detailed financial planning required to fund specific work in the first year of the 5-year financial plan, and relies heavily on the departmental work plans which are the drivers to achieve the strategic plan.

The financial plan forecasts the financial resources required to fund Part 2 of the Strategic Plan (the Implementation Strategy) as well as the ongoing operations of the organisation over the following four years. This is the basis of the 5-year financial plan bylaw that is updated and revisited annually during the budget cycle.

Step 1: Review Background Documents

- a) Trust Council will review and update the Phase 1 SWOT if required (i.e.: new threats have emerged, new weaknesses need to be addressed, etc.).
A change to our context may mean a change is needed in our plans.
 - b) Trust Council will review progress reporting on the Strategic Plan implementation and address required changes, if needed.
 - c) Annual work plans will be updated to reflect any changes from step b).
- Step 1: Trust Council sets Budget Assumptions, Principles, & Guidelines
Trust Council will set assumptions, principles, and guidelines to guide staff and the Financial Planning Committee in the preparation of the draft budget. Assumptions will include things such as cost increases for inflation or changes in service levels. Principles will include things such as a commitment to prioritise planned or ongoing strategic initiatives above new work. Guidelines will include things such as limiting budget increases in discretionary costs to a set percentage.

Assumptions to be included in the future years financial forecast will also be included in this document to guide the financial projections in the projected of the long-term financial plan. Assumptions may include items such as inflation projections and levels of grant funding expected from external parties.

While this is a current practise, there is the opportunity to increase the use of annual guidelines and financial goals to assist FPC during budget, and ultimately prioritize use of resources.

New idea: guidelines.....an enhanced oversight or direction to guide budget development

Financial Planning Committee, in alignment with their terms of reference, will draft this document on behalf of Trust Council for their review, revision, and approval.

Step 2: Budget Submissions

a) ITC Board and Local Trust Committee Funding Requests

The Islands Trust Act says local trust committees (LTCs) and the Islands Trust Conservancy (ITC) are their own legal entities. As such, these entities may have work they wish to undertake separate from work that Trust Council plans to undertake. The ITC Board and LTCs will submit funding requests to Trust Council (via the FPC) for work they wish to undertake that is not contemplated in Trust Council's strategic implementation plan. ?

b) Departmental Financial Plans Developed

Based on the activities planned for the next year (per the strategic plan and departmental work plans) departmental budgets will be compiled by department leads and submitted to finance. These budgets outline expected costs for planned activities and any associated revenue. They must conform to the assumptions, principles, and guidelines set by Trust Council. If staff identify a need to step outside of these guidelines, a case should be brought forward to Financial Planning Committee. An example would be a desire to hire a new staff position that was not contemplated in the strategic plan.

Departmental financial plans will include costs for strategic plan initiatives assigned to the department. Business cases associated with these initiatives will be drafted for Trust Council which will include:

- How an action/project achieves the set objective
- A cost/benefit analysis of the proposed action/project
- Staff resourcing associated with the proposed action/project
- A timeline for the proposal, identifying key milestones
- Alternative options for consideration
- Estimated cost

Step 3: Draft Annual Budget & Draft Financial Plan

The departmental budgets, ITC Board request and LTC requests are compiled by finance staff to create a draft annual budget and draft financial plan. The draft is compared to the strategic implementation plan to ensure consistency and completeness.

Ideas

This area of the budget process could improve by implementing criteria or standards for projects and to harmonize with staff resources, available money. How do we make financial decisions between equally important projects?

A new idea

Greater emphasis on these elements in planning.

We need to better understand the roles and responsibilities of each committee during budget cycle.

Step 4: Senior Management Review

The Director, Administrative Services, and Chief Administrative Officer review the budget and draft financial plan with the senior management team.

Step 5: Financial Planning Committee Review

Financial Planning Committee will review and refine the draft budget before forwarding to Trust Council for review.

Step 6: Trust Council Review

Trust Council will review the draft financial plan, ensure alignment with their already-established goals and plans and give direction for change as required.

Step 7: Public Feedback & Consultation with Trust Municipalities

A feedback period will take place to allow members of the public to share their thoughts on the draft financial plan. Engagement with Trust Municipalities takes place.

Step 8: Financial Planning Committee Review

Financial Planning will review the draft budget taking feedback from public consultation into consideration. The draft financial plan will be reviewed at the same time before submission to Trust Council for approval.

Step 9: Trust Council Approval

Trust Council will review and approve the annual budget and 5-year financial plan bylaw for submission to the Ministry.

Step 10: Financial Plan Bylaw Submission to Ministry

Staff prepare a plan report to accompany the bylaw submission to the Ministry.

Phase 5: Progress Monitoring

At least quarterly, and as often as is required outside of that, progress measurement against strategic plan implementation milestones and objectives should be reported. Staff will report on progress on specific projects, as well as progress against the overall strategy implementation plan.

Ideas

Less pressure exerted on FPC to make content decisions at budget time.

The sequence of committee meetings needs to be reconsidered with regards budgeting

New process.....an updated progress monitoring function will need to be part of the corporate plan if it is to be successful.

BRIEFING

To:	Trust Council	For the Meeting of:	September 27, 2023
From:	CAO	Date Prepared:	September 6, 2023
SUBJECT:	Development of a Vision for Islands Trust		

PURPOSE: To provide information for a visioning session of Trust Council scheduled for September 27, 2023.

BACKGROUND: A vision statement is an important and foundational expression of what Trust Council believes is the future of the Trust Area. It is also a key communication tool for citizens and others wanting to understand the Islands Trust. Many companies, governments, programs and projects adopt a vision in order to provide direction for their goals, objectives, and achievements. A vision is not specific to the operations of the Islands Trust itself; rather it is for the Trust Area as a whole. What will the region be like in 50 years? Once you have that vision, you can more clearly see your purpose or mission in supporting that future.

In support of this work, Executive Committee, with the support of the Governance Committee, has directed that a session be organized for the September Trust Council meeting (See Attachment 1). The hope is that trustees could collaborate on a shared vision and possibly the development of a vision statement. This work is complementary of the discussions scheduled for September regarding the meaning of S 3. of the Islands Trust Act, the preserve and protect mandate. Also, as the Islands Trust undertakes corporate planning, development of a vision is an important step in delivering a successful plan.

Visioning has been attempted at the Trust before: in 2016/2017 the Trust undertook considerable effort (See Attachment 2) to land a vision statement including hiring a consultant to undertake a session, tasking an artist to develop a graphic illustration of the vision, and narrowing the options down to 4 possible vision statements (See Attachment 3).

Alas, Trust Council could not agree on a vision, despite best efforts.

Maybe this Trust Council is different and will either readily adopt one of the earlier efforts or craft a new vision statement that can energize and direct future decisions.

Key Concepts

So what is vision statement? It is easy to confuse similar concepts such as vision, mission, mandate, purpose, goals, etc. Here are some workable definitions:

Vision: What do we want the future to look like? What is our direction or 'North Star' as we do our collective work, the WHERE ARE WE GOING in our work.

Mission: Who we are, how we achieve your vision, the present tense, answers the HOW and WHAT.

Purpose: Why we exist, why we are doing what we are doing, founded on values and beliefs answers the WHY.

Vision statements do not need to be long, complicated or overly descriptive. They are aspirational and ambitious and seek to inspire ourselves and others. Here are some examples:

Parksville	<i>We aspire to be the city of choice for ourselves and future generations in a clean, safe, friendly, economically viable and sustainable environment.</i>
Cowichan Tribes	<i>Through Quw'utsun heritage, we are working together respectfully for a healthier, safer and stronger nation.</i>
Islands Trust Conservancy	<i>A network of protected areas that preserves in perpetuity the natural systems of the islands in the Salish Sea.</i>
Capital Regional District (CRD)	<i>The CRD embraces cooperation, innovation, and bold leadership in the delivery of services that contribute to a liveable, sustainable and resilient region. We are a region where all residents are included and have access to a quality of life that is fulfilling for them; and where there is a healthy environment for current and future generations.</i>
Nanaimo	<i>To be a community that is liveable, environmentally sustainable and full of opportunity for all generations and walks of life.</i>
Saanich	<i>Saanich is a sustainable community where a healthy natural environment is recognized as paramount for ensuring social well-being and economic vibrancy for current and future generations.</i>
British Broadcasting Corporation (BBC)	<i>To be the most creative organization in the world.</i>
Disney	<i>To make people happy.</i>
Google	<i>To provide access to the world's information in one click.</i>
IKEA	<i>To create a better everyday life for the many people.</i>
Islands Trust	To be determined

ATTACHMENT(S):

1. Visioning Session Outline (workshop)
2. Islands Trust Visioning Session, September 2016 Summary Report
3. Victoria Bushnell Consulting (see "New Vision Statements" for the 4 versions)

FOLLOW-UP:

Prepared By: Russ Hotsenpiller

Reviewed By/Date: September 6, 2023



September 27, 2023
Islands Trust Council
Visioning Session

Background: Establishing a vision for the Trust Area is an important part of long range governance and a starting point for strategic and corporate planning. Following discussions on S3. of the Islands Trust Act, the Object Clause, Trust Council will be able to reflect and contemplate the future state of the region and ultimately the role of the Islands Trust in that future.

Purpose:

- 1. To conduct a vision session with Trust Council**
- 2. To develop a vision statement for the Islands Trust**

Process: Workshop setting

- Step 1.** Receive from staff a compilation of key words or phrases that relate to visioning drawn from the discussion regarding the preserve and protect mandate from previous day. Agree as a Council on key terms, boundaries and the task at hand (facilitated by staff).
- Step 2.** Share individual visions (Breakout into groups of 4-6)
 Share with colleagues what you imagine the region looks like, how would you describe the lands, water, settlements, relationships, what are the issues that we face, what do we overcome to realize our future?
- Step 3.** See if you can agree as a group on a collective vision or model for the future for the region.
- Step 4.** Return to the main Trust Council table, share your vision with the plenary group.
- Step 5.** Combine key elements of group statements into a single vision.

Be positive
Listen to others
Find common ground
Find the 'what' not the 'how'
Believe that a vision can be found

Resources: Russ Hotsenpiller, CAO

TIME	TOPIC	WHO
8:30 am – 12:00 pm	Visioning session	CAO and staff

Islands Trust Visioning Session, September 2016:

Summary Report

Purpose

To capture and distil the emerging shared vision of the Islands Trust trustees. This will provide the basis of a draft vision that will be shared with constituent publics through the Fall for feedback.

Outcomes

- A short report with a set of clear themes that capture preliminary ideas for a shared, draft 10-year vision for the Islands Trust, to form the basis of conversations with Trust Area residents
- Graphic Recording of the day's collective work

Process/Method

Survey and Interviews

An online survey was fielded from July 27 – August 10th, 2016 to all 26 Islands Trust trustees. Twenty-five of them responded to the survey: two completed an in-email version and two submitted a Word version; the rest completed it on-line. All results were combined and collated. One Trustee participated in an in-depth interview in lieu of the survey; five others both completed the survey and were interviewed. Thus, 100% of the Trustees participated in the process.

Pre-Reading:

A briefing package was circulated to Trustees prior to the session. This included:

- State of the Islands Indicator Project Interim Report
- Results of the Life on the Islands: Area Resident Survey
- Copy of the Islands Trust Fund's Vision

Workshop Agenda

As part of a 3-day Trust Council meeting, a 6 hour facilitated workshop was held in Sidney, BC on September 13th. Participants included 24 of the 26 Trustees, the CAO and staff members. Four representatives from San Juan County Council also joined part of the meeting, and members of the public observed the session. The workshop was designed not to reach firm decisions or conclusions, but rather to generate ideas and identify common themes that could be used for community consultations on a 10 year vision for the Islands Trust. [See Workbook for details of the process, including the agenda] A graphic recorder visually captured the key ideas highlighted in this brief report. .

Key Themes

Caring, connected, diverse communities

- healthy, resilient, inclusive

Healthy natural environment

- islands are clean and green
- vibrant full forest ecosystems
- healthy oceans and forests
- more protected areas
- increased wildlife

Reconciliation and collaboration with First Nations

- caring for land and sea together with First Nations
- increased awareness and respect of First Nations
- island spirit-places are protected and respected

Local businesses and farming supported

- more locally grown food
- eat local

Water stewardship

- long-term, integrated water management
- protected water resources
- alternative water sources

Diverse, green, affordable housing

- neighbourhood 'nodes'/clusters of diverse and affordable housing
- different types of housing
- land ownership options (e.g. co-ops; community land trusts)
- better use of current built environment (e.g. convert some large houses into multi-unit homes)
- homes with small footprints (e.g. energy efficient; solar powered; using local materials; 'green')

Supportive (appropriate) technology

- -appropriate
- -electric plus 'electric-assisted' vehicles (e.g. bikes)

Renewable energy

- solar, wind, wave (tidal)

Some cross-cutting ideas

- Self-sustaining; be responsible
- Learning to live "smaller" – reduce our footprint/impact on the environment
- Cultural shift: sharing i.e. governance, housing, vehicles, food, power, cultures etc.

Other ideas

- Proactive planning
- Expand the Islands Trust

One theme that led to further discussion was around "Being a Leader/Role Model for the World". Terms such as "beacon of hope", "excellence in leadership", and "act locally, think globally" were used to try and define the theme further. This led to more extensive discussion and the creation of alternative ideas, which Trustees then ranked. In the end, two ideas received relatively high 'scores' – but they received only 7 'votes' each, out of 24 Trustees (staff did not participate in the ranking exercise). The top two ideas were:

- Exemplary care for an extraordinary place
- We, Island communities, work together with First Peoples and their ancient knowledge, to preserve and protect our islands and surrounding seas

VICTORIA BUSHNELL CONSULTING

Islands Trust**Vision Statement****Draft 1****Prepared for Russ Hotsenpiller, Chief Administrative Officer****9 November 2017****PROJECT**

Create a written vision statement for Islands Trust, one that aligns with the graphic illustration, messaging of the Object of the Trust and detailed Policy Statement.

REFERENCES

I have included the original draft Vision Statement and the graphic illustration, as these may be helpful references when reviewing the proposed Vision Statement.

Original Vision Statement Submitted for Consideration

“Local First Nations have been stewards of the islands of the Salish Sea for millennia. The Islands Trust Council joins them in this responsibility through decisions and actions that foster collaborative decision-making in support of its vision:

The islands of the Trust Area have healthy and productive marine, aquatic and terrestrial ecosystems where resources are jointly managed with First Nations to sustain ecological and cultural values. Island communities are resilient, caring and diverse. Every islander has access to affordable housing, local food, enough clean water, and contributes to decision-making. Farmers, local businesses and non-profits are well supported and thriving. Island communities are recognized leaders in innovative actions and technologies within localized, post-carbon economies.”

Graphic Illustration:



RECOMMENDATIONS AND INTRODUCTORY NOTES

In our last meeting, we discussed the key points to be included in the new Vision Statement. We began by analyzing the original draft Vision Statement and identified the following:

- Marine environment is important to include
- Same for First Nations
- Don't need details focus on communities, but do reflect the spirit of community.
- Preserve and protect is an important concept to echo. However, it's more than that; it's ensuring the islands stay intact for the next generation.
- Potentially include affordable housing, or allude to it.
- While the statement should be inspirational, ensure it aligns with wording/brand voice of other Islands Trust materials.
- Consider the concept of living within our means: sustainability, self-sustaining, reducing impact on environment

Other recommendations:

Aspirational – As noted, I recommend creating a Vision Statement that is more aspirational in nature (e.g., “Our Vision is to have.....”) instead of outlining the end result (e.g., “Islands Trust has....”). In this way, the Vision Statement has a more energetic, striving, inspirational quality.

Clear and Concise – Keep the statement clear, concise and jargon-free. This will be most appealing to all readers, both internal and external.

Simple – Resist the urge to fit everything into the Statement. As a Vision, it should be high-arching and not get into copious amount of detail. When there's too much detail, it's difficult to read and understand.

NEW VISION STATEMENTS

Here are a few different versions for your consideration. (Note that these are drafts and merely to get us moving in the right direction.)

Version #1. (This version encapsulates the points above, presenting them in an active, aspirational manner, without getting too casual/edgy.)

Our vision is to work with First Nations to preserve and protect the unique marine and land environments of the Trust Area, keeping them pristine for current and future generations. We're committed to the long-term sustainability of our communities, and to developing innovative solutions that ensure businesses and residents thrive in harmony with their environment.

Version #2. (This version plays more on the wording in the graphic statement, with a lively feel and the use of fragments, instead of full sentences.)

At Islands Trust, we have a vision: to preserve and protect the islands of the Trust Area. To create healthy, resilient communities, where innovative planning, affordable housing and environmental stewardship go hand in hand. To work in close alignment with First Nations, and remain true to ecological and cultural values. To ensure both current and future generations prosper and grow, while maintaining respect for the fragility of our natural environment.

Version #3. (This is short, sweet, and to the point. With Vision Statements, shorter is better!)

Our vision is to preserve and protect our unique marine and land environments in joint management with First Nations, and to ensure the long-term sustainability of island communities and businesses.

Version #4. (This is another version for consideration. Instead of making it aspirational, it's more of a statement about Islands Trust.)

We maintain the unique and special character of the Trust Area, protecting and preserving both the marine and land environments. Our communities are at the heart of our efforts: we work in alignment with First Nations, residents and businesses to ensure a quality of life in harmony with our natural surroundings.

General

Planning Services staffing transition during 2023/24 second quarter include:

- Northern Office: Co-op Planner term completed, Island Planner on parental leave, new temporary Planner 2, vacancy: 1.4 FTE Island Planner
- Salt Spring Office: new Planner 1, New Planning Team Assistant, New Office Administrative Assistant
- Victoria Office: new temporary Planning Technician; new Planner 1;
- Bylaw Compliance and Enforcement: Planning Services Administrative Assistant position now vacant – hiring competition currently in process

Operational Projects

Ombudsperson Administrative Fairness Review of Bylaw Compliance and Enforcement

The Office of the Ombudsperson has completed their comprehensive review of bylaw compliance and enforcement policies and procedures. The review provides feedback and suggestions on ways in which administrative fairness may be enhanced. The review will be presented to Trust Council during the September 2023 Trust Council meeting.

Local Government Development Approvals Program

CityView servers and software have been fully deployed to replace the existing Trust Area Property Information System. A stakeholder kickoff meeting was held in March 2023. Extensive process mapping and database analysis has been largely completed as of September 1, 2023. Currently Cityview is building the software as per mapping and analysis. Next steps are validation (an extensive and exhaustive testing of the new software), followed by User Acceptance Training, End User Training, and finally, going live. The project managers for both the Islands Trust and Cityview have both taken new positions causing a delay in the project. UBCM (the funders) have confirmed that the completion deadline may be extended to January 15, 2024 although staff are seeking a further extension to February 29, 2024 to allow more time for product testing, to account for seasonal vacations, and to ensure proper change management.

Planning Services Renewal

The Islands Trust is in the process of reviewing its administrative support service function and addressed a number of outstanding issues, including:

- Administrative staff who do similar work report to a number of different managers throughout the organization

- Administrative processes for similar work may differ between the three Islands Trust offices
- Administrative staff are increasingly available to work from home while some tasks remain office centric
- Standard operating procedures for regular administrative tasks have not been kept up to date and are not used
- Trust Council approved funding for two new administrative positions (one permanent and one temporary) and there is a desire to ensure that they are incorporated appropriately in the structure of the organization. These positions have been submitted to the Public Service Agency for approval
- Trust Council approved funding for two planning service administrative position reclassifications. These reclassifications have been submitted to the Public Service Agency for approval.

Salt Spring Office Relocation

The Salt Spring Island Office has been given notice that the office lease will be terminated effective July 2024. Staff are currently reviewing options and developing a timeline for the required relocation of staff and equipment.

Regional Planning

Regional Planning Committee (RPC)

The RPC held an electronic special meeting on July 27, 2023 to review and edit the draft Housing Options Toolkit (see [July 27, 2023 agenda](#) for details).

The RPC held an electronic regular business meeting September 6, 2023. At that meeting RPC considered several items related to strengthening housing affordability throughout the Islands Trust area. Items included a briefing that scanned recent and current activities addressing housing, a Housing Needs Gaps Analysis produced by Urban Matters, and a draft Housing Strategy. The RPC provided feedback on the draft Housing Strategy and requested that the Housing Strategy and Housing Options Toolkit come together in a complete first draft for the November 2023 regular business meeting.

The RPC considered three business cases but only supported forwarding the following two to the Financial Planning Committee: 1) advancing and implementing a Housing Strategy and Housing Options Toolkit, and 2) updating Housing Needs Reports for all local trust areas except Salt Spring Island and Bowen Island Municipality. The RPC also recommended, via [draft] resolution,

“that the Executive Committee include the financial support for completing the Housing Needs Assessments in the Trust Area within the strategic request for funds from the Province.”

The RPC declined to forward a business case seeking funding to complete eelgrass mapping and instead asked for a terms of reference for potential grant funding and to explore partnership opportunities.

The RPC appointed Trustees (Chair) Patrick and Elliott to the joint working group with Trust Programs Committee to: 1) review the goals and targets of the Kunming-Montreal Global Biodiversity Framework, and, 2) report on how Islands Trust could best incorporate and contribute to these.

The RPC also reviewed a briefing summarizing the recommendations of the 2022 Governance Review - Annex 1 – specific to Planning Services. No resolutions were carried.

Freshwater Sustainability

RPC continues to support implementation of the Freshwater Sustainability Strategy which itself is a component of the Islands Trust Council's 2018-2022 Strategic Plan. A Freshwater Technologist coop student has been hired and is assisting the Senior Freshwater Specialist to undertake coordination activities relating to education of staff, trustees, and public with respect to mapping, data management, and other strategy deliverables.

Local Trust Committee (LTC) Project Management

In 2022, the Islands Trust Council adopted amended policies (5.9.1; 6.2.1; and 6.7.1) to support the systematic update of Official Community Plans and Land Use Bylaws on a regular basis, support co-ordination of Local Trust Committee (LTC) projects with regional initiatives, support realistic expectations for volume and timing of project completion, and promote the fair, efficient and equitable allocation of staff and financial resources for major LTC projects. The policies are steadily being implemented and applied as of April 2023. The current status of major and extraordinary LTC projects (projects over \$5,000) are listed in Table 1 below. The table includes RPC projects as they are managed by the Regional Planning Team who are generally the same team working on major LTC projects and current RPC projects have thus far assisted in advancing major LTC projects.

Table 1 Major and Extraordinary LTC Projects Approved by Trust Council

Local Trust Committee	Major or Extraordinary Project Name	Project Phase	Current Status
DE	Housing Review	Analysis & Consultation	On-going
GB	OCP/LUB	Initiated	On-going
GM	OCP/LUB Targeted Amendments	Consultation	On-going
HO	OCP Amendments	Consultation	On-going
SS	Ganges (Shiya'hwt/SYOWT) Village Area Plan	Analysis and Consultation	On-going
SS	OCP/LUB (CDF and Housing)	Analysis	On-going
RPC	Freshwater Sustainability Strategy Implementation	Analysis and Implementation	On-going
RPC	Suitable Land Analysis (mapping)	Analysis	On-going
RPC	Housing Needs Gaps Analysis	Complete	Complete
RPC	Housing Strategy Communications	Analysis	Pending

Minor Projects

As per Islands Trust Council adopted amended policies Local Trust Committees are permitted one active minor project. The exception is that the Salt Spring Island Local Trust Committee is permitted three active projects. The total funding available for all active minor projects is \$36,000.

Table 2 Minor Active Projects per Local Trust Committee

Local Trust Committee	Minor Active Project Name	Project Phase	Current Status
DE	Farming Regulations Review	Legislative	On-going
GB	Ecological Protection Zone	Legislative	On-going

GL	Groundwater	Legislative	On-going
GM	Keats Island Shoreline Protection Review	Legislative	On-going
HO	Community Heritage Register	Pre-Project	Pending
LA	OCP/LUB Review (targeted)	Analysis	On-going
MA	Minor LUB Amendments	Analysis	On-going
NP	Groundwater	Drafting	On-going
NP	LUB Review	Legislative	On-going
SA	LUB Amendment	Pre-Project	Pending
SP	LUB Amendment	Pre-Project	Pending
SS	Housing Action Program	Legislative	On-going
TH	LUB Amendment - Unzoned Marine Area	Pre-project	Pending

As evidenced by the “pending” status, various LTC’s are advancing new minor projects. These projects will maximize and optimize all available funding and resources.

Current Planning (applications, referrals, and enquiries)

Planning Services opened 134 new applications and referrals in the first quarter (Q1) of the 2023/24 fiscal year (Figure 1). The volume of new applications follows similar Q1 trends pre-COVID-19. It is unclear which direction applications will trend overall; however, land development generally has a cycle as observed in the graph below and includes a slow down in new applications being received over the late summer and fall months (Q2 and Q3). Figure 3 shows applications opened in Q2 broken down by type and Local Trust Area. For clarity, the numbers listed in both figures indicate new applications and do not show the total number of current applications open or in abeyance.

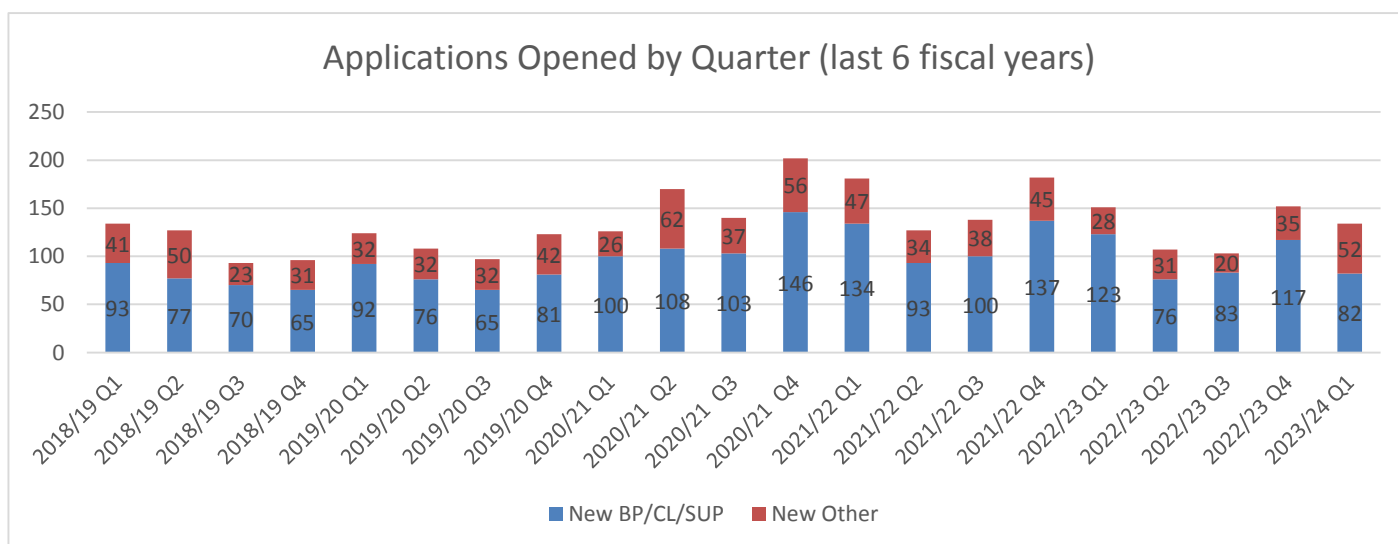


Figure 1 Applications Opened by Fiscal Quarter (last 6 fiscal years)

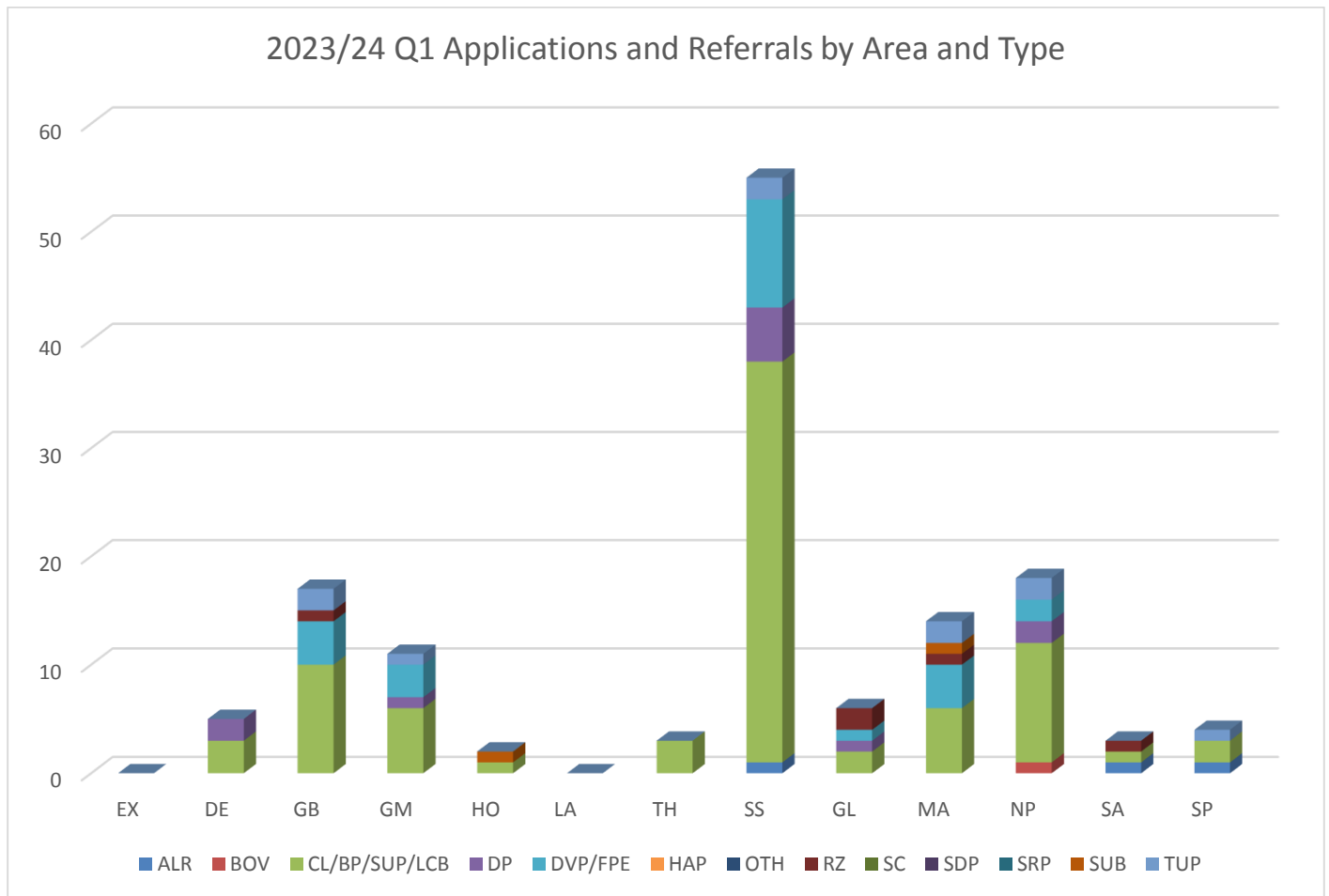


Figure 2 2022/24 Q1 Applications and Referrals by Area and Type



BRIEFING

To: Trust Council **For the Meeting of:** September 27, 2023

From: Warren Dingman, Bylaw Compliance and Enforcement Manager **Date Prepared:** September 5, 2023

SUBJECT: Bylaw Enforcement Statistical Reports

PURPOSE:

This report summarizes the number and type of bylaw enforcement files as of 01 September 2023, and a summary of Bylaw Violation Notices issued, penalties collected, and debt, and adjudication hearing outcomes.

BACKGROUND:

There were 652 open files at the end of the reporting period. Files for short-term vacation rentals (STVR) remain the most significant number at 206, and then 106 files for unlawful dwellings, followed by 104 files for siting contraventions. A complete review of all the STVR files on Salt Spring has been completed, and 40 plus files are ready to be closed as there is no evidence of unlawful use.

By region, there were 29 Bylaw Violation Notices (BVNs) issued for 8 files in the Northern Local Trust Areas (LTA), with three compliance agreements signed; 68 BVNs for 16 files in the Southern LTAs, and with no compliance agreements signed; and for Salt Spring, 94 BVNs issued for 27 files, and one compliance agreement was signed. A total of \$12,870 was collected in penalties and small claims actions have been filed for 7 files that have incurred a total debt of \$10,275 for unpaid BVNs over the past two years. A notice on title will be placed for any unpaid debts.

There were 3 adjudication hearings held during the reporting period, and one was cancelled, involving 9 separate files. There were 4 BVNs that were upheld, and 8 were cancelled. Adjudication hearings are scheduled for September, October and November to deal with outstanding disputes.

ATTACHMENT(S):

1. Bylaw Enforcement Tables and Charts:
 - a. Open Files
 - b. Closed files
 - c. New Files
 - d. Violation type
 - e. Length of time

Prepared By: Warren Dingman, Bylaw Compliance and Enforcement Manager

Reviewed By/Date: Stefan Cermak, Director of Planning Services

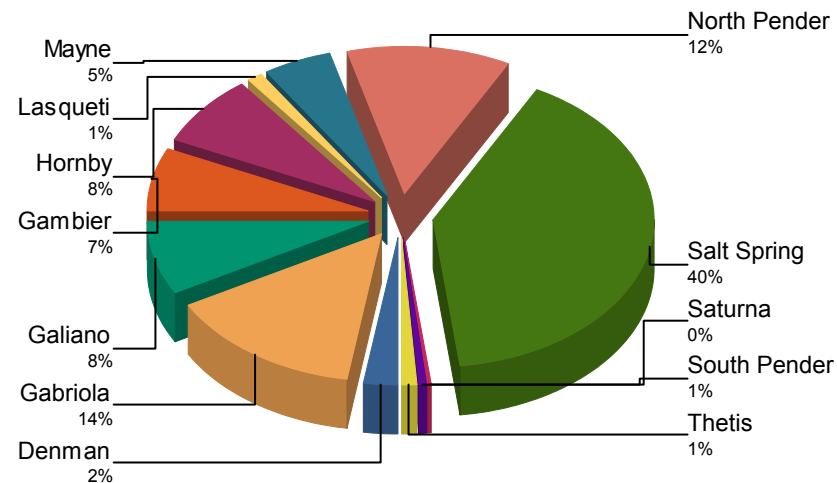


Bylaw Enforcement - Open Files as of September 01, 2023

Local Trust Area	2020		2021		2022		2023		2022 Q4		2023 Q1		2023 Q2		2023 Q3*	
	Open	%	Open	%	Open	%	Open	%	Open	%	Open	%	Open	%	Open	%
Denman	21	5%	22	4%	21	3%	16	2%	20	3%	15	2%	16	2%	16	2%
Gabriola	49	11%	84	15%	79	13%	94	14%	81	13%	90	14%	94	14%	94	14%
Galiano	51	12%	48	9%	51	8%	52	8%	44	7%	46	7%	52	8%	52	8%
Gambier	24	5%	23	4%	42	7%	46	7%	44	7%	46	7%	46	7%	46	7%
Hornby	32	7%	37	7%	41	7%	51	8%	42	7%	48	8%	51	8%	51	8%
Lasqueti	7	2%	7	1%	6	1%	6	1%	5	1%	5	1%	6	1%	6	1%
Mayne	20	5%	20	4%	26	4%	34	5%	25	4%	31	5%	34	5%	34	5%
North Pender	62	14%	70	13%	72	12%	78	12%	69	11%	75	12%	78	12%	79	12%
Saturna	4	1%	3	1%	2	0%	2	0%	2	0%	2	0%	2	0%	2	0%
South Pender	5	1%	6	1%	7	1%	4	1%	7	1%	3	0%	4	1%	4	1%
Salt Spring	158	36%	217	40%	251	41%	261	40%	260	43%	264	42%	261	40%	261	40%
Thetis	5	1%	6	1%	7	1%	7	1%	6	1%	6	1%	7	1%	7	1%
TOTAL	438	100%	543	100%	605	100%	651	100%	605	100%	631	100%	651	100%	652	100%

*2023 Q3 refers to the time that passed between the beginning of Q3 and September 01, 2023

Open Files in 2023

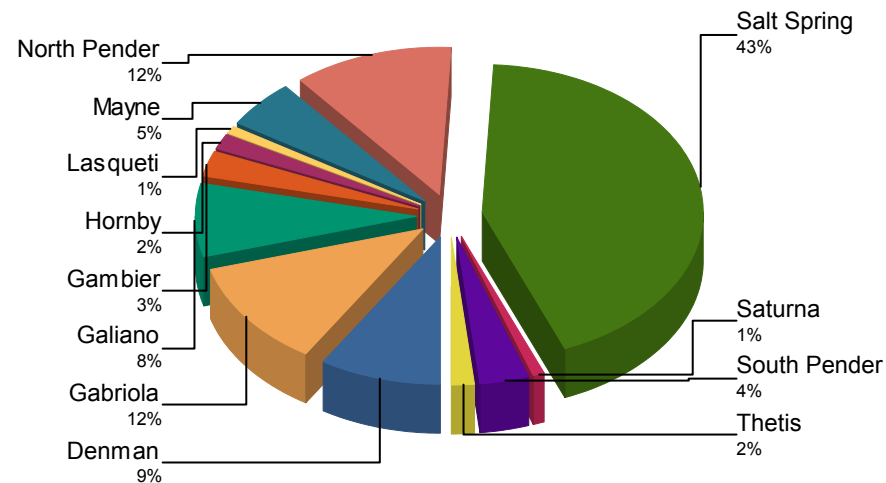


Bylaw Enforcement - Closed Files as of September 01, 2023

Local Trust Area	2020		2021		2022		2023		2022 Q4		2023 Q1		2023 Q2		2023 Q3*	
	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%
Denman	6	4%	10	5%	1	1%	10	9%	0	0%	7	14%	9	13%	0	0%
Gabriola	29	20%	27	12%	32	24%	13	12%	0	0%	1	2%	8	12%	6	30%
Galiano	14	9%	26	12%	9	7%	9	8%	7	20%	7	14%	2	3%	1	5%
Gambier	6	4%	9	4%	1	1%	3	3%	0	0%	0	0%	3	4%	0	0%
Hornby	11	7%	7	3%	3	2%	2	2%	0	0%	0	0%	2	3%	2	10%
Lasqueti	0	0%	1	0%	1	1%	1	1%	1	3%	1	2%	0	0%	0	0%
Mayne	4	3%	10	5%	7	5%	6	5%	2	6%	4	8%	3	4%	0	0%
North Pender	17	11%	12	5%	24	18%	13	12%	14	40%	8	16%	4	6%	2	10%
Saturna	5	3%	2	1%	2	2%	1	1%	0	0%	0	0%	1	1%	0	0%
South Pender	3	2%	2	1%	0	0%	4	4%	0	0%	0	0%	4	6%	0	0%
Salt Spring	50	34%	115	52%	51	39%	48	43%	11	31%	20	41%	32	46%	9	45%
Thetis	3	2%	1	0%	1	1%	2	2%	0	0%	1	2%	1	1%	0	0%
TOTAL	148	100%	222	100%	132	100%	112	100%	35	100%	49	100%	69	100%	20	100%

*2023 Q3 refers to the time that passed between the beginning of Q3 and September 01, 2023

Closed Files in 2023

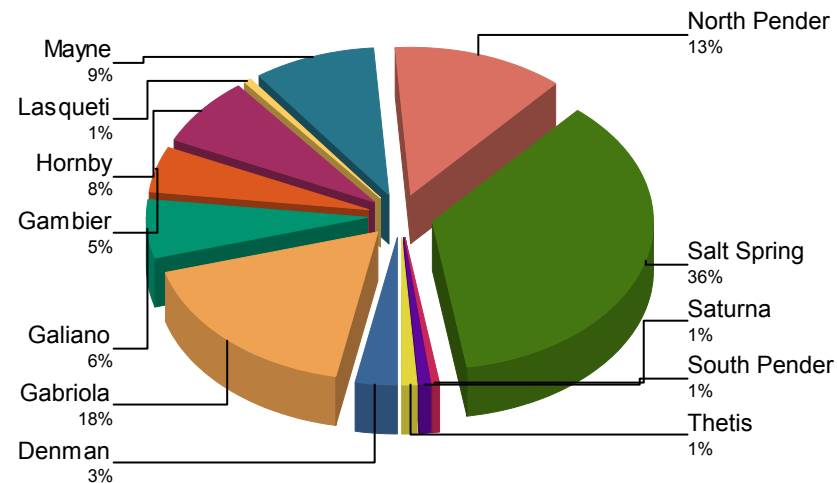


Bylaw Enforcement - New Files as of September 01, 2023

Local Trust Area	2020		2021		2022		2023		2022 Q4		2023 Q1		2023 Q2		2023 Q3*	
	New	%	New	%	New	%	New	%	New	%	New	%	New	%	New	%
Denman	12	5%	11	3%	0	0%	5	3%	0	0%	1	2%	4	4%	2	3%
Gabriola	46	18%	62	19%	27	14%	28	18%	2	4%	7	11%	23	24%	13	21%
Galiano	14	6%	23	7%	12	6%	10	6%	2	4%	2	3%	3	3%	7	11%
Gambier	10	4%	8	2%	20	10%	8	5%	10	22%	3	5%	3	3%	2	3%
Hornby	23	9%	12	4%	7	4%	12	8%	1	2%	3	5%	9	9%	4	7%
Lasqueti	1	0%	1	0%	0	0%	1	1%	0	0%	0	0%	1	1%	0	0%
Mayne	10	4%	10	3%	13	7%	14	9%	3	7%	9	14%	11	11%	2	3%
North Pender	38	15%	20	6%	26	13%	20	13%	5	11%	9	14%	10	10%	9	15%
Saturna	3	1%	1	0%	1	1%	1	1%	0	0%	0	0%	0	0%	1	2%
South Pender	7	3%	3	1%	1	1%	1	1%	1	2%	0	0%	1	1%	0	0%
Salt Spring	84	34%	176	53%	86	44%	58	36%	20	43%	30	47%	30	31%	20	33%
Thetis	1	0%	2	1%	2	1%	2	1%	2	4%	0	0%	1	1%	1	2%
TOTAL	249	100%	329	100%	195	100%	160	100%	46	100%	64	100%	96	100%	61	100%

*2023 Q3 refers to the time that passed between the beginning of Q3 and September 01, 2023

New Files in 2023

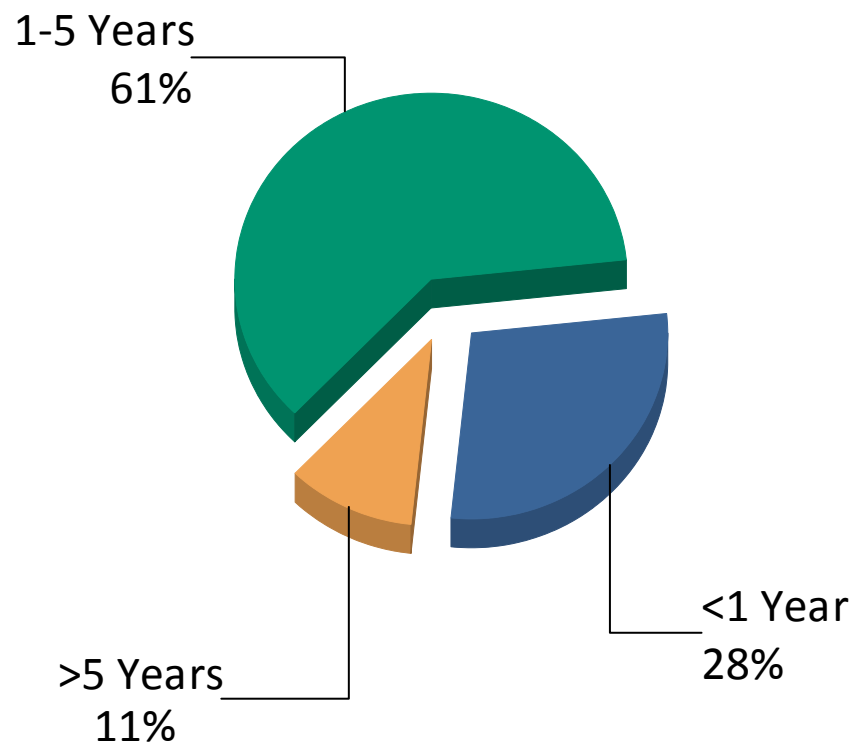


Bylaw Enforcement Open Files by ContraventionType as of September 01, 2023

	Contravention Type											
	LTC	Development Permit	Foreshore	Home Occupation	Siting	Soil Bylaw	STVR	Unenclosed Vehicle	Non-Permitted Dwelling	Density	Other Land Use	TOTALS
Denman	3	2	0	5		6	0	0	0	0	16	2%
Ballenas-Winchelsea	0	0	0	0		0	0	0	0	0	0	0%
Gabriola	5	4	1	17		18	15	23	0	11	94	14%
Galiano	10	0	0	12		13	0	9	1	7	52	8%
Gambier	3	5	2	31		1	1	1	0	2	46	7%
Hornby	1	0	3	11		15	0	11	1	9	51	8%
Lasqueti		0	0	0		0		1	1	4	6	1%
Mayne	0	1	1	5		9		4	0	11	34	5%
North Pender	15	3	4	2		14	15	18	0	8	79	12%
Salt Spring	27	3	6	18	7	129	3	37	2	29	261	40%
Saturna	0	0	0	0		0	0	1	0	1	2	0%
South Pender	0	0	0	1		0	1	0	0	2	4	1%
Thetis		1	0	2		1	0	1	0	2	7	1%
TOTAL	64	19	17	104	7	206	38	106	5	86	652	100%
Percentage	10%	3%	3%	16%	1%	32%	6%	16%	1%	13%	100%	

Local Trust Area	<1 Year	1-5 Years	>5 Years	Total
Denman	4	6	6	16
Ballenas-Winchelsea	0	0	0	0
Gabriola	28	62	4	94
Galiano	11	29	12	52
Gambier	16	23	7	46
Hornby	15	26	10	51
Lasqueti	1	3	2	6
Mayne	17	15	2	34
North Pender	23	51	5	79
Salt Spring	64	177	20	261
Saturna	1	1	0	2
South Pender	2	2	0	4
Thetis	3	3	1	7
TOTAL	185	398	69	652
Percentage %	28%	61%	11%	

Age of File



General

Trust Area Services (TAS) staff organized and supported one Trust Programs Committee (TPC) meeting, held in August. Staff also welcomed and oriented Robyn Kefi, Senior Indigenous Relations Specialist and Mary Storzer, A/Senior Policy Advisor. Staff also arranged for Mike Richards to take on a temporary assignment in the Program Coordinator role. Trust Area Services will be recruiting soon for the new Administrative Coordinator position, and for the permanent Senior Policy Advisor role.

Staff prepared a briefing to Trust Council regarding climate action.

Islands 2050 (Policy Statement Amendment) Project

In March, Trust Council adopted a project charter, approved project funding and received a communications strategy. Staff work on this project has faced delays due to staff vacancies. Staff have now completed a revised draft Policy Statement and have shared it with the eight First Nations that accepted capacity funding. As applicable, some First Nations also received a custom concordance table explaining how their comments on the last draft were or were not addressed. Staff will be meeting with First Nations through the fall to answer any questions. Following the process set out in the project charter approved by Trust Council, in early 2024 Trust Programs Committee/Executive Committee will receive the draft revised Policy Statement for review with:

- a Request for Decision recommending additional changes not yet requested by Trust Council,
- a summary of comments provided by First Nations about the draft
- a concordance table showing the changes between the July 2021 draft and the revised draft.

Trust Programs Committee and Executive Committee will then develop recommendations to Trust Council about further changes to the draft document, and for the amendment process, as required. Staff will recommend that Trust Council schedule a special meeting(s) to discuss the draft document, comments from First Nations and committee recommendations for changes.

Through the fall, staff will also be working with a communications contractor on communications products as set out in the communications strategy received by Trust Council in March 2023. Communication materials explaining the amendment process and the revised draft. These materials will make clear that Trust Council may consider the document a number of times and direct changes until Trust Council is comfortable giving approval in principle. In terms of public engagement on the draft document, Islands Trust will be in an inform stage until Trust Council has given approval in principle. The document will then be referred to local trust committees and Bowen Island Municipality for six months of consideration. These bodies may choose to undertake public engagement locally during this time to inform their referral responses.

Staff also prepared a business case for 2024/25 budget for the Policy Statement Amendment Project and updated the project charter to account for delays in the project due to staff vacancies.

Staff continue to monitor the Islands2050@islandstrust.bc.ca inbox and respond to enquiries, and update the Islands 2050 webpage as needed.

Stewardship Education Program

Staff mailed 422 Living in the Trust Area information packages to new residents.

At its August meeting, Trust Programs Committee approved a project charter for a speaker series with a focus on groundwater and wildfire preparedness. Trust Programs Committee also requested staff to ask trustees for suggestions on wildfire prevention webinar resources applicable to the Islands Trust Area.

Trust Programs Committee also reviewed a survey seeking feedback on potential topics for topics from Trust Area residents for further stewardship education webinars. Staff issued the survey and will provide the results to Trust Programs Committee in November. Staff also prepared a business case for the Stewardship Education Program in 2024/25 which was approved by Trust Programs Committee.

Advocacy/Coordination

No advocacy letters have been sent since the Trust Council meeting in June.

Delegation Letters

One thank-you letter was prepared for the Chair and sent to a group who made a presentation to the March 2023 Trust Council Meeting. Staff also provided a briefing to Executive Committee regarding how some local governments thank delegates after meetings.

Reconciliation Program

Staff oriented the new Senior Indigenous Relations Specialist to the role – this is ongoing.

Staff also coordinated the drafting and sending of 26 letters to First Nations to advise them of the outcomes of the election, current projects, and to invite meetings. This was a significant project involving staff in both Trust Area Services, Planning Services and the Executive Office. Staff will be working on letters to Indigenous-led non-profit societies on the islands. Once responses are received Trust Area Services staff will assist with meeting/event coordination and preparation.

Trust Area Services staff provided advice and support to staff and trustees who had meetings or correspondence with First Nations. Staff are providing support to regional planners on the First Nations relationship building components of their major and minor projects. Staff are liaising with provincial staff and other local government staff to support the development of the Reconciliation program. Staff undertook a project with contracted administrative support to organize the electronic records related to First Nations relations.

- Reviewed, sifted and culled 2500+ related documents
- Created user friendly mock-up file structure for First Nations related records
- Organized and filed remaining documents into the mock-up structure and appropriate locations in the electronic directory
- Read through past e-mails flagging important information

- Created Core Interest and Concern log for each First Nation in the Islands Trust Area and populated with flagged important information
- Currently merging First Nation contact database spreadsheets into one central spreadsheet for staff before contents are transferred to new database software.

This project is the basis for integrating First Nations communications record keeping and First Nations core concerns and interests tracking into the work of planners and Conservancy staff. Staff are initiating discussions with planning staff on this integration.

Staff e-mailed trustees to initiate the Reconciliation Learning Group.

Staff are working on communications for National Day for Truth and Reconciliation.

Staff developed a Request for Decision to Trust Council for appointments to the Snaw-naw-as First Nation/Islands Trust working group.

Staff are developing a budget for operational needs for reconciliation-related activities and needs for 2024/25 and considering recommendations for use of the \$150,000 grant from the province for engagement and protocol agreement development.

Legislative Monitoring

Staff monitored multiple sources for updates and new items since the May 2023 report. Staff provided time-sensitive items to the Executive Committee or senior staff. Staff prepared the legislative monitoring report for Trust Council review in September.

Secretariat Services

At its August 2023 meeting, Trust Programs Committee voted to allocate \$2,600 to the Coastal Douglas-fir Conservation Partnership. Staff issued this contract. Staff also prepared a business case for the Secretariat Services program in 2024/25 which was approved by Trust Programs Committee.

Grants Management

During this reporting period the Grants Program Manager supported planning staff with applications for the Canada Mortgage and Housing (CMHC)'s Housing Accelerator Fund and the Complete Communities Fund for Salt Spring Island LTC. Support was also provided for CMHC Housing Accelerator Fund applications for Mayne Island and Denman Island LTCs.

Staff also monitored grant funded projects. These includes grants to Islands Trust and to associated groups/agencies that are underway. Currently these include: the Local Government Development Application Program Grant - \$367,795; Make Way Canada Grant - Xetthecum Eco-cultural Mapping Project – Flow through funding - \$38,000; Sunshine Coast Regional District Project - Coastal Flood Mapping Grant - \$510,000.

Staff also prepared a report to the Local Government Climate Action Program for 2022.

Communications/Engagement

Staff are developing a budget for operational needs for communication-related activities and needs for 2024/25.

Communications Strategy

Staff drafted an Islands Trust communications strategy for Executive Committee review.

Islands Trust 50th anniversary

Staff drafted an Islands Trust briefing for Executive Committee review.

Annual Report

The Annual Report content was approved at the Trust Council meeting in June. The graphic design work is almost complete and final proofing is underway. The graphic designer will complete changes in early September and it will be provided to the Minister and broadly distributed once Trust Council approves the financial statements.

Property Tax Notice Insert

The 2022 property tax insert was approved by the Executive Committee and submitted to the Province of BC by the April 1 deadline. Residents received these notices in June. Staff did not receive any comments or questions from the public.

Website

Staff maintained the website and contracted improvements to the document library to improve retrieval of documents. Staff have completed a new webpage to address inaccuracies and provide clarification to island residents - this page is new and more topics need to be included as they arise.

Webpages are being worked on a consistent basis to update data, improve readability and conciseness.

Staff provided comments to Trust Programs Committee about further feedback about biology-related language on the website and publications posted to the website.

Media relations

Staff continued media relations, contact journalists with corrections or clarifications, and continue to build the media contacts list.

Social media posting

Staff have continued posting to social media. A consistent posting schedule has been underway since March 2023, with a planned schedule of two posts per week, or more as necessary. Facebook followers have increased to a total of 800 followers, up from 781, while X (previously known as Twitter) has 1176 followers, down from 1178. X followers continue to decrease as the platform undergoes significant changes. The effects of Bill C-18 on social media engagement will be monitored and strategies adjusted, if necessary.

As of March 8, Islands Trust is active on LinkedIn and Instagram. While these platforms are still in the early stages with small follower numbers, the growth has been excellent. To date, Instagram has 129 followers, up from 99 followers, and LinkedIn has 138 followers, up from 125. A Linktree account has been created to support linking to the Islands Trust website from Instagram. New content on the data from Stats Canada will be going out from September.

Identity Guide

Staff finalized an Islands Trust identity guide for staff to guide the writing and production of publications to ensure a consistent Islands Trust identity within the organization and in public. The guide has been rolled out within the organization.

Support for Planning Services

Staff provided communications assisted with social media for the Salt Spring Island Local Trust Committee engagements, the Keats Shoreline Project, and Islands Trust Northern Office notices. Staff also provided website presence updates for projects.

Media clippings service

Staff continue to monitor media sources and provide a summary of Trust-relevant news stories to trustees. While staff aim to provide updates twice a week, this service is provided on a time-available basis. At the request of Bowen Island Municipality, staff are now providing public media articles in the clippings service to Bowen Island Municipal Council as a briefing.

Census data infographics

Staff received Census data from Statistics Canada along with associated infographics for each local trust area/Bowen Island Municipality/Islands Trust Area that show trends over time, and distribution to Trust bodies for their information is underway. The data has been posted to the Trends Monitoring page of the website, and will be shared via social media from September to December. If the content proves to be interesting to the public, the series may continue on. Staff also sought an additional metric from Statistics Canada.

Engagement

No public engagement in this period. Staff prepared a Request for Decision for Financial Planning Committee regarding public engagement on the draft 2024/25 budget. Financial Planning Committee voted to not proceed with public engagement this year.

Meetings with Trustees

Throughout the summer, the Communication Specialist and Program Coordinator engaged in meetings, both virtually and in person, with a total of 23 trustees. These meetings were conducted to foster connections, gain insights into how staff can enhance support for trustees' communication endeavors, and solicit feedback on areas where trustees believe staff can improve Trust Area wide communications. Trustees were also provided with information about existing resources designed to simplify and support communication efforts.

News Releases

One Community Information Notice and two news releases were distributed over the past quarter:

- August 2023 – Islands Trust Releases Legal Opinion About Emergency Options for Thetis Island Property that Poses Fire Risk (Community Information Notice for Thetis Island)
- August 2023 - BC Supreme Court Upholds Galiano Land Use Bylaw
- August 2023 - September Islands Trust Council Meeting Program Announced

COMPLETED SINCE LAST REPORT (July – September 2023)	PLANNED FOR NEXT QUARTER (October – December 2023)
1. STRATEGIC PLANNING/ADMINISTRATION	
Continued to assist Information Systems Team to transition to CityView application Welcomed and provided orientation to new Board members (Lisa Gauvreau and Charles Kahn) Hosted ITC Board / Executive Committee liaison meeting Completed ITC Audit Completed Progress Report for Work Plan #1 of ITC's Regional Conservation Plan 2018-2027	Recruit for Strategic Fund Development Specialist and Species at Risk Program Coordinator Develop internal processes to comply with new reserved practice for biology Participate in Contact Relationship Management software and CityView application transitions Complete Work Plan #2 (2024 – 2027) for ITC's Regional Conservation Plan 2018-2027 Complete Year 3 SAR Program Report for the Board
2. COVENANT AND PROPERTY ACQUISITIONS	
Responded to enquiries (Bowen, N. Pender & Salt Spring) Accepted transfer of 3.4 ha to create Larmour Lands Nature Reserve (Salt Spring) Registered covenant on Sandy Beach Nature Reserve (Keats); expanded covenants at Brooks Point and Nighthawk Hill NAPTEP (Penders) Conducted First Nations referrals for NAPTEP applications (Gabriola and Salt Spring)	Continue negotiations on 42 ha of land Complete land transfer to add to new Nature Reserve (Salt Spring)
3. COVENANT AND PROPERTY MANAGEMENT	
Management planning and First Nations engagement ongoing for two nature reserves (Link and Saturnina Islands) Conducted monitoring of 66 covenants and completed monitoring of all 33 nature reserves Launched 2-year multi-Species at Risk (SAR) survey and monitoring project (Lasqueti) Launched 4th year of Sharp-tailed Snake monitoring project on five ITC lands	Develop work plan to complete archeological assessments (Link and Saturnina islands) Complete annual monitoring of covenants Initiate SAR surveys on Lasqueti nature reserves Update species and ecosystems at risk data for internal use by planning and ITC staff Continue multi-species at risk survey and monitoring project (Lasqueti) Continue Sharp-tailed Snake monitoring project

As of September 2023 the Islands Trust Conservancy protects 113 conservation properties, 34 nature reserves and 79 covenants (of which 28 have NAPTEP certificates)



ISLANDS TRUST CONSERVANCY REPORT TO TRUST COUNCIL 2nd Quarter 2023-2024

3. COVENANT AND PROPERTY MANAGEMENT (Cont.)	
Continued Western Screech Owl surveys and wildlife tree inventory (Link Island and Thetis) Invasive plant removal in six covenants (North Pender, Salt Spring, Sidney) Nature reserve management: Restoration maintenance (Denman, Salt Spring, Lasqueti, Mayne); Invasive plant management (Denman, Gabriola, Link and Saturnina islands) Continued monitoring and site maintenance in the pollinator meadow restoration area at Mt. Tuam Protected Area covenant (Salt Spring) Conducted invasive species management and beach cleanups in one covenant (North Pender Local Trust Area) Conducted bullfrog population control in one covenant (Sidney Island)	Work with partners to finalize one management plan (Salt Spring) Continue monitoring bat species on ITC properties Initiate prairie oak (Garry oak) habitat restoration in one covenant (Sidney Island) Resume yellow flag iris control in one covenant (Gabriola) Continue participation in the Sidney Island Ecological Restoration Project and the Capital Region Invasive Species Partnership Complete site prep for two restoration projects (Salt Spring & Sidney Islands)
4. COMMUNICATIONS AND OUTREACH	
Released a Summer edition of the Heron Newsletter and eNews Developed Draft ITC 2022/23 Annual Report Completed Species at Risk Speaker Series Issued Livingstone NAPTEP Covenant News Release Initiated production for video to tell the story of Sidney Island's conservation covenants	Release Fall edition of the Heron and eNews Ongoing social media management Launch of the 2023/2024 Will Power Campaign Complete production of a short video on the topic Sidney Island's conservation covenants
5. FUNDRAISING AND CONSERVANCY SUPPORT	
Stewardship of donors and advisors (ongoing) Presented Legacy Giving Workshop (Lasqueti) Attended Reginald Hill celebration as a contributor through the Opportunity Fund (Salt Spring) Hosted small celebration for Livingstone Forest NAPTEP covenant donor and a community celebration to open the Sandy Beach Nature Reserve (Keats)	Complete Tempest estate administration Launch National Willpower Campaign Ongoing stewardship of donors and advisors Report to Western Screech Owl research donor on impact/results of generosity Present Legacy Giving Workshop on Salt Spring Island with Salt Spring Island Conservancy

As of September 2023 the Islands Trust Conservancy protects 113 conservation properties, 34 nature reserves and 79 covenants (of which 28 have NAPTEP certificates)

BRIEFING

To: Trust Council **For the Meeting of:** September 26, 2023
From: Islands Trust Conservancy Board **Date Prepared:** September 5, 2023
SUBJECT: March 31, 2023 Audited Financial Statements of the Islands Trust Conservancy

PURPOSE: The audited financial statements and audit findings report of the Islands Trust Conservancy (ITC) for the year ended March 31, 2023 were reviewed with the appointed auditors, KPMG LLP, and approved by the Islands Trust Conservancy Board at their August 29, 2023 Special Meeting and are being provided to Trust Council for information.

BACKGROUND: The *Islands Trust Act* Section 46 requires Islands Trust Conservancy to prepare and submit to Trust Council a report respecting the previous fiscal year that includes an audited balance sheet, a statement of receipts and expenditures, a report of the operations of the ITC and the management of the assets of the funds, and a schedule of all assets held in trust, with their valuation.

Of note for the 2022/23 fiscal year, the financial statements recognize the following:

- Receipt of land (Link Island Nature Reserve) valued at \$1,208,000;
- Issuance of grants in the amount of \$101,001, including \$96,386 in [Opportunity Fund](#) Grants to conservation agencies for land conservation initiatives in the Islands Trust Area; and,
- Effective April 1, 2022 the ITC adopted the new accounting standard related to Asset Retirement Obligations as required by Public Sector Accounting Standards. This new standard requires the ITC to include an estimate for legal obligations associated with retiring owned and leased capital assets. For ITC, this includes the Ruby Alton house and the personal use structures on Link Island. Implementation of this new standard has resulted in the recognition of an Asset Retirement liability of \$84,882 to address the estimated obligation for both assets. This amount have been expensed in the restricted fund, reducing the fund balance at year-end.

ATTACHMENT(S):

1. Audited Financial Statements of the Islands Trust Conservancy for the Year Ended March 31, 2023

FOLLOW-UP: The March 31, 2023 audited Financial Statements of the Islands Trust Conservancy will be posted to the website at <https://islandstrust.bc.ca/about-us/accountability/finance/> and included in the annual report submitted to the Minister.

Prepared By: Kate Emmings, Manager, Islands Trust Conservancy
Reviewed By/Date: Clare Frater, Director of Trust Area Services / September 6, 2023
Russ Hotsenpiller, CAO / September 6, 2023
Executive Committee / September 13, 2023

Financial Statements of

**THE ISLANDS TRUST
CONSERVANCY**

Year ended March 31, 2023

INDEPENDENT AUDITOR'S REPORT

To the Trustees of The Islands Trust Conservancy Board, the Trustees of Islands Trust and the Minister of Municipal Affairs

Opinion

We have audited the financial statements of the Islands Trust Conservancy (the Entity) which comprise:

- the statement of financial position as at March 31, 2023
- the statement of operations for the year then ended
- the statement of changes in fund balances for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(hereinafter referred to as the “financial statements”).

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Entity as at March 31, 2023, and its results of operations, its changes in fund balances and cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the “***Auditor’s Responsibilities for the Audit of the Financial Statements***” section of our auditor’s report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Entity's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Entity or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Entity's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Entity's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Entity's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause the Entity to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants

Victoria, Canada

_____, 2023

THE ISLANDS TRUST CONSERVANCY

Statement of Financial Position

March 31, 2023, with comparative information for 2022

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2023 Total	2022 Total
(Schedule 1)						
Assets:						
Current assets:						
Cash	\$ 144,281	\$ 212,875	\$ -	\$ -	\$ 357,156	\$ 294,711
Short-term investments (note 2)	-	178,950	-	88,000	266,950	269,633
Grants receivable	-	23,850	-	-	23,850	31,950
	144,281	415,675	-	88,000	647,956	596,294
Investments (note 3)	-	172,249	-	-	172,249	167,750
Land (notes 5 and 7)	-	-	15,345,100	3,076,601	18,421,701	17,213,701
	\$ 144,281	\$ 587,924	\$ 15,345,100	\$ 3,164,601	\$ 19,241,906	\$ 17,977,745
Liabilities:						
Current liabilities:						
Deferred contributions	\$ 45,049	\$ -	\$ -	\$ -	\$ 45,049	\$ -
Grants payable	14,350	4,615	-	-	18,965	-
Due to Islands Trust	-	71,061	-	-	71,061	88,174
	59,399	75,676	-	-	135,075	88,174
Asset retirement obligations (note 4)	-	80,708	-	-	80,708	-
Fund Balances:						
Unrestricted	84,882	-	-	-	84,882	114,230
Investment in land (note 5)	-	-	15,345,100	-	15,345,100	14,137,100
Internally restricted (note 6)	-	31,562	-	-	31,562	32,043
Externally restricted (note 6)	-	399,978	-	-	399,978	441,597
Restricted for endowment purposes (note 7)	-	-	-	3,164,601	3,164,601	3,164,601
	84,882	431,540	15,345,100	3,164,601	19,026,123	17,889,571
Subsequent event (note 11)						
	\$ 144,281	\$ 587,924	\$ 15,345,100	\$ 3,164,601	\$ 19,241,906	\$ 17,977,745

The accompanying notes are an integral part of these financial statements.

Approved by the Islands Trust Conservancy Board:

Board member

Board member

DRAFT - September 7, 2023

THE ISLANDS TRUST CONSERVANCY

Statement of Operations

Year ended March 31, 2023, with comparative information for 2022

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2023 Total	2022 Total
(Schedule 2)						
Revenue:						
Donations:						
Cash	\$ 61,258	\$ 39,148	\$ -	\$ -	\$ 100,406	\$ 107,547
Land	-	-	1,208,000	-	1,208,000	-
Grants	-	245,529	-	-	245,529	280,704
Rental income	-	10,507	-	-	10,507	10,455
Investment income (loss)	5,895	4,310	-	-	10,205	(6,337)
	67,153	299,494	1,208,000	-	1,574,647	392,369
Expenses:						
Repairs and maintenance - Alton property	-	16,482	-	-	16,482	21,788
Property management	-	1,260	-	-	1,260	4,880
Asset retirement cost (note 4)	-	79,483	-	-	79,483	-
Accretion expense	-	1,226	-	-	1,226	-
Bank charges	115	28	-	-	143	132
Grants to external parties	96,386	4,615	-	-	101,001	22,000
Species at Risk	-	238,500	-	-	238,500	242,500
Conservation Stimulus	-	-	-	-	-	38,500
	96,501	341,594	-	-	438,095	329,800
Excess (deficiency) of revenue over expenses	\$ (29,348)	\$ (42,100)	\$ 1,208,000	\$ -	\$ 1,136,552	\$ 62,569

The accompanying notes are an integral part of these financial statements.

THE ISLANDS TRUST CONSERVANCY

Statement of Changes in Fund Balances

Year ended March 31, 2023, with comparative information for 2022

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	Total
Fund balances, March 31, 2021	\$ 15,754	\$ 509,547	\$ 10,327,169	\$ 6,974,532	\$ 17,827,002
Excess (deficiency) of revenue over expenses	98,476	(35,907)	-	-	62,569
Interfund transfer (note 9)	-	-	3,809,931	(3,809,931)	-
Fund balances, March 31, 2022	114,230	473,640	14,137,100	3,164,601	17,889,571
Excess (deficiency) of revenue over expenses	(29,348)	(42,100)	1,208,000	-	1,136,552
Fund balances, March 31, 2023	\$ 84,882	\$ 431,540	\$ 15,345,100	\$ 3,164,601	\$ 19,026,123

The accompanying notes are an integral part of these financial statements.

THE ISLANDS TRUST CONSERVANCY

Statement of Cash Flows

Year ended March 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operating activities:		
Excess of revenue over expenses	\$ 1,136,552	\$ 62,569
Item not involving cash:		
Donation of land	(1,208,000)	-
Accretion	1,226	-
Asset Retirement Obligations	42,774	-
Changes in non-cash operating working capital:		
Grants payable	18,965	-
Grants receivable	8,100	21,550
Due to Islands Trust	(17,113)	6,576
Deferred contributions	45,049	-
	27,552	90,695
Capital activities:		
Cash received for settlement of asset retirement obligation	36,708	-
Investing activities:		
Decrease in short-term investments	2,683	7,592
Decrease in long-term investments	162,501	-
Purchase of investments	(167,000)	(167,750)
	(1,816)	(160,158)
Increase (decrease) in cash	62,445	(69,463)
Cash, beginning of year	294,711	364,174
Cash, end of year	\$ 357,156	\$ 294,711

The accompanying notes are an integral part of these financial statements.

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

The Islands Trust Conservancy (the “Trust Conservancy”) is incorporated under The Islands Trust Act of British Columbia and is empowered to accept donations, grants and bequests on behalf of The Islands Trust and to hold land and other property in compliance with a Trust Conservancy plan approved by the Ministry of Municipal Affairs.

The Islands Trust Council (the “Trust”) is also incorporated under The Islands Trust Act of British Columbia. The objectives of the Trust are to preserve and protect the Trust area and its unique amenities and environment for the benefit of the residents of the Trust area and of the Province generally.

The Trust Conservancy is administered by the Trust and for financial reporting purposes, the Trust and the Trust Conservancy are reported on separately. The Trust Conservancy’s annual expenses are funded by and reported as part of the Trust in accordance with The Islands Trust Act. These financial statements present the financial position and changes in fund balances of the Trust Conservancy.

1. Significant accounting policies:

The financial statements have been prepared in accordance with Canadian Public Sector Accounting Standards including the 4200 standards for government not-for-profit organizations:

(a) Fund accounting:

The Trust Conservancy follows the restricted fund method of accounting for contributions.

The Opportunity Fund reports unrestricted resources.

The Restricted Fund reports the assets, liabilities, revenue and expenses related to internally and externally restricted assets.

The Capital Fund reports the assets, liabilities, revenue and expenses related to the Trust Conservancy’s capital assets.

The Endowment Fund reports resources that are contributed for endowment purposes.

(b) Financial instruments:

Financial instruments are recorded at fair value on initial recognition. Derivative instruments and equity instruments that are quoted in an active market are reported at fair value. All other financial instruments are subsequently recorded at cost or amortized cost unless management has elected to carry the instruments at fair value. Management has elected to record short-term investments at fair value as they are managed and evaluated on a fair value basis. Investments in guaranteed investment certificates are recorded at amortized cost.

Unrealized changes in fair value are recognized in the statement of remeasurement gains and losses until they are realized, when they are transferred to the statement of operations.

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(b) Financial instruments (continued):

Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the straight-line method.

All financial assets are assessed for impairment on an annual basis. When a decline is determined to be other than temporary, the amount of the loss is reported in the statement of operations and any unrealized gain is adjusted through the statement of remeasurement gains and losses. When the asset is sold, the unrealized gains and losses previously recognized in the statement of remeasurement gains and losses are reversed and recognized in the statement of operations. During the years presented, there are no unrealized gains and losses, and as a result, no statement of remeasurement gains and losses has been included in these financial statements. Short-term investments held by the Trust Conservancy are classified as Level 2 investments for fair value measurement and there were no changes in classification in the years presented.

(c) Land:

Purchased land is recorded at cost. Contributed land is recorded at estimated fair value at the date of contribution.

(d) Revenue recognition:

Restricted contributions are recorded as revenue of the appropriate restricted fund when received or receivable, if the amount can be reasonably estimated and collection is reasonably assured.

Unrestricted contributions are recorded as revenue of the Opportunity Fund in the year received or receivable if the amount can be reasonably estimated and collection is reasonably assured. Restricted contributions for which there is no restricted fund are recognized as revenue of the Opportunity Fund in the period in which related expenses are incurred.

Contributions for endowment are recorded as revenue in the Endowment Fund balance.

Interest income earned on Endowment Fund resources is restricted for the purpose of maintaining certain specified property and is recorded in the Restricted Fund. Interest income of internally restricted funds is recorded as revenue of the Restricted Fund. Other interest income is recorded as revenue of the Opportunity Fund when earned.

All other forms of income are recorded as revenue of the Opportunity Fund when received or receivable.

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(e) Liability for contaminated sites:

A liability for contaminated sites is recognized when a site is not in productive use and the following criteria are met:

- (i) an environmental standard exists;
- (ii) contamination exceeds the environmental standard;
- (iii) the Trust Conservancy is directly responsible or accepts responsibility;
- (iv) it is expected that future economic benefits will be given up; and
- (v) a reasonable estimate of the amount can be made.

The liability is recognized as management's estimate of the cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

(f) Asset retirement obligations:

An asset retirement obligation is recognized when, as at the financial reporting date, all of the following criteria are met:

- (i) There is a legal obligation to incur retirement costs in relation to a tangible capital asset;
- (ii) The past transaction or event giving rise to the liability has occurred;
- (iii) It is expected that future economic benefits will be given up; and
- (iv) A reasonable estimate of the amount can be made.

The liability for the removal of asbestos and other hazardous materials in the Ruby Alton house owned by the Trust Conservancy has been recognized based on estimated expenses on remediation or demolition of the structure. The liability for costs to remove rustic structures on Link Island has been recognized based on contributed funds received for the purposes of future removal of the structures.

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(g) Natural assets:

The Trust Conservancy is fortunate to have, and to be mandated to protect, many natural assets in the Island Trust Area that reduce the need for engineered infrastructure that might otherwise be required by other government agencies to provide various services to the islands. This includes island aquifers (water storage and filtration); streams, ditches and wetlands (rain water management); forests (carbon sequestration); and foreshore areas (natural seawalls). Canadian public sector accounting standards do not provide for the valuation and recording of such assets in the financial statements. As such, these natural assets are not reported in these financial statements. Nevertheless, the Conservancy acknowledges the importance of these assets and the need to manage them in conjunction with engineered infrastructure that is managed by other government agencies.

(h) Use of estimates:

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions which affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenditures during the period. Estimates include assumptions used in estimating the fair value of contributed land at the date of contribution and asset retirement obligations. Actual results could differ from those estimates.

(i) Change in accounting policy:

On April 1, 2022 the Trust Conservancy adopted Canadian public sector accounting standard PS 3280 *Asset Retirement Obligations*. The new accounting standard addresses the reporting of legal obligations associated with the retirement of certain tangible capital assets, such as asbestos removal in retired buildings by public sector entities. The standard was adopted on a prospective basis at the date of adoption resulting in no changes to accumulated surplus or annual surplus for comparative years presented.

On April 1, 2022 the Trust Conservancy recognized an asset retirement obligation related to a building containing asbestos and other hazardous materials located on the Ruby Alton Nature Reserve. The impact of this recognition and related accretion expense is reflected in the financial statements for the year ending March 31, 2023, along with other obligations arising the reporting year.

Under the prospective method, the assumptions used on initial recognition of these asset retirement obligations are those as of the date of adoption of the standard. Assumptions used in the subsequent calculations are revised yearly.

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

2. Short-term investments:

Short-term investments consist of an endowment fund with the Victoria Foundation and Municipal Finance Authority of British Columbia ("MFA") Short Term Bond and Money Market Funds. Investments in MFA Funds are recorded at market value.

3. Investments:

Investments consist of guaranteed investment certificate that matures on November 2, 2023. It has an interest rate of 4.95%.

4. Asset retirement obligations:

The Trust Conservancy owns one building located on the Ruby Alton Nature Reserve that is known to contain asbestos and other hazardous materials, which represents a health hazard upon demolition or remediation of the building and there is a legal obligation to remove it. Following the adoption of *PS 3280 Asset Retirement Obligations*, the Trust Conservancy recognized an obligation relating to the removal and post-removal care of the hazardous materials in this building as estimated at April 1, 2022. Estimated costs have been based the calculated current value of costs associated to address the future obligation.

During the 2023 year, the Trust Conservancy received a contributed asset, Link Island Nature Reserve, which contains a rustic cabin structure that will require future removal as a result of an agreement with the donor family. This required removal represents an asset retirement obligation under PS 3280. Estimated costs have been based on the value of funds received from the donor to remove the structures.

The transition and recognition of asset retirement obligations resulted in newly recognized liabilities as follows:

	Acquisition year	2023
Asset		
Ruby Alton house	2002	\$ 44,000
Link Island structures	2023	36,708
		\$ 80,708

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

5. Land:

	Acquisition year	2023	2022
Inner Island Nature Reserve, Denman Island	1992	\$ 70,000	\$ 70,000
Coats Millstone Reserve, Gabriola Island	1994	100,000	100,000
E,HO, (Medicine Beach) Nature Sanctuary, North Pender Island	1996	477,000	477,000
Cunningham Nature Reserve, Salt Spring Island	1994	265,000	265,000
Deep Ridge Nature Reserve, Salt Spring Island	1992	255,000	255,000
Lower Mt. Erskine Nature Reserve, Salt Spring Island	1996	284,000	284,000
Kwel Nature Sanctuary, Lasqueti Island	1997	195,497	195,497
Singing Woods Nature Reserve, Bowen Island	1999	157,000	157,000
Trincomali Nature Sanctuary, Galiano Island	2001	242,406	242,406
Horton Bayviary Nature Reserve, Mayne Island	2002	210,000	210,000
Morrison Marsh Nature Reserve, Denman Island	2006	438,000	438,000
Brigade Bay Bluffs Nature Reserve, Gambier Island	2006	150,000	150,000
Long Bay Wetland Nature Reserve, Gambier Island	2006	305,000	305,000
S'ul-hween X'pey (Elder Cedar) Nature Reserve, Gabriola Island	2007	658,000	658,000
Mount Artaban Nature Reserve, Gambier Island	2009	1,177,000	1,177,000
Fairy Fen Nature Reserve, Bowen Island	2011	1,817,000	1,817,000
Laughlin Lake Nature Reserve, Galiano Island	2013	56,000	56,000
Vanilla Leaf Land Nature Reserve, Galiano Island	2014	217,000	217,000
Fairyslipper Forest Nature Reserve, Thetis Island	2017	550,266	550,266
Sandy Beach Nature Reserve, Keats Island	2022	2,703,000	2,703,000
Link Island Nature Reserve, Link Island	2023	1,208,000	-
		11,535,169	10,327,169
Properties acquired under the Federal Government Ecological Gifts Program:			
Mt. Trematon Nature Reserve, Lasqueti Island	2006	320,000	320,000
David Otter Nature Reserve, Bowen Island	2007	620,000	620,000
John Osland Nature Reserve, Lasqueti Island	2012	890,000	890,000
Valens Brook Nature Reserve Lot A, Denman Island	2013	280,000	280,000
Burren's Acres Nature Reserve, Gabriola Island	2014	210,000	210,000
Moore Hill Nature Reserve, Thetis Island	2017	780,000	780,000
Valens Brook Nature Reserve Lot 1, Denman Island	2019	85,000	85,000
Salish View Nature Reserve, Lasqueti Island	2020	304,931	304,931
Lisa Baile Nature Reserve, North Pender Island	2022	320,000	320,000
		3,809,931	3,809,931
		\$ 15,345,100	\$ 14,137,100

The Conservancy has a 99-year lease with BC Parks Foundation to manage Lands owned by the Foundation as a Nature Reserve.

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

6. Restricted Fund balances:

	2023	2022
Internally restricted:		
McFadden Creek management fund	\$ 20,626	\$ 21,393
Property Management fund	10,936	10,650
	31,562	32,043
Externally restricted:		
Alton Nature Reserve - maintenance fund	111,384	156,758
Morrison Fund	10,467	14,809
Covenant Defense Fund	118,894	115,790
Lasqueti Acquisition Fund	30,465	27,541
Gambier Acquisition Fund	127,433	125,398
Thetis Island Acquisition Fund	1,335	1,301
Link Island Removal Fund	-	-
	399,978	441,597
	\$ 431,540	\$ 473,640

7. Restricted for endowment purposes:

	Acquisition year	2023	2022
Short-term investments			
Alton Nature Reserve - maintenance	2002	\$ 88,000	\$ 88,000
Land:			
Lindsay Dickson Nature Reserve, Denman Island	2001	2,200,000	2,200,000
Alton Nature Reserve, Salt Spring Island	2002	454,000	454,000
McFadden Creek Nature Sanctuary, Salt Spring Island	2015	422,601	422,601
		3,076,601	3,076,601
		\$ 3,164,601	\$ 3,164,601

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

7. Restricted for endowment purposes (continued):

Investment gains (losses) on endowment funds for the year of (\$2,683) (2022 - (\$6,587)) have been recorded in the Restricted Fund.

Two properties owned by the Trust Conservancy, the Lindsay Dickson property on Denman Island, and the Alton property on Salt Spring Island, were donated on the condition that the properties be used and managed in certain ways. The Lindsay Dickson property was donated “for so long as the land is used as a nature reserve for the use, benefit and enjoyment of the residents of B.C.” The Alton property is to be held, managed and preserved for its ecological, environment and scenic features and not as a recreational park. The residence, gardens and driveway are to be preserved and managed for non-profit purposes.

In the event that these properties are not managed accordingly, the properties could revert to the Province of British Columbia in the case of the Lindsay Dickson Nature Reserve and to the Executors of the donor’s estate in the case of the Alton Nature Reserve.

In 2015, the McFadden Creek Nature Sanctuary on Salt Spring Island was donated to the Trust Conservancy on the condition that the property was to be protected, preserved and maintained in its natural state. Should a disposition of this property ever be triggered, there is a Right of First Refusal on the property in favor of the Wild Bird Trust of BC.

8. Interfund transfer:

During the year, there were no interfund transfers. In the prior year, there was an interfund transfer of \$3,809,931 from the Endowment Fund to the Capital Fund, reflecting the value of lands historically received under the Ecological Gift Program no longer restricted for endowment purposes.

9. Related party:

The Trust is related to the Trust Conservancy through the composition of the Trust Conservancy’s Board. The Trust Conservancy’s Board is comprised of three members from the Trust’s Council and up to three members appointed by the Minister of Municipal Affairs.

The Trust Conservancy’s annual expenses are funded by and reported as part of the Trust in accordance with The Islands Trust Act. The expenses are summarized as follows:

	2023	2022
Operations and property management	\$ 884,981	\$ 876,595
Board	10,725	8,503
Administration	279,181	248,673
	<u>\$ 1,174,887</u>	<u>\$ 1,133,771</u>

At March 31, 2023, amounts owing to Islands Trust were \$71,061 (2022 - \$88,174).

THE ISLANDS TRUST CONSERVANCY

Notes to Financial Statements

Year ended March 31, 2023

10. Financial risks and concentration of risk:

The Trust Conservancy's financial instruments consist of cash, short-term investments, investments, grants receivable, grants payable and amounts due to Islands Trust. It is management's opinion that the Trust Conservancy is not exposed to significant interest, currency or credit risk arising from these financial instruments. The maximum exposure to credit risk at March 31, 2023 is the carrying value of cash, short-term investments and investments and grants receivable. The Trust Conservancy deals with creditworthy counterparties to mitigate credit risk. The Trust Conservancy manages its liquidity risk by monitoring its operating requirements. Interest rate risk is not significant due to the short term nature of investments held. There have been no significant changes to risk exposure in the years presented.

11. Subsequent event:

Subsequent to March 31, 2023 the transfer of Larmour Nature Reserve, a 3.36 hectare land parcel located in the Salt Spring Island Local Trust Area, from Jonathan Penn to the Trust Conservancy was completed. The approximate \$374,015 assessed value of the donated land is not reflected in the assets or fund balances as at March 31, 2023. The value of these donated assets will be recorded in the financial statements of the year ending March 31, 2024.

THE ISLANDS TRUST CONSERVANCY

Statement of Financial Position

Schedule 1

March 31, 2022

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2022 Total
Assets:					
Current assets:					
Cash	\$ 114,230	\$ 180,481	\$ -	\$ -	\$ 294,711
Short-term investments	-	181,633	-	88,000	269,633
Grants receivable	-	31,950	-	-	31,950
	114,230	394,064		88,000	596,294
Investments	-	167,750	-	-	167,750
Land	-	-	14,137,100	3,076,601	17,213,701
	\$ 114,230	\$ 561,814	\$ 14,137,100	\$ 3,164,601	\$ 17,977,745
Liabilities:					
Current liabilities:					
Due to Islands Trust	\$ -	\$ 88,174	\$ -	\$ -	\$ 88,174
Fund Balances:					
Unrestricted	114,230	-	-	-	114,230
Investment in land	-	-	14,137,100	-	14,137,100
Internally restricted	-	32,043	-	-	32,043
Externally restricted	-	441,597	-	-	441,597
Restricted for endowment purposes	-	-	-	3,164,601	3,164,601
	114,230	473,640	14,137,100	3,164,601	17,889,571
	\$ 114,230	\$ 561,814	\$ 14,137,100	\$ 3,164,601	\$ 17,977,745

THE ISLANDS TRUST CONSERVANCY

Statement of Operations

Schedule 2

Year ended March 31, 2022

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2022 Total
Revenue:					
Donations:					
Cash	\$ 104,847	\$ 2,700	\$ -	\$ -	\$ 107,547
Land	-	-	-	-	-
Grants	-	280,704	-	-	280,704
Rental income	-	10,455	-	-	10,455
Investment income (loss)	250	(6,587)	-	-	(6,337)
	105,097	287,272	-	-	392,369
Expenses:					
Repairs and maintenance - Alton property	-	21,788	-	-	21,788
Property management	-	4,880	-	-	4,880
Bank charges	121	11	-	-	132
Grants to external parties	6,500	15,500	-	-	22,000
Species at Risk	-	242,500	-	-	242,500
Conservation Stimulus	-	38,500	-	-	38,500
	6,621	323,179	-	-	329,800
Excess (deficiency) of revenue over expenses	\$ 98,476	\$ (35,907)	\$ -	\$ -	\$ 62,569



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2028
From: Islands Trust Conservancy **Date Prepared:** August 3, 2023
SUBJECT: Larmour NAPTEP Certificate, Salt Spring Island

RECOMMENDATION:

That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 000-138-452, Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Islands Trust Conservancy currently holds 11 NAPTEP conservation covenants in the Salt Spring Island Local Trust Area (all on Salt Spring Island). Trust Council has issued twenty-eight NAPTEP tax exemptions in the Islands Trust Area to date.

1 **PURPOSE:** To seek Trust Council approval of a Natural Area Exemption Certificate.

2 BACKGROUND:

Islands Trust Conservancy (ITC) received a Natural Area Protection Tax Exemption Program (NAPTEP) application from Skye Larmour, to protect approximately 2.45 ha of mature forests, wetlands, and connectivity to other protected areas on Salt Spring Island. The ITC Board agreed to hold a covenant on this property at its January 25, 2022 meeting, directing staff to begin working on the file in 2023 to enable staff to complete other projects.

This proposed NAPTEP covenant will protect a 2.45 ha portion of the property. The proposed covenant area is largely forested, with young forest in the Coastal Douglas-fir subzone and several types of Mature and young forest in the Coastal Western Hemlock zone. The proposed protected area rises steeply from a small wetland to Sky Valley Ridge; the steep forested slopes provide forested habitats of different types and ages, and connectivity among them, as well as an abundance of large wildlife trees and tumbled boulders providing diverse habitat for birds, bats, amphibians, and other species. There are mapped areas of three at-risk ecosystems in both the Coastal Douglas-fir and Coastal Western Hemlock zones, and numerous at-risk species have been observed on the property. Considering the varied terrain and mature forest, it is likely that more detailed surveys will identify at-risk owls, bats, and amphibians in the proposed protected area.

This parcel is a wedge-shaped property south of Beddis Road that lies between Parcel H (to the east) and Parcel F (to the west). Both of those properties already have some form of protection: Parcel H is now owned by the Salt Spring Island Watershed Preservation Society (SSIWPS) and natural areas of Parcel F (to the west) have recently been subdivided and transferred to Islands Trust Conservancy as the Larmour Lands Nature Reserve.

Property Information

Address: 765 Beddis Road, Salt Spring Island, Salt Spring Island Local Trust Area

PID: 000-138-452

Legal Description: Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894

Property size: 8.97 ha

Proposed protected area size: 2.45 ha

The property has split zoning with the northern portion an active farm in the Agricultural Land Reserve (ALR). The southern area, outside of the ALR, is the proposed covenant area.

Figure 1. Location of property (red balloon/blue outline) on Salt Spring Island, showing landscape context of nearby Protected Areas.

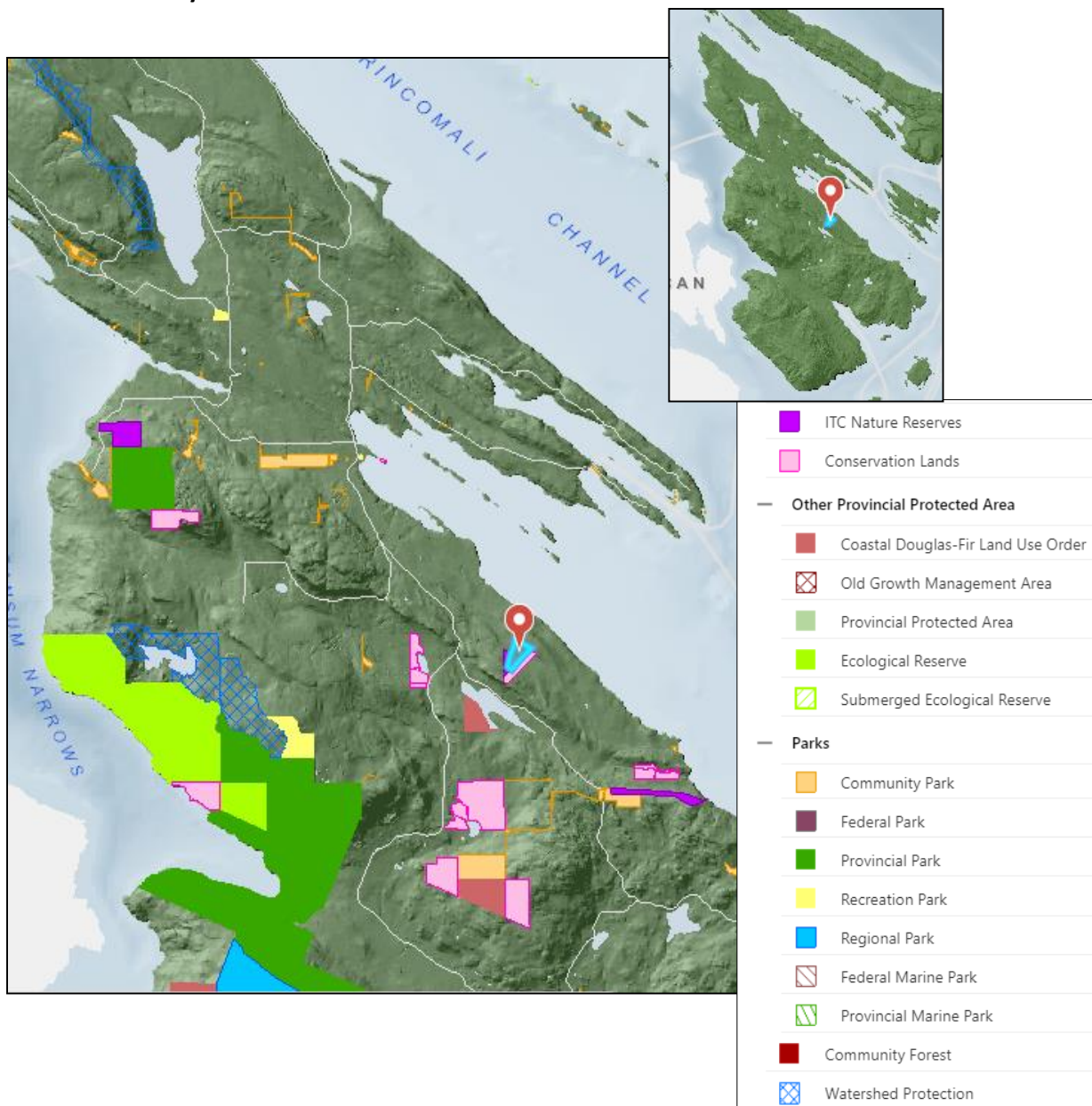
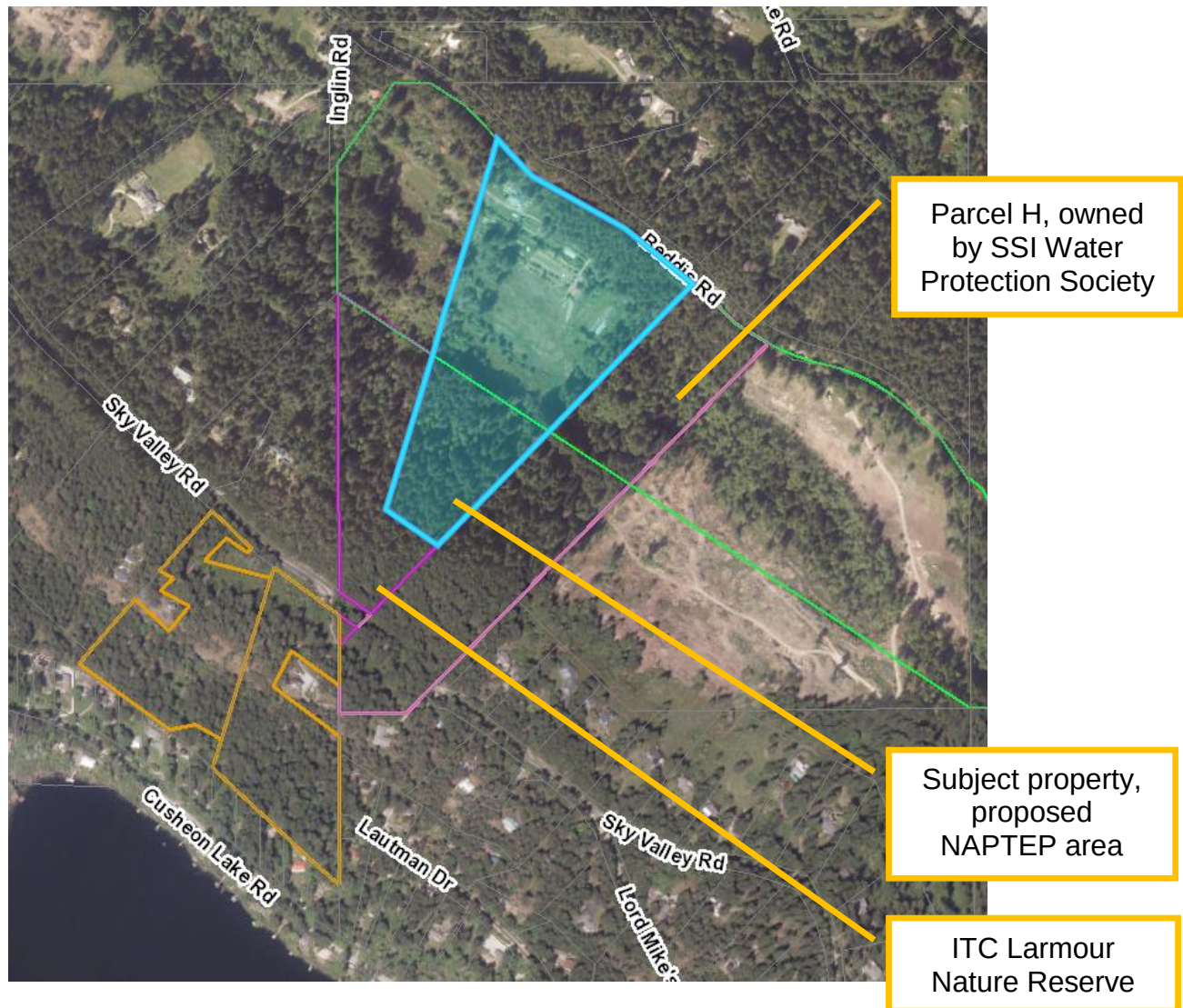


Figure 2. Aerial image of Subject Property, and Agricultural Land Reserve area. The Agricultural Land Reserve area is outlined in green; existing NAPTEP covenant areas are in orange.



NAPTEP Natural Values & Amenities

Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

- 1 Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation:**
 - Mature Forest
 - Woodland (coniferous)
- 2 Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities**
 - The property contains areas of both Coastal Douglas-fir (CDF) and Coastal Western Hemlock (CWH) biogeoclimatic ecosystem zones, and mapped areas of 3 ecological communities considered at-risk by the British Columbia Conservation Data Centre (CDC):
 - Coastal Douglas-fir zone
 - Douglas-fir / Salal (Red-listed)
 - Coastal Western Hemlock zone
 - Douglas-fir – Western Hemlock / Salal Dry maritime (Red-listed)

¹ Islands Trust Conservancy notes that the area in question has a rich history of human activity pre and post contact and that the area in question is an area of Indigenous cultural heritage, activity, and use.

- Western Hemlock – Douglas-fir / Oregon beaked moss (Red-listed)
- The property contains numerous small pockets of mossy balds, small cliffs, and rock outcroppings, supporting rare and sensitive plant communities

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Staff will negotiate the covenant with the applicant and the ITC Board will review and approve the covenant for registration. The Islands Trust Secretary will issue the Exemption Certificate upon registration of the covenant. Staff will ensure that both the covenant and the baseline inventory report meet NAPTEP standards.

FINANCIAL: The costs of administering this application will be partly recovered through the application fees. Annual monitoring will be done by the Covenant Management and Outreach Specialist and the 2024/25 ITC budget will increase according to Trust Council approved amounts for ongoing covenant management.

POLICY: None. This application is consistent with Trust Council’s policies regarding NAPTEP applications.

IMPLEMENTATION/COMMUNICATIONS:

- The applicant will be advised of Trust Council’s decision.
- The applicant will complete a baseline inventory report and will be required to register the standard NAPTEP covenant against the property title.
- The certificate will be issued by the Islands Trust Secretary when the covenant is successfully registered. Staff will register the natural area exemption certificate.
- Once the certificate is issued to the applicant, the BC Assessment Authority, the Land Titles Office, and the Regional District and any other relevant agencies will be advised.
- ITC staff will advise the public regarding the successful completion of NAPTEP applications via a news release and the website.

FIRST NATIONS: This conservation proposal has been referred to all First Nations within the BC Consultative Areas Database for this property (Cowichan, Halalt, Ts’uubaa-asatx, Lyackson, Malahat, Pauquachin, Penelakut, Semiahmoo, Stz’uminus, Tsartlip, Tsawout Tsawwassen, Tseycum). Responses were received from two First Nations, one of whom indicated that they do not have any comments to provide regarding this application; and the another who requested a copy of the baseline inventory report when it is completed. Staff will update the ITC Board with information from the First Nations referrals before covenant registration.

OTHER:

- The Salt Spring Island LTC has received the application for information at their meeting on September 14th, 2023.

4 RELEVANT POLICY:

- Islands Trust Act [\(7.1\)](#)
- [Islands Trust Natural Area Protection Tax Exemption Regulation](#)
- Islands Trust Policy 2.1.10 [Administration of Natural Area Protection Tax Exemption Program](#)

5 ATTACHMENTS: None

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 000-138-452, Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

- Alternative:**
1. To decline to issue the certificate.
 2. To delay issuance of the certificate subject to receipt of additional information
-

Prepared By: Kathryn Martell, Ecosystem Protection Specialist

Reviewed By/Date: Kate Emmings, Manager, Islands Trust Conservancy / September 5, 2023
Clare Frater, Director Trust Area Services / September 6, 2023
Russ Hotsenpiller, Chief Administrative Officer / September 6, 2023
Executive Committee, September 13, 2023



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2023
From: Islands Trust Conservancy **Date Prepared:** August 23, 2023
SUBJECT: Koontz NAPTEP Certificate, Gabriola Island

RECOMMENDATION:

That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 05-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The Islands Trust Conservancy currently holds two NAPTEP conservation covenants Gabriola Island. Trust Council has issued 28 NAPTEP tax exemptions in the Islands Trust Area to date.

1 **PURPOSE:** To seek Trust Council approval of a Natural Area Protection Tax Exemption Certificate

2 **BACKGROUND:**

Islands Trust Conservancy (ITC) received a Natural Area Protection Tax Exemption Program (NAPTEP) application from Yarrow Koontz, to protect approximately 2.5 ha of wetlands, maturing forest, and sensitive riparian and cliff habitats on Gabriola Island. The ITC Board agreed to hold a covenant on this property at its May 30, 2023 meeting.

The proposed NAPTEP covenant would protect most of a 3.34 ha property on the southern end of Gabriola Island, near Silva Bay. There are large, healthy Western redcedar and maturing Douglas-fir with a mix of other habitat types. All plant communities identified on the property are considered at-risk by the BC Conservation Data Centre. There are two known species-at-risk on the property, Western Screech-owl *kennicottii* sub-species (BC Blue-listed [Special Concern], *Species at Risk Act (SARA)* Schedule 1 Threatened) and Northern Red-legged Frog (BC Blue-listed [Special Concern], *SARA* Schedule 1 Special Concern). Despite its small size, this property contains diverse habitat of high conservation priority, including ponds, a forested wetland, cliffs, and Garry oak bluffs.

Property Information

Address: 3090 George St, Gabriola Island, Gabriola Island Local Trust Area

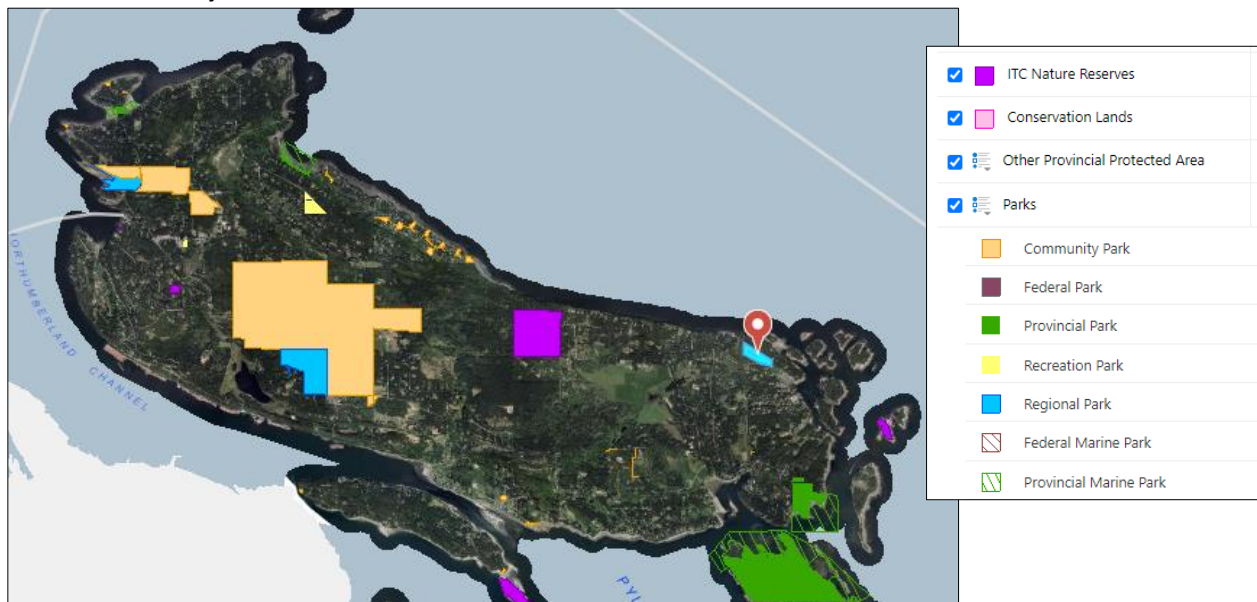
PID: 005-788-447

Legal Description: That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145

Property size: 3.34 ha.

Proposed protected area size: ~2.5 ha (excluding residential area, and greenhouse and garden area; exact boundaries to be determined through survey)

Figure 1. Location of property (red balloon/blue outline) on Gabriola Island, showing landscape context of nearby Protected Areas.



NAPTEP Natural Values & Amenities

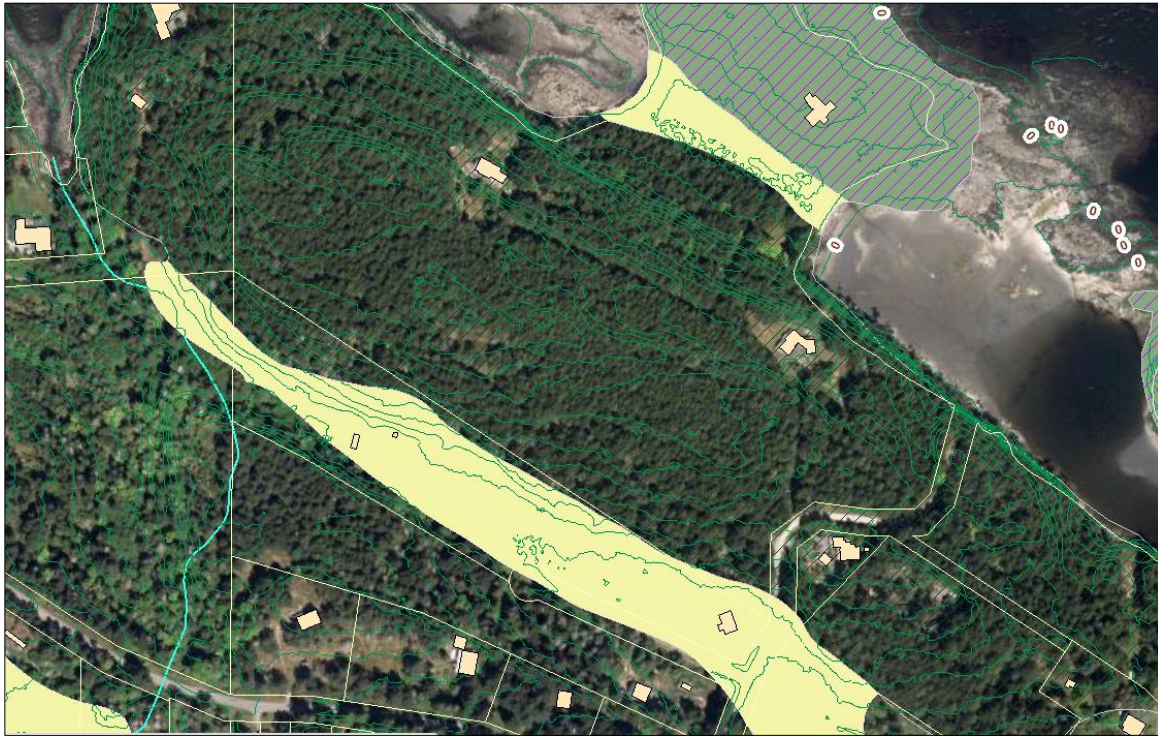
Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

- 1 Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation**
 - *Wetland ecosystem*
 - *Riparian ecosystem*
- 2 Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities**
 - Almost the entire proposed covenant area is mapped as an ecological community considered at-risk (Red-listed) in British Columbia (Western Redcedar / Osoberry (*Thuja plicata* / *Oemleria cerasiformis*) [G1 / S1 (Critically Imperiled)])
 - Other portions of the property are mapped as Douglas-fir – Shore pine – Arbutus ecosystems. The BC Conservation Data Centre separates this site series into several ecological communities including ‘Douglas-fir / Arbutus’ and ‘Douglas-fir – Dull Oregon-grape’, all of which are considered Red-listed (S1: Critically Imperiled or S2: Imperiled)
 - The property contains numerous small pockets of mossy balds, small cliffs, and rock outcroppings, supporting rare and sensitive plant communities
- 3 Areas that are critical habitat for native animal species in relation to breeding, rearing, feeding, or staging**
 - An artificial pond (approx. 5m x 30m) provides breeding habitat for Rough-skinned Newts and Northern Red-Legged Frogs; river otters den in small cliffs near the pond
 - The wetlands and pond drain into Dick Brook, a salmon-bearing creek on the adjacent property
 - A detailed baseline survey of the property may well document additional at-risk species, especially considering the rare cliff habitats and the diverse habitat provided by the wetland and pond complex.

Figure 2. Aerial image of property showing mapped Sensitive Ecosystems and other details. Elevation (contour) lines in green, showing drainage into Dick Brook (from Provincial TRIM mapping) mapped in

¹ Islands Trust Conservancy notes that the area in question has a rich history of human activity pre and post contact and that the area in question is an area of Indigenous cultural heritage, activity, and use.

bright blue. Building footprints are shown as tan shapes. A wetland (swamp) polygon is mapped for much of the property (yellow).



4 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Staff will negotiate the covenant with the applicant and the ITC Board will review and approve the covenant for registration. The Islands Trust Secretary will issue the Exemption Certificate upon registration of the covenant. Staff will ensure that both the covenant and the baseline inventory report meet NAPTEP standards.

FINANCIAL: The costs of administering this application will be partly recovered through the application fees. Annual monitoring will be done by the Covenant Management and Outreach Specialist and the 2024/25 ITC budget will increase according to Trust Council approved amounts for ongoing covenant management.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS:

- The applicant will be advised of Trust Council's decision.
- The applicant will complete a baseline inventory report and will be required to register the standard NAPTEP covenant against the property title.
- The certificate will be issued by the Islands Trust Secretary when the covenant is successfully registered. Staff will register the natural area exemption certificate.
- Once the certificate is issued to the applicant, the BC Assessment Authority, the Land Titles Office, and the Regional District and any other relevant agencies will be advised.
- ITC staff will advise the public regarding the successful completion of NAPTEP applications via the website and a possible news release.

FIRST NATIONS: This conservation proposal has been referred to all First Nations within the BC Consultative Areas Database for this property (Penelakut Tribe, Stz'uminus First Nation, Halalt First Nation, Ts'uubaa-asatx First Nation, Cowichan Tribes, Snuneymuxw First Nation, Lyackson First Nation). Only one response has been received, indicating no comments regarding this

application. Staff will update the ITC Board with information from the First Nations referrals before proceeding with covenant registration.

OTHER:

- The Gabriola Island LTC received the application for information at their meeting on September 14th, 2023.

5 RELEVANT POLICYS:

- Islands Trust Act [\(7.1\)](#)
- [Islands Trust Natural Area Protection Tax Exemption Regulation](#)
- Islands Trust Policy 2.1.10 [Administration of Natural Area Protection Tax Exemption Program](#)

6 ATTACHMENTS: None

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 05-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

- Alternative:**
1. To decline to issue the certificate.
 2. To delay issuance of the certificate subject to receipt of additional information

Prepared By: Kathryn Martell, Ecosystem Protection Specialist

Reviewed By/Date: Kate Emmings, Manager, Islands Trust Conservancy / September 6, 2023
Clare Frater, Director Trust Area Services / September 6, 2023
Russ Hotsenpiller, Chief Administrative Officer / September 6, 2023
Executive Committee September 13, 2023

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2023
From: Executive Committee **Date Prepared:** September 1, 2023
SUBJECT: Snaw-naw-as First Nation/Islands Trust working group

RECOMMENDATION:

1. That the Islands Trust Council appoint the following trustees to a Snaw-naw-as First Nation/Islands Trust Joint Working Group as established under the Snaw-naw-as First Nation/Islands Trust Protocol Agreement: Peter Luckham, Tobi Elliott, Mikaila Lironi, and Tim Peterson.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: This Request for Decision is being offered proactively in the event that the Minister of Municipal Affairs approves the Snaw-naw-as First Nation/Islands Trust Protocol Agreement before the September Trust Council meeting. In the event that ministerial approval is not forthcoming by the meeting, consideration of this recommendation should be delayed as the protocol agreement does not take effect until it has been approved. In recommending which trustees should be appointed, Staff is taking into account that Snaw-naw-as First Nation leadership has expressed that their interest in the agreement primarily relates to the Lasqueti Island Local Trust Committee and Islands Trust Council. More than one member of a Local Trust Committee can be appointed as meetings of the working group established under this agreement are not committee meetings.

1 PURPOSE: To request that Trust Council appoint trustees to a Snaw-naw-as First Nation/Islands Trust Joint Working Group

2 BACKGROUND:

On March 28, 2023, Trust Council passed the following resolution:

That the Islands Trust Council approve the Protocol Agreement between Islands Trust Council and Snaw-naw-as First Nation and request staff to forward the Protocol Agreement to the Minister of Municipal Affairs for approval.

The Protocol Agreement sets out that the Islands Trust Council and Snaw-naw-as First Nation commit to establishing a positive and open relationship where issues of concern for either Party are discussed and resolved in an open and respectful manner. The Protocol Agreement states that, following execution of the Agreement, the Parties will establish the Joint Working Group to work together towards achieving the purposes set out in the agreement.

The agreement states that the Joint Working Group shall consist of four members appointed by Leadership to represent each Party, including representation from the Lasqueti Island Local Trust

Committee and the Islands Trust Executive Committee, provided that not all members need to attend every Joint Working Group Meeting.

The agreement states that additional individuals may participate in meetings at the discretion of the Joint Working Group or as requested by the Parties. If there are matters needing discussion from the Gabriola Island, Gambier Island, Denman Island or Ballenas-Winchelsea Islands Local Trust Areas or on matters relating to the Islands Trust Conservancy Board they can be brought to the working group, and representatives from those bodies can attend as needed. Meetings of the working group established under this agreement are not committees meetings, and therefore are not public meetings.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The four appointed trustees will attend four virtual working group meetings a year and other meetings as needed. Snaw-naw-as First Nation has requested that Islands Trust provide the administrative support to organize and take notes at the meetings. This is estimated to be up to 10 hours per meeting, and will be undertaken by the Administrative Coordinator. There will also be a need for staff time for meeting attendance; which staff attend the meetings will depend on the topics to be discussed.

FINANCIAL: None. If the working group decides to hold an in-person meeting this would be paid by through the reconciliation budget.

POLICY: None. The Islands Trust Council and Snaw-naw-as First Nation Protocol Agreement states that, following execution of the Agreement, the Parties will establish the Joint Working Group to work together towards achieving the purposes set out in the agreement.

IMPLEMENTATION/COMMUNICATIONS: Staff will advise Snaw-naw-as First Nation of the appointed trustees and organize working group meetings for 2023. Working group meetings will be booked for 2024 in December 2023 as part of the committee meeting booking process.

FIRST NATIONS: The Joint Working Group will assist the Islands Trust and Snaw-naw-as First Nation to have a positive and open relationship where issues of concern for either Party are discussed and resolved in an open and respectful manner.

OTHER: None.

4 RELEVANT POLICY(S): None.

5 ATTACHMENT(S):

Protocol Agreement between the Islands Trust Council and the Snaw-naw-as First Nation (pre-Ministerial approval)

RESPONSE OPTIONS

Recommendation:

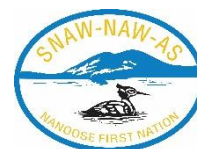
- 1. That the Islands Trust Council appoint the following trustees to a Snaw-naw-as First Nation/Islands Trust Joint Working Group as established under the Snaw-naw-as First Nation/Islands Trust Protocol Agreement: Peter Luckham, Tobi Elliott, Mikaila Lironi, and Tim Peterson.**

Alternative:

1. Appoint different trustees.
2. Request additional staff advice.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Robyn Kefi, Senior Indigenous Relations Specialist
David Marlor, Director, Legislative Services,
Stefan Cermak, Director, Planning Services
Russ Hotsenpiller, CAO/September 6, 2023



PROTOCOL AGREEMENT

THIS Protocol Agreement dated for reference the ____ day of ____, 2023

BETWEEN:

**THE ISLANDS TRUST
COUNCIL
("Islands Trust")**

AND

**SNAW-NAW-AS NATION
209 Mallard Way
Lantzville, BC V0R 2H0
("Snaw-naw-as")**

(individually a "**Party**," collectively the "**Parties**")

WHEREAS:

- A. Snaw-naw-as and the Islands Trust have mutual respect for each Party's mandates, policies, rights, responsibilities, and areas of jurisdiction;
- B. Snaw-naw-as is an Indigenous government with territory on and around the islands that comprise the Islands Trust;
- C. Snaw-naw-as has and asserts Aboriginal rights and title and has constitutional status within the meaning of section 35 of the *Constitution Act, 1982*, as well as legal and cultural interests, including Aboriginal rights, relating to lands and resources in its territories;
- D. Snaw-naw-as, as part of the Te'mexw Treaty Association, is engaged in reconciliation by negotiating a modern Treaty with the federal and provincial governments;
- E. Islands Trust operates through its statutory authority and obligations under the *Islands Trust Act* (the "**Act**");
- F. Pursuant to section 3 of the Act, Islands Trust is responsible for upholding the object of the trust, which is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia;
- G. The Parties each have distinct governance authorities and responsibilities toward their residents and members, and acknowledge that the interests of all persons living in their communities are best served by the Parties working together in the spirit of reconciliation

and cooperation to achieve mutual benefits;

- H. Islands Trust has jurisdiction in relation to matters such as planning, land use management and heritage conservation under the Act with respect to areas within Snaw-naw-as' territory;
- I. Islands Trust recognizes that it operates in Snaw-naw-as' territory and seeks to advance reconciliation by building a strong and enduring relationship with Snaw-naw-as, based on mutual respect and respect for Snaw-naw-as' Indigenous knowledge, rights and culture;
- J. The Islands Trust is committed to reconciliation with Snaw-naw-as and working together to advance actual reconciliation in a manner that will serve the public interest;
- K. Snaw-naw-as and Islands Trust have common interests in planning, land use management, and heritage conservation in the areas within the authority of Islands Trust;
- L. The Parties recognize that building stronger government-to-government relationships will benefit their respective communities; and
- M. Snaw-naw-as and Islands Trust wish to establish a government-to-government relationship of mutual respect and cooperation, for the purpose of sharing information, improving communications, and identifying opportunities for collaboration between Snaw-naw-as and Islands Trust with respect to their common interests in planning, land use management and heritage conservation in the areas within the jurisdiction of Islands Trust and in compliance with the object of the trust set out in section 3 of the Act,

NOW THEREFORE, the Parties wish to establish a meaningful government-to-government relationship and to deepen their understanding of one another based on mutual respect and agree as follows:

DEFINITIONS AND INTERPRETATION

1. In this Protocol Agreement:
 - (a) **"Islands Trust"** means the Islands Trust Council acting on its own behalf and on behalf of the Lasqueti Island Local Trust Committee;
 - (b) **"Leadership"** means the elected representatives of a Party;
 - (c) **"Joint Working Group"** means the working group established under this Protocol Agreement;
 - (d) Reference to the singular includes a reference to the plural and vice versa;
 - (e) Where a word or expression is defined in this Protocol Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
 - (f) Headings are included for ease of reference only and are not to be used in interpreting this Protocol Agreement; and

(g) “Includes” means “including but not limited to.”

PURPOSE AND NATURE OF PROTOCOL AGREEMENT

2. The Parties commit to establishing a positive and open relationship where issues of concern for either Party are discussed and resolved in an open and respectful manner.
3. The Parties will establish a Joint Working Group that will meet to exchange information and facilitate open and productive dialogue between the Parties.
4. The Parties will seek to develop an understanding of each other’s public initiatives, governing structures, traditions, jurisdiction and responsibilities and will support and encourage each other in this work.
5. The Parties share the objective of developing a long-term collaborative process for working together to protect the interests of both Islands Trust and Snaw-naw-as and provide certainty for each Party with respect to addressing issues of mutual interest as they arise over time.
6. The Parties will proactively communicate about proposed development and other initiatives in each community with the intent to prevent negative impacts in the other community.
7. The Parties seek to establish an approach for considering their shared interests, including planning, marine initiatives, parks and protected areas, beachfronts and foreshore areas, harvesting, resource management and stewardship, management and heritage conservation, and other issues of interest for the communities.
8. The Parties seek to establish a relationship of mutual respect for each other, including in accordance with:
 - (a) Snaw-naw-as’ inherent right to maintain and strengthen their distinctive spiritual relationship with their traditional territories, and to uphold their responsibilities to future generation, which is affirmed by the *United Nations Declaration on the Rights of Indigenous Peoples Act*; and
 - (b) the Islands Trust’s legislative authority, objectives, purposes, and requirements as defined in the Act, including, but not limited to, the object of the Islands Trust as set out in section 3 of the Act.
9. The Parties will seek to implement this Protocol Agreement in the spirit of reconciliation and establish a collaborative process that will advance the Parties’ shared interests and aspirations, in recognition of Snaw-naw-as’ responsibility and connection to and knowledge about its territory and Islands Trust’s objectives, duties and obligations as set out in the Act.

JOINT WORKING GROUP ESTABLISHED

10. Following the execution of this Protocol Agreement, the Parties will establish the Joint Working Group to work together towards achieving the purposes set out in sections 2 through 9 .
11. The Joint Working Group will collaborate and discuss issues of shared interest and key priorities within the Island Trust's statutory authority, as well as in furtherance of the object of the Islands Trust in section 3 of the *Island Trust Act*, including:
 - (a) legislative changes and policy initiatives;
 - (b) resource management and stewardship;
 - (c) harvesting and culture;
 - (d) foreshore and beachfront areas;
 - (e) marine initiatives, and mariculture;
 - (f) land use planning and access;
 - (g) parks and conservation and protected areas;
 - (h) economic and financial opportunities;
 - (i) climate change strategies;
 - (j) matters related to Lasqueti Island, and other areas of particular significance to Snaw-naw-as in the Islands Trust Area; and
 - (k) other matters as the Parties may agree.
12. The Joint Working Group will meet on a mutually agreed-upon schedule, and will schedule four standing meetings each calendar year, provided that the Joint Working Group may cancel meetings or meet more frequently as needed.
13. Unless otherwise agreed to by the Joint Working Group, the Joint Working Group meetings will take place virtually or at a location agreed to by the Joint Working Group.
14. The Joint Working Group will make recommendations to Leadership concerning how best to collaborate on issues of shared interest, including the issues set out at section 11 of this Protocol Agreement.
15. Leadership may establish strategic goals and priorities for the Joint Working Group.
16. The Parties will provide the Joint Working Group all reasonably available information necessary to carry out its responsibilities.

17. On the request of Leadership, the Joint Working Group will review any data, reports, policies, or other information and, as appropriate, use this data or information in making any recommendations.
18. Islands Trust will make best efforts to ensure its Leadership and staff is available to attend Joint Working Group meetings upon request, including representatives from local trust committees other than the Lasqueti Island Local Trust Committee.
19. The Joint Working Group will establish its own procedures, including the development of agenda items and the process for chairing meetings.
20. In carrying out its work, the Joint Working Group may:
 - (a) invite advisors, speakers, knowledge holders, or other presenters to share information;
 - (b) share and discuss available information for emerging issues or initiatives;
 - (c) request, obtain and exchange available data on servicing needs;
 - (d) communicate with other bodies in respect of matters of mutual interest;
 - (e) share respective goals about land use planning objectives; and
 - (f) explore other matters that the Joint Working Group considers relevant.
21. The Joint Working Group will seek to operate by consensus.
22. The Joint Working Group may work with other bodies as appropriate.

COMPOSITION OF JOINT WORKING GROUP

23. The Joint Working Group shall consist of four members appointed by Leadership to represent each Party, including representation from the Lasqueti Island Local Trust Committee and the Islands Trust Executive Committee, provided that not all members need to attend every Joint Working Group Meeting.
24. Additional individuals may participate in meetings at the discretion of the Joint Working Group or as requested by the Parties.

COORDINATED VISION AND GUIDING PRINCIPLES

25. All members of the Joint Working Group commit to a positive relationship, and to follow the principles guiding how they work together:
 - (a) **Collaboration:** Commit to working together to identify interests, options, and potential solutions when members of the Joint Working Group have differing opinions.

- (b) **Openness:** Commit to keeping an open mind when contemplating solutions by focusing on the desired outcomes rather than the tools used.
- (c) **Solution Orientated:** Commit to being accountable and to upholding the provisions of this Protocol Agreement, and the spirit and aspirations of provincial and federal reconciliation commitments and the *United Nations Declaration of the Rights of Indigenous Peoples*, recognizing Islands Trust's object and statutory limitations in the Act.
- (d) **Transparency:** Commit to being transparent with each other and strive to be transparent about considerations behind decisions in the Islands Trust Area. The Joint Working Group will be provided all information it requires to carry out its objectives, including information on Islands Trust and Lasqueti Island planning, development and conservation initiatives.
- (e) **Consensus:** Commit to moving beyond agreeing to disagree and working to reach an outcome or approach that is actively supported or is not objected to by the Parties. Any disagreements between the member of the Joint Working Group should be resolved as early as possible, with, if necessary, assistance from Leadership.
- (f) **Mutual Respect:** the Parties recognize and respect each other's commitments and obligations to other matters within their respective jurisdictions, and will therefore approach timeliness with flexibility and in a spirit of understanding and reasonable compromise where necessary or desirable to accommodate each other's schedules and other commitments, including prioritizing issues of key concern when necessary.

LEADERSHIP MEETINGS

- 26. Leadership may meet as needed to build a strong relationship on a government-to-government level and to discuss key initiatives. Leadership may meet at the request of the Joint Working Group or the request of either Party.
- 27. Key staff, Elders, youth representatives, or other advisors may attend the Leadership meeting at the invitation of either Party.

TERM AND TERMINATION

- 28. This Protocol Agreement will take effect upon the adoption of authorizing Council resolutions by each Party, and approval by the Minister of Municipal Affairs.
- 29. The Parties recognize that this Protocol Agreement is a living document and may be subject to amendment from time to time by mutual agreement. The amendments must be in writing and authorized by Council resolution of each Party, and may require approval by the Minister of Municipal Affairs.
- 30. This Protocol Agreement will remain in effect until:
 - (a) superseded or replaced by another agreement;

- (b) terminated by mutual consent of the Parties; or
- (c) terminated by either Party upon ninety days' written notice.

CONFIDENTIALITY

- 31. The Parties acknowledge that the success of government-to-government relationships depends upon open and transparent communications based on trust, respect and mutual understanding.
- 32. In cases where a Party wishes to provide information to the other Party in expectation of confidentiality, it may so indicate, and the other Party will, acting reasonably, accept and hold such information in confidence to the extent permitted by law.
- 33. Each of the Parties acknowledges that information it provides to the other Party in the course of activities contemplated by this Protocol Agreement may be subject to the *Freedom of Information and Protection of Privacy Act* (British Columbia) ("FOIPPA"). The Parties acknowledge that decisions made by Islands Trust under FOIPPA are subject to review by BC's Information and Privacy Commissioner, and further by the courts of BC.
- 34. Islands Trust shall consult with Snaw-naw-as, in advance, prior to including any information shared or discussed by the Joint Working Group, in an open meeting agenda.
- 35. Where one Party receives a request to disclose information related to this Protocol Agreement, information exchanged in connection with this Protocol Agreement, or activities carried out pursuant to this Protocol Agreement, that Party will refer the disclosure request to the other Party for consultation regarding any confidential or sensitive information.

EFFECT OF AGREEMENT

- 36. This Protocol Agreement does not in any way fetter, limit or restrict the jurisdiction of the respective Parties.
- 37. Nothing in this Protocol Agreement is construed as limiting Islands Trust's ability to exercise its rights, powers, duties or obligations in the exercise of its functions pursuant to the Act, as amended or replaced, or as limiting or fettering Island Trust's ability to exercise its discretion pursuant to any bylaw, agreement, or legislation.
- 38. This Protocol Agreement in no way abrogates or derogates from the rights of Snaw-naw-as under section 35 of the *Constitution Act, 1982*, the *United Nations Declaration of the Rights of Indigenous Peoples* or the inherent jurisdiction of Snaw-naw-as.
- 39. This Protocol Agreement is not a Treaty or land claim agreement and this Protocol Agreement does not limit any rights under section 35 of the *Constitution Act, 1982*, including Treaty rights.
- 40. This Protocol Agreement does not create any rights or legal obligations between the Parties and does not create or give rise to any contractual obligations between the Parties.

GENERAL

41. Nothing in this Protocol Agreement or in the Parties' dealing with each other is intended to be interpreted as creating an agency relationship, joint venture or partnership or any kind between the Parties or as imposing on any of the Parties any partnership, duty, obligation or liability to any other Party or to any other person.
42. Each of the Parties agrees to execute other documents and instruments, and to do other things as they are authorized to do and as may be necessary to implement and carry out the intent of this Protocol Agreement.
43. The Parties will make best efforts to ensure that the matters contemplated by this Protocol Agreement are carried out in a timely manner and in accordance with agreed upon timelines.
44. This Protocol Agreement is without prejudice to the existing rights, positions, powers and obligations of either Party, including under applicable legislation or other sources of law.
45. This Protocol Agreement:
 - (a) Is without prejudice to the existing rights and positions of non-parties; and
 - (b) Does not limit the positions any Party may make in future negotiations.
46. The Parties are committed to open and respectful communication with each other in order to effectively achieve shared goals and avoid disputes. Where a dispute among the Joint Working Group has not been resolved by informal communications, it may be referred to the Parties to resolve the dispute. Where the Parties are unable to resolve a dispute by special meeting of the Joint Working Group, any Party may request a dispute resolution session with the procedure mutually agreed upon and cost-shared.
47. Each of the parties warrants to the other that it has the authority to enter into this Protocol Agreement.
48. This Protocol Agreement may be executed in counterparts and if so executed such counterparts will be read and construed together as if they formed one document. A counterpart signed by a Party and delivered electronically will have the same effect as a counterpart originally signed and delivered by such Party.
49. The Parties indicate agreement with this Protocol Agreement by their signatures below.

ISLANDS TRUST

**Peter Luckham, Chair,
Islands Trust Council**

SNAW-NAW-AS NATION

Gordon Edwards, Chief

DRAFT

BRIEFING

To:	Trust Council	For the Meeting of:	September 26-28, 2023
From:	Trust Area Services	Date Prepared:	September 5, 2023
SUBJECT:	Legislative Monitoring Report, August 2023		

PURPOSE: To provide Trust Council with a summary of past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects, as well as information about resources and issues of interest.

Caveat: This document is provided for convenience only and is not to be construed as a legal document or as legal advice.

BACKGROUND: The Legislative Monitoring Report was established in 2003 and was traditionally presented to Trust Council every six months. In October 2019, the Executive Committee requested that the report be provided quarterly at each Trust Council meeting. In February 2022, the Executive Committee requested that the report be provided every six months with the next one being February 2024.

The attached legislative monitoring report includes:

- Planned legislation;
- Legislation in process;
- Legislation in effect;
- Court decisions;
- New resources; and
- Discussion/Planning/Conservancy and Advocacy topics;

The report does not track private members' bills, except if introduced by Islands Trust Area Members of Legislative Assembly or Members of Parliament.

The report is updated using a range of sources, including Union of British Columbia publications, the websites of the Legislative Assembly of BC and the Parliament of Canada, provincial and federal news releases, the Canada Gazette, and a variety of websites and RSS news feeds.

ATTACHMENT(S):

1. Legislative Monitoring Report, August 2023
2. Trust Council Requests to the Province of BC for Changes to the Islands Trust Legislation/Regulation and Related Legislation 2007 - present

FOLLOW-UP: Staff will follow-up as requested. Staff will provide the report to Bowen Island Municipal Council.

Prepared By: Mike Richards, Grants Manager, Trust Area Services

Clare Frater, Trust Area Services

Reviewed By/Date: Clare Frater, Director, Trust Area Services / September 8, 2023
Stefan Cermak, Director, Local Planning Services / September 7, 2023
David Marlor, Legislative Services Manager/September 8, 2023
Executive Committee / September 13, 2023



LEGISLATIVE MONITORING REPORT

August 2023

This document is intended to advise Trust Council about past or proposed external regulatory changes that could directly affect Islands Trust operations, local trust committee/island municipality bylaws or regulations, or Strategic Plan projects. The chart captures changes made in the last six months and is organized according to the following categories:

- **PLANNED LEGISLATION** – the intention to draft and pass new legislation is being developed and may be in a consultation or draft stage. No bill has been introduced to legislature/parliament yet.
- **LEGISLATION IN PROCESS** – a bill has been introduced to legislature/parliament and is awaiting Royal Assent, or Royal Assent has been issued but the new law or regulation has not come into force yet.
- **NEW LEGISLATION IN EFFECT** – legislation has received Royal Assent and any specified timeline for it to come in effect has occurred.
- **COURT DECISIONS** – a ruling from any level of court that affects the Islands Trust.
- **NEW RESOURCES** – publically available reports or websites that provide information relevant to Islands Trust work.
- **DISCUSSION, PLANNING, CONSERVANCY, and ADVOCACY TOPICS** – information related to topics of interest to Islands Trust.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Planned Legislation				
<u>Modernized emergency management legislation</u>	Due Fall 2023	The Ministry of Emergency Management and Climate Readiness (EMCR) has released <u>a paper outlining legislation proposed to replace the Emergency Program Act</u> . The statute is a key component of B.C.'s commitment to modernize emergency management legislation in alignment with the UN Sendai Framework for Disaster Risk Reduction and aligns with the UN Declaration on the Rights of Indigenous Peoples and the Declaration on the Rights of Indigenous Peoples Act. EMCR is partnering with the BC Association of Emergency Managers to deliver webinars to help emergency management practitioners prepare for the incoming legislation. The sessions ran from July 5 to Aug 28.	No engagement with the proposed legislative change. In September 2021 Trust Council requested staff provide a report outlining potential options for how the Trust and local trust committees can engage and assist with the Coast Guard Oil Spill response planning process – this work has not happened due to Senior Policy Advisor focus on the Policy Statement Amendment Project with no backfill.	Staff will continue to monitor.
<u>Legislation to regulate the use of drugs in certain public spaces</u>	Due Fall 2023	The BC government sought and received an exemption from the federal government to decriminalize personal possession of small amounts of certain controlled substances including opioids (such as heroin, morphine, and fentanyl), crack and powder cocaine, methamphetamines (meth), and MDMA (ecstasy). Decriminalization is a key part of BC's response to the drug poisoning crisis and is intended to save and improve the lives of people who use drugs. The Province currently regulates where people can smoke tobacco, drink alcohol, and use cannabis, but does not yet have rules about public use of other controlled substances.		No action planned.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Short-term rental regulations	Due Fall 2023	The government says that while municipalities have the tools to regulate STRs, it's clear that they need additional tools that only the Province can provide. In its statement, the Housing Ministry said the government was looking at the regulations surrounding B.C.'s ride-hailing industry as it studied the regulation of STR platforms.	In 2012, the Supreme Court of British Columbia did not support an attempt launched by the Salt Spring Island Local Trust Committee to more effectively enforce community zoning related to short term vacation rentals (STVRs) on Salt Spring Island. The local trust committee had instructed Islands Trust legal counsel to seek an injunction that would restrain Westcoast Vacations Inc. from using or facilitating the use of residential homes for STVRs on Salt Spring Island. In his Reasons for Judgment released on October 29, 2012, Mr. Justice Leask, noted that “Commercial guest accommodation use is not a permitted primary or accessory use of any land in the Residential Zones.” However, he found that the activities of Westcoast	Staff will provide briefings on any new legislation.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
			Vacations do not, on their own, constitute a breach of the bylaw, in that Westcoast Vacations could not prevent or prohibit the use of a property for an STVR.	
<u>North Island-Coast Development Initiative Trust Act</u> amendments	Announced March 29, 2023	As part of government's work to support rural economic development, the Province will introduce legislative amendments in fall 2023 that will allow a total of \$30 million to be delivered to the Island Coastal Economic Trust (ICET), Northern Development Initiative Trust (NDIT), and the Economic Trust of the Southern Interior (ETSI) in 2023-34. Each trust would receive \$10 million to invest in their regions.	Islands Trust has advocated in the past for Islands Trust Area communities to be eligible for funding.	No action planned.
<u>Heritage Conservation Act Transformation Project</u>	Active	The purpose of the <u>Heritage Conservation Act (HCA)</u> is to encourage and facilitate the protection and conservation of B.C.'s unique cultural heritage. The Provincial Heritage Register lists nearly 60,000 protected heritage sites, of which, over 90% are of First Nations origin. The Province recognizes the need to transform the HCA to better meet the needs of all British Columbians. Transforming the HCA will provide for alignment with the UN Declaration and will support the provincial mandate of lasting and meaningful reconciliation. It will also aim to increase certainty and stability for First Nations, landowners, proponents, developers, and government, while supporting sound decision making. Drafting of legislative, policy and program reforms are targeted for Spring 2024.	None. Local trust committees and Bowen Island Municipality can designate Heritage Conservation Areas in their OCPs. To date, no Trust bodies have done so. Heritage conservation areas may require a heritage alteration permit for: alteration of land, feature, building, or structure, subdivision (Bowen), additions, or new construction.	Staff will continue to monitor. CRD staff are also monitoring.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Federal Planned Legislation				
Order Amending Schedule 1 to the Species at Risk Act	Consultation period closed June 12, 2023	Species proposed for addition to Schedule 1 of SARA: - Western Bumble Bee occidentalis subspecies (threatened). Range: BC, AB, SK - Western Bumble Bee mckayi subspecies (special concern). Range: YK, NWT, BC A Western Bumble Bee population has been identified in the Trust Area Species proposed for reclassification to Schedule 1 of SARA: - Monarch (endangered). Range: BC, AB, SK, MB, ON, QC, NB, NS, PEI		No actions planned.
Update to the Canada Water Act	Budget 2023 included provision for the creation of the Canada Water Agency	By the end of 2023, the government will introduce the legislation that will fully establish the Canada Water Agency as a standalone entity. This has long been a priority for water champions and leaders across the country and signals a deeper cross-government and collaborative approach to water.		No actions planned.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Proposed Aquaculture Act and Regulations (Federal)	Fisheries and Oceans Canada led two initial rounds of engagement in 2017-18 and in 2019. An online consultation also took place from June - December 2019 along with in-person engagement in some regions. See "What We Heard Report". The next phase of public engagement was open until February 12, 2021	The proposed <i>Aquaculture Act</i> is expected to: - define the term aquaculture in legislation - recognize the need for clarity and stability for responsible economic growth of the aquaculture sector - ensure environmental protections enshrined in the <i>Fisheries Act</i> are included and specific to aquaculture - develop enforcement mechanisms specific to aquaculture - respect provincial and territorial jurisdictions - respect roles and responsibilities articulated in treaties and other rights reconciliation arrangements On Aug 17, 2020, the Minister of Fisheries, Oceans, and the Canadian Coast Guard launched the next phase of the Government's public engagement on the first-ever Aquaculture Act. A discussion paper providing background on aquaculture in Canada, rationale for the proposed legislation and an overview of the elements proposed for the new Act, is now available online with key questions to guide feedback to the Government on this important initiative. The public is invited to visit https://dfo-mpo.gc.ca/aquaculture/act-loi/consultations-eng.html, and had until February 12, 2021 to participate in this round of consultation. UPDATE January 31, 2023: No further progress since last report. Fisheries and Oceans Canada is continuing in taking time to review and carefully consider the input. August 24, 2023: No further updates	Jan 2018 Chair letter to Minister of DFO requesting ecosystem-based study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea. 2018 UBCM resolution calling for DFO to conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased monitoring and enforcement. Dec 2019 Chair letters to Ministers of DFO and FLNRORD requesting more resources for enforcement of shellfish regulations and tenure licenses. Trust Programs Committee co-sponsored a virtual Baynes Sound/Lambert Channel Ecosystems Forum in May 2020, together with the World Wildlife Fund.	The Province has responsibility for issuing tenures for aquaculture. Local trust committees and Bowen Island Municipality have zoning authority. This generally does not include regulating anything covered through aquaculture licenses from DFO. Once the amendments are complete, a review should be undertaken to determine any necessary zoning amendments. Applications should include foreshore and underwater archaeological reviews to protect historical clam beds, fish weirs, and cultural heritage. Section 35 rights for access should be considered.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
			On January 14, 2021 the Island Trust Chair sent a submission comments pertinent to the federal Aquaculture Act Consultation	

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Progress				
Bill 29 - Environmental Management Amendment Act, 2023	First Reading May 08, 2023	The Province is amending legislation to ensure owners of high-risk industrial projects are responsible for the full cost of environmental cleanup if their projects are abandoned. Changes under the proposed legislation will enable future provincial regulations to give government the authority to collect, use and enforce financial assurance requirements under the Environmental Management Act. It means companies will be obligated to plan for decommissioning and closure of their operations, and may be required to provide financial security for this cleanup in advance.		No actions planned
Federal Legislation in Progress				
<u>Bill C-226 – An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice</u> (MP Elizabeth May Private Members Bill)	At second reading in the Senate	This enactment would require the Minister of the Environment, in consultation or cooperation with any interested persons, bodies, organizations or communities, to develop a national strategy to promote efforts across Canada to address the harm caused by environmental racism. It also provides for reporting requirements in relation to the strategy.		No actions planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Effect				
<u>Ministerial Order No M244: Prohibition on the acceptance of new private moorage (PM) applications within the Southern Gulf Islands and southeast shoreline of Vancouver Island</u>	Extended to August 23, 2025	Under the Land Act the Minister of Forests has extended the prohibition on the acceptance of new private moorage (PM) applications within the Southern Gulf Islands and southeast shoreline of Vancouver Island by another two years to August 23, 2025. The proliferation of private moorages in the Southern Gulf Islands area, Quw'utsun Nation's (QN) core territory, has resulted in cumulative effects and impacts in the foreshore and marine environments. The extension of the prohibition will provide additional time to advance the cooperative planning process between the Province and QN towards an improved strategic PM management approach that will account for cumulative impacts while at the same time providing increased predictability, certainty, and reduced wait times for PM applicants.	Islands Trust Executive Committee requested a meeting with the Parliamentary Secretary for Ministry of Forests at the Union of BC Municipalities Convention in Sept 2023 to discuss.	Staff will continue to monitor and meet with provincial staff as required.
<u>Ecological Reserve Regulation – Order in Council 477</u>	Approved and Ordered July 18, 2023	The new Ecological Reserve Regulation will enable compliance and enforcement measures in ecological reserves so individuals conducting illegal activities can be prosecuted or fined. Under the previous regulation, BC Parks lacked the ability to impose penalties on individuals and companies that disobey the law in these sensitive ecosystems. B.C. has approximately 158 ecological reserves. While scientific research and education are the primary purposes, most are also open to the public for viewing or photographing wildlife. There are 7 Ecological Reserves within the Islands Trust Area, protecting a total of 1424.8 ha. Several of these are small islets in Thetis, Galiano, and Gabriola LTAs, and there are also large reserves on Salt Spring Island (781.78 ha total) and Bowen Island (Bowen Island Ecological Reserve is 396.84 ha).		No actions planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Order in Council - Hazardous Waste Regulation Updates	In effect July 07, 2023	The regulation was updated to: • Facilitate the collection, diversion and recycling of moderate risk waste and Extended Producer Responsibility • Make it more practical and financially viable for northern and remote communities, including Indigenous communities to collect, transport and dispose of moderate risk waste • Protect the environment by reducing illegal dumping or unlawful disposal and by supporting access to return collection facilities • Protect human health by reducing risks of fire and chemical exposures for workers in rural and remote communities		No actions planned.
Agricultural Land Reserve Use Regulation - Additional Residence Total Floor Area ("TFA") Amendment	In effect June 30, 2023	The ALC has amended the TFA definition for a permitted additional residence. The amended definition now allows measurement of the TFA for an additional residence to be measured to the inner surface of the exterior wall. The change in the TFA definition for an additional residence permitted under the ALR Use Regulation has been made in recognition of the way CSZ240 prefabricated residences are measured and marketed. The new TFA definition will apply to all permitted additional residences (prefabricated or stick built).		No actions planned.
Forest and Range Practices Act (FRPA)	New actions announced June 26, 2023	Regulations amended to strengthen forest management, including new requirements for forest licence holders to publish forest operations maps, new legal protection for rare habitats called "ecological communities" and enhanced management for designated recreation sites and trails. Increased protection for rare and endangered species and habitats will be supported through a new regulation under the Forest and		No actions planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		Range Practices Act that establishes a new protected habitat category known as Ecological Communities.		
B.C. Wildfire Regulation Amendments	Approved on April 24, 2023	The changes clarify responsibilities related to high-risk activities and open fire use within provincial jurisdictions and help prevent human-caused wildfires. Category 1 campfires and category 4 resource management open fire have been renamed to match the existing wording in the <i>Wildfire Regulation</i> (there are no changes to the definition or size of any of these open fires). Some obligations of people using open fire have been clarified. For example, where a fuel break must be placed and where an open fire must not spread from. For category 3 open fire, which includes larger-scale pile burning, a new requirement has been added to document actions taken to confirm that these open fires are extinguished.		No actions planned.
BC Building Code 2018-Revision 5	In effect May 01, 2023	Effective May 1, 2023, the BC Building Code will require 20% better energy efficiency for most new buildings throughout the province. The Zero Carbon Step Code provides tools for local governments to encourage or require lower emissions in new buildings. Together, the changes meet commitments in the CleanBC Roadmap to 2030 to gradually lower emissions from buildings until all new buildings are zero carbon by 2030 and are net-zero energy ready by 2032.		No actions planned.
Strata Property Regulation amendment	In effect May 02, 2023	This amendment expands the list of exemptions to 55-and-over bylaws in strata buildings to include future children and spouses or partners of current residents. It will also create an exemption to permit adult children of current residents to move back home with their parents or former caregivers.		No actions planned.
National Day for Truth and Reconciliation Act	Royal Ascent March 09, 2023	This new provincial statutory day of commemoration responds to the Truth and Reconciliation Commission's Call to Action No. 80, which called on the federal government to establish a holiday to honour survivors, their families and communities. British Columbia joined Canada, Prince Edward Island, the Northwest Territories,		Staff will support communications related to the National Day for Truth and Reconciliation.

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		Nunavut and the Yukon as jurisdictions that have designated Sept. 30 as a statutory holiday.		
Freedom of Information and Protection of Privacy Amendment Act, 2021	Fully into force February 1, 2023	The new section 36.2 of FIPPA requires all public bodies, including local governments, to develop a privacy management program, in accordance with the provincial directive . As outlined in the provincial directive, privacy management programs must be “commensurate with the volume and sensitivity of the personal information in the public body’s custody or under its control. A Young Anderson summary of the legislation can be found here .	Islands Trust currently follows provincial privacy rules.	Continue to ensure Staff are trained on Provincial privacy rules and protocols. Establish a Privacy Management Plan for Islands Trust.
Amended Applied Biologists Regulation - Professional Governance Act	Into force September 01, 2022	In the past, Islands Trust has made use of mapping products provided by volunteers. Recent changes to the <i>Professional Governance Act</i> (BC) and related regulation require that biologists need to be registered with the College of Applied Biology to practice applied biology and in the view of ITC staff this likely includes mapping. Much of the guidance around use of volunteer work is still being developed by the College of Applied Biology. Further information can be found at https://www.cab-bc.org/reserved-practice-2022-faq. There are implications for development permit areas, bylaws, or other regulations that relate to, or rely on, environmental data. Update: This legislation also means that any work related to biology must be done by a registrant of the College of Applied Biology: including any reports or professional opinions that an applicant submits.		Islands Trust will now only make use of ecological mapping products provided by volunteers if there is sign off by a Registered Professional Biologist who is able to practice in the area of interest or if they are able to become an “Applied Biologist—Limited Licensee.” Update: Islands Trust Conservancy is determining how to address this issue as several of the contractors that were previously engaged are not College registrants. IT / ITC cannot accept reports that are not

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
				signed off by a Registered Professional Biologist or work that has been done without RPBio oversight.
Accessible British Columbia Regulation under Part 3 of the Accessible British Columbia Act .	Comes into effect Sept. 1, 2022	The regulation requires organizations listed in the regulation (including Islands Trust) to meet the requirements of Part 3 of the Accessible British Columbia Act. Government and listed organizations must establish: 1. An accessibility committee 2. An accessibility plan 3. A tool to receive feedback on accessibility Islands Trust must comply by September 1, 2023 NEW: Announced on December 1, 2022 the Province has appointed 30 people to help develop British Columbia's first two standards for accessibility: the employment accessibility standard and the accessible service delivery standard.	This is a standing item on the Occupational Health and Safety Committee agenda. Trust Council approved a new Administrative Coordinator position to support the Accessibility Committee, among other duties. Classification underway.	Islands Trust management team has developed a funding request and a related business case for an Administrative Coordinator to support the new required committee. Staff will support accessibility plan development in 2023/24. Staff will also seek grant funding, if available, to support this work. Committee policy established by Trust Council in June 2023. Staff currently in process of recruiting for the Committee in fall 2023.
Bill 22 – 2021: Freedom of	Royal Assent November 25,	Highlights of the amendments include:		Trust Council and local trust committees will

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Information and Protection of Privacy Amendment Act, 2021	2021	• updating FOIPPA's data-residency provisions so public bodies can use modern tools while continuing to protect personal information; • adopting a privacy management program (in accordance with the directions of the minister responsible for this Act), • enhancing public-sector privacy protections and increasing accountability by implementing mandatory privacy-breach reporting; • introducing a modest application fee (\$10) for non-personal freedom of information (FOI) requests; and • demonstrating the Province's commitment to diversity, inclusion, reconciliation and equity by increasing information sharing with Indigenous Peoples, adding Indigenous cultural protections and removing non-inclusive language A special committee of the Legislative Assembly is embarking on a statutory review of FOIPPA, and this process is likely to lead to even more recommendations for reform. As part of these changes, the B.C. government introduced a \$10 fee for general freedom of information (FOI) requests. The application fee for general requests is intended to bring B.C. in line with other Canadian jurisdictions that also have an application fee. Those making personal requests will continue to pay no fee at all.		amend their respective FOIPP bylaws and the Islands Trust Conservancy will amend its policy to reflect changes to fees under the amended FOIPP Act; The FOI Head of the above noted Islands Trust bodies will develop a privacy management program in accordance with the directions of the minister responsible for the Act; and Islands Trust FOI and Information Systems staff will adjust FOI practices as necessary in accordance with the amended FOIPP Act and regulations.
Bill 26 Municipal Affairs Statutes Amendment Act (No. 2), 2021	BC Reg dated Jan 31, 2022 makes all provisions effective Feb 28, 2022 https://www.bcl	The Municipal Affairs Statutes Amendments Act (No. 2), 2021, among other purposes: • Require local governments to consider developing or updating codes of conduct (does not apply to Islands Trust bodies but does apply to Bowen Island Municipal Council)	Islands Trust has taken an active role in advocating for several components of this legislation. Specifically: Electronic Permit And Public Hearing Notification changes	Staff will review internal procedures for giving notice of public hearings and meetings, and advise local trust committees accordingly.

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	aws.gov.bc.ca/civix/document/id/oic/oic_cur/0050_2022	- Streamline local government development approvals processes - Modernize local government public notice requirements - Respond to the Islands Trust request to remove administrative barriers and meet its unique mandate more effectively The proposed amendments to the Islands Trust Act address specific requests made by the Islands Trust Council. The changes include: - including a specific reference to First Nations in the trust's objective statement to recognize its ongoing relationship and reconciliation efforts with First Nations; - enabling the Islands Trust to give financial support to community groups for activities that provide education about or preserve the environment and unique amenities of the Trust Area; and - streamlining the Islands Trust development approvals processes by enabling local trust committees to adopt and amend Development Approval Information bylaws. Moving this decision to local trust committees is consistent with other authorities in the trust and will create efficiencies in approval processes. The following legislated changes apply to all local governments in British Columbia, and aspects of this legislation will affect planning at the Islands Trust. Specially: - Changes to notices for public hearings – no longer need to rely on newspaper, with a default system in the new legislation. LTCs can adopt an alternative approach by bylaw.	through resolutions to AVICC and UBCM in 2021; and a request for Legislative Changes to the Islands Trust Act in 2018. A news release welcoming the changes to the legislation was sent out by Islands Trust in mid-November	A bylaw must be adopted in order for trust bodies to provide for alternative means of publishing a notice instead of publishing the notice in a newspaper.

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		2. Ability to delegate minor DVPs to staff – the legislation places limitations on the types of variances and requires that the delegating bylaw specify what is “minor”. This delegation would be via bylaw, with guidelines for staff on when to approve, as well as a definition of what is considered minor. The amendment to the Islands Trust Act to add First Nations came into force with Royal Assent of Bill 26. and all of the provisions above came into force by regulation in February 2022.		
Federal Legislation in Effect				
<u>Interim Order Respecting the Discharge of Sewage and the Release of Greywater by Cruise Ships in Canadian Waters</u>	In effect June 09, 2023	Transport Canada introduced voluntary sewage and greywater discharge measures for cruise ships in 2022. For the 2023 cruise ship season, Transport Canada worked with the cruise industry to develop new permanent measures. These measures will help restore marine habitats and further protect Canadian waters from vessel sourced pollution. The new measures have been implemented through an interim order, which has the same effect as a regulation but takes effect immediately while TC goes through the longer process of creating new regulations. The order states that a cruise ship and its authorized representative must not discharge sewage or greywater if the ship is three nautical miles or less from shore, and may only discharge at more than three to 12 nautical miles if certain measures are taken and outcomes achieved.	The Islands Trust has advocated in the	
Canadian Environmental Protection Act	Royal Ascent: June 13, 2023	These amendments, amongst other things, update the Act to recognize the right to a healthy environment.		No actions planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
amendments - Bill S-5, Strengthening Environmental Protection for a Healthier Canada Act		The entrenchment of this right in federal law follows the United Nations ("UN") General Assembly's passing of a resolution last summer recognizing the right to a clean, healthy and sustainable environment, which Canada voted in favour of. With these amendments, Canada now joins the 156 other UN member states who also recognize the right to a healthy environment either in their constitution or other legislation.		
Interim Order for the Protection of the Killer Whale (Orcinus orca) in the Waters of Southern British Columbia, 2023	In effect June 01, 2023	For the fifth consecutive year, Transport Canada is implementing expanded measures for vessel operators, including: • Vessels must stay at least 400 metres away from all killer whales year-round in southern British Columbia coastal waters between Campbell River to just north of Ucluelet. • Commercial whale-watching and ecotourism companies that receive an authorization from the Minister of Transport will be able to view transient (Biggs) killer whales from 200 metres, given their expertise in identifying different types of killer whales. This provision does not apply to the Southern Resident killer whale population. • If a vessel finds itself within 400 metres of a killer whale, they are asked to turn off fish finders and echo sounders and put the engine in neutral when safe to do so to allow animals to pass. • If a vessel is within 1,000 metres of a killer whale, they are asked to reduce speed to less than 7 knots when safe to do so to lessen engine noise and vessel wake. • For the 2023 season, Transport Canada strengthened the requirements of the avoidance distance to further minimize physical and acoustic disturbance in the presence of killer whales in the Interim Order under the <i>Canada Shipping Act, 2001</i>.		Islands Trust will continue to support Transport Canada's communication efforts.

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		In addition there is an agreement with local whale watching and ecotourism industry partners to abstain from offering or promoting tours viewing Southern Resident killer whales. Two interim sanctuary zones off Pender Island and Saturna Island from June 1 to November 30, 2023. No vessel traffic will be permitted in these areas during this period, subject to certain exceptions for emergency situations and Indigenous vessels. On May 16, 2023. Washington State Senate Bill 5371 was signed and requires that boaters stay 1,000 yards away from Southern Residents, beginning in 2025.		
Prohibition On The Purchase Of Residential Property By Non-Canadians Act	Into force January 01, 2023	The Act was introduced for the stated purpose of addressing the problem of rapidly increasing housing prices across Canada. In conjunction with the Prohibition on the Purchase of Residential Property by Non-Canadians Regulations the new legislation sets out a strict prohibition regarding the purchase of residential property by a “non-Canadian”. It affects contracts for purchase and sale that come into effect on or after January 1, 2023. This legislation could potentially have some impact on development in the Trust Area. Based on interpretation of the legislation from MP Barron’s office, it appears the legislation applies to Hornby Island and Denman Island, as well as the Thetis Island Local Trust Area.	Staff have e-mailed Statistics Canada and Canada Mortgage and Housing Corporation staff to confirm the applicability of the legislation in the Trust Area particularly SSI and SSILTA. Jan 23, 2023: Statistics Canada staff replied and stated that “neither Salt Spring Island or the Salt Spring Island Local Trust Area are a census agglomeration” and therefore are not directly affected by this legislation.	
Bill S-10 - An Act to give effect to the	Royal Assent in Parliament	This legislation, both symbolically and in real terms, transforms the relationship between Canada and the shíshálh Nation. The Bill	In August 2023 Islands Trust sent a letter to shíshálh Nation requesting	None planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Anishinabek Nation Governance Agreement, to amend the Sechelt Indian Band Self-Government Act and the Yukon First Nations Self-Government Act and to make related and consequential amendments to other Acts	on June 23, 2022	updates the 1986 Act, removing the anglicized name and transitioning to the <i>shíshálh Nation Self-Government Act</i>. Other changes include: - Aligning the Self-Government Act with the United Nation Declaration on the Rights of Indigenous Peoples, - removing outdated oversight provisions that are not required under modern self-government arrangements, - confirming law-making powers over social and welfare services, including child and family services for all shíshálh Nation members, and - allowing for the establishment of a new land registry for the registration of interests in shíshálh lands, as an alternative to the <i>Indian Act</i> Reserve Land Register.	a leadership to leadership meeting.	

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Galiano Forest Lot Owners Association v. Galiano Island	Judgement August 01, 2023	Supreme Court of BC Justice Alan M. Ross dismissed a lawsuit brought by a group of property owners on its merits. The Galiano Forest Lot Owners Association, Preston Family Forest Ltd., Olaf Knezevic, Winstanley Forest Ltd. and Boscher Construction Ltd. had	A news release about this decision was issued by Island Trust on Aug 24, 2023	Court of Appeal.

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Local Trust Committee, 2023 BCSC 1334		argued that the LTC lacked jurisdiction over parcels they owned, provincially classified as “managed forest land.” The Galiano Island Local Trust Committee passed a bylaw in 1992 prohibiting construction of dwellings on properties zoned forest land on that island, updating the regulation in 2000 to allow for a single small residential building. In the meantime, the provincial government had legislated several changes to its regulations — “forest land reserves” became “private managed forest lands,” for example — and there were court challenges to the regulatory authority of Galiano’s LTC by multiple landowners; Justice Ross noted relevant petitions against the LTC in 1992, 1996 and 2009 were unsuccessful, despite appeals. In dismissing this petition, Justice Ross wrote the 2000 bylaw was reasonable, within the jurisdiction of the LTC, and not made unenforceable by provincial regulation passed since. <u>Update:</u> August 30, 2023 – The Galiano Forest Lot Owners Association filed an appeal to the BC Court of Appeal. Islands Trust has filed a notice of appearance in response.		
Gabriola Island Local Trust Committee v. Fonseca, 2023 BCCA 302	Judgment July 26, 2023	The BC Court of Appeal judgment followed a contempt of court ruling against Joaquim Fonseca, who was ordered a \$2,500 fine and further \$7,500 penalty if the seawall structure isn’t removed by Oct. 31, 2023. The decision rendered by Court of Appeal Justice Gregory Fitch is in response to an ignored January 2021 removal order, which overturned a prior Supreme Court ruling preventing local government enforcement of its land use bylaw.	The Gabriola Island Local Trust Committee (GILTC) began enforcement action in 2012 to preserve environmental protection objectives and ensuring the scenic beauty of shoreline areas.	Final amount of awarded costs to be finalized.
Peace River (Regional District) v. Pringle, 2023 BCSC 1172	Judgement July 10, 2023	A judicial review between the Peace River Regional District and a Pouce Coupe couple operating an unpermitted campground has been settled in Supreme Court, with Justice Shelley C. Fitzpatrick ruling that the couple sought to avoid consequences from agricultural zoning and district bylaws. Several unpermitted		

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
		structures were flagged by the PRRD for removal from the property to comply with zoning bylaws, including electrical and sewer infrastructure. The couple sought two exemptions from the Agricultural Land Commission (ALC), but were rejected in April 2021 and July 2020, ceasing development in November 2019, when they learned of the ALR status. The ALC panel rejected the application on the basis that the campground is not an approved use under the ALC act, and was built without ALC approval or the required PRRD building permits. Fitzpatrick said the couple must pay any bylaw penalties owed to the PRRD, with the regional district also entitled to costs incurred by the judicial review.		
<u>McHattie v. Central Saanich (District), 2023 BCSC 175 – 2023/02/06 - corrected Judgement</u>	Corrected on February 24, 2023.	The District of Central Saanich must pay the legal costs of farm owners who cut down more than 100 protected trees on their property. Justice Veronica Jackson in February dismissed Central Saanich’s arguments and allowed a petition brought forward by Margaret Ann McHattie and Jean Christison, owners of the Keating Cross Road farm where the trees were felled. The McHattie family bought the property in 1937 before more than half of the lot was designated as Agricultural Land Reserve (ALR) land in 1973. The owners began clearing trees on their non-ALR land in 2020 to expand grain and other crops, but the district said those actions were contrary to its tree protection bylaw. Judge Jackson’s February decision found Central Saanich’s position “unreasonable because it did not take into account the effect of the tree protection bylaw on the landowners’ development to the density permitted for agriculture.” That also quashed a cease work order the district issued in November 2021. Central Saanich filed a notice of appeal into Jackson’s judgment in March.		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
2023 Conservation Data Centre Taxonomy, Classification, and Rank Updates	Released July, 2023	The BC Conservation Data Centre annually releases updates to Conservation Status Ranks of selected species and ecological communities, additions of new species and ecological communities in B.C. and changes in species taxonomy and ecological community classification. BC CDC data were updated in July and made available through BC Species and Ecosystems Explorer (BCSEE). BCSEE reflects the Provincial Resource Inventory Standards Committee (RISC) standard for scientific names, English names, and species codes (RISC codes) for species and ecological communities in B.C.		Some Islands Trust staff refer to the BC Species and Ecosystems Explorer to inform staff reports.
Report: Forest and Fire Management in BC: Toward Landscape Resilience	Released June 29, 2023	BC's Forest Practices Board has published <i>Forest and Fire Management in BC: Toward Landscape Resilience</i> , a report about the changes required to forest and landscape management to reduce the risk of catastrophic wildfire in BC. The Board is calling for the provincial government to develop a province-wide vision and action plan that will align all levels of government to restore landscape resilience and reduce the risk of catastrophic wildfire. The Board has also published a technical bulletin to help land managers put landscape fire management principles into practice.	The report has been provided to Conservancy staff to be considered with other resources regarding potential wildfire prevention.	Islands Trust Conservancy has on its future projects list “To determine the costs and scope of work associated with better identifying the local area impacts of climate change, in order to adapt ITC's work to best protect local species and ecosystems.”
CSA W218:23 Specifications for natural asset inventories	Published Spring 2023	This National Standard of Canada defines minimum requirements for the development and reporting of a natural asset inventory. It provides definitions, guidance and helps bridge the gap for local governments looking to begin accounting for their natural assets, while also providing consultants and practitioners with expert-developed best practices to apply in their work.		No actions planned.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Local Government Levers for Housing Affordability Toolkit	Released July 14, 2023	The Community Social Planning Council has published this Toolkit which highlights key tools and examples of policies and practices which are intended to make a difference in housing affordability, while addressing common challenges and proposing practical solutions. It is a resource that provides a comprehensive overview of various tools and their municipal context, enabling local governments to make informed decisions.		
Canada's National Adaptation Strategy: Building Resilient Communities and a Strong Economy	Released June 27, 2023	The Strategy lays out an agreed-upon framework to reduce the risk of climate-related disasters, improve health outcomes, protect nature and biodiversity, build and maintain resilient infrastructure, and support a strong economy and workers. It also identifies common goals, objectives, and targets to focus the efforts of governments and communities across these key areas and to help ensure future investments are targeted and effective. The Strategy includes the target that by 2027, 80% of coastal communities and 60% of businesses located in coastal regions are implementing adaptation actions to increase climate resilience and reduce the economic impacts of climate change.	Staff monitor for grants to support climate adaptation projects.	Staff will monitor for grants to support climate adaptation projects.
Farm Use Structures in the ALR Guidelines	Released June 19, 2023	The guidelines were developed in response to the ALC review of plans for structures purported to be “farm buildings” but that include spaces for other accessory residential and or non-farm uses; and requests from local government staff, landowners, and builders asking for some guidance on the design of structures necessary for farm use in the ALR. The <i>Farm Use Structures in the ALR Guidelines</i> cover: Guidance on establishing what a farm structure is;	Legacy issue in several local trust areas – “barns” are built for other accessory uses such as to house exotic car collections or health retreats	Staff will apply guidelines when reviewing building plans in the ALR

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		• Considerations when evaluating “necessity” for a farm structure; • General necessary farm use structure design considerations; and • Required authorizations from the ALC if permitted fill areas for a farm structure is exceeded The Farm Use Structures in the ALR Guidelines are publicly available on the ALC website.		
Guide for meeting Accessible BC Act requirements	Announced May 17, 2023	The provincial government and the Disability Alliance of BC have created a guidance document to assist local governments in meeting their requirements under the <i>Accessible BC Act</i> by the September 1, 2023 deadline. The guide provides information about the requirements, shares resources, offers strategies to comply, and highlights current funding opportunities	See Legislation in Effect section	See Legislation in Effect section
Implementation of Indigenous Protected and Conserved Area Agreements in Canada: A Review Of Successes, Challenges, And Realities	Released May 16, 2023	A new research report from MakeWay and The Firelight Group sheds light on the experiences and perspectives of people involved in implementing Indigenous Protected and Conserved Area (IPCA) agreements in the North. IPCAs are lands and waters managed either exclusively by Indigenous governments and organizations or in partnership with public governments. They protect Indigenous rights and critical landscapes, while also supporting the application of Indigenous laws, governance, and knowledge systems.		No planned actions.
Webinar recording: Start talking about circular economies	Available	This introductory webinar by the Green Municipal Fund provides information on exploring the benefits of a circular economy. It includes sustainability experts and peers from across Canada on how they adopted circular economies in their communities.		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Synthesis Report (SYR) of the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report (AR6)	Released	The Intergovernmental Panel on Climate Change (IPCC) has released the <i>Summary for Policymakers</i> and <i>Longer Report</i> for its upcoming <i>Synthesis Report</i> of its <i>Sixth Assessment Report</i> (AR6). The <i>Summary for Policymakers</i> opens with a high-level summary that brings together key points from the IPCC's three working groups, which examine: (1) the physical climate science, (2) adaptation and vulnerability, and (3) mitigation. With each successive report, the IPCC's confidence in the attribution of observed climate change and its ensuing impacts to increasing greenhouse gas concentrations from the use of fossil fuels has grown, as has its confidence in its assessment of the need for, and benefits of, strong mitigation and adaptation measures to avoid the worst of the projected future impacts. The <i>Longer Report</i> goes into these in greater detail. It includes the Pacific Climate Impacts Consortium synopsis.	All local trust committees and Bowen Island Municipality have GHG reduction targets in their Official Community Plans.	A number of climate change related activities are in the Strategic Plan and Islands Trust Conservancy Plan.
Accessibility toolkit and hub	Announced March 08, 2023	The Disability Alliance of BC (DABC) has developed an Accessibility Toolkit and Hub to assist prescribed organizations to come into compliance with the <i>Accessible BC Act</i> . DABC is also seeking feedback on the Toolkit, the Hub, implementation progress, and additional tools and resources that are needed. Local government-specific tools will be developed by DABC in the coming months.	See Legislation in Effect section	See Legislation in Effect section
Watershed Security Fund – New Investment	Announced March 06, 2023	This \$100-million investment in the Watershed Security Fund builds on last year's \$30-million commitment announced in Budget 2022, and will continue to improve B.C.'s watersheds and build on the success of a previous \$27-million investment in the Healthy Watersheds Initiative (HWI) under the StrongerBC economic plan. Convened in June 2022, the B.C.-First Nations Water Table (BCFNWT) is made up of representatives from the Province and delegates from First Nations in B.C. This announcement formalizes	Funding from the Healthy Watersheds Initiative (HWI) was utilized for part of the 2020 Freshwater Strategy Project.	Staff will monitor for funding opportunities.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		the BCFNWT's role co-managing the Watershed Security Fund and further co-development of B.C.'s watershed security strategy.	Islands Trust has advocated in support of the creation of the Fund.	
BC Budget highlights summary	Published February 28, 2023	Budget 2023 projects a series of deficits over its three-year fiscal plan: \$4.2 billion in 2023-24; \$3.8 billion in 2024-25; and \$3.0 billion in 2025-26. The budget also provides \$5.7 billion in contingencies through the fiscal plan period for climate and emergency response; Clean BC and other spending uncertainties. Significant new spending has been earmarked for healthcare and housing. Funding commitments over the three-year fiscal plan of interest to local governments are highlighted in this summary.		No actions planned.
Natural Asset Infrastructure in British Columbia: Barriers and Opportunities	Released February 2023	This Municipal Natural Assets Initiative (MNAI) report provides better understanding of the regulatory and policy issues that interfere with planning, designing, and developing Nature Based Solutions (NBS) — specifically natural asset infrastructure — across BC, and how they can overcome them. While its focus is on BC, MNAI used a framework that is useful across Canada and the report sheds light on universal challenges and solutions that other provinces and local governments can apply.		No actions planned.
Delivering Nature Based Solutions – Webinar Series	March 08, 2023 – April 18 2023	The focus of this webinar series from the Coastal Douglas-fir Conservation Partnership will be to demonstrate what nature based solutions for climate resilience and biodiversity conservation look like delivered on the ground and how land managers and planners can take this into consideration in their strategies.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Island Coastal Inter-Community Transportation Study	Released August 28, 2023	Island Coastal Economic Trust (the Trust) and Vancouver Island Economic Alliance (VIEA) have released the results of engagement and publication of the new Island Coastal Intercommunity Transportation “What We Heard Report” Regional engagement took place in June 2023, focused on passenger transportation connections between communities and especially in rural and remote areas as well as the islands that are either not currently served or are underserved. The What We Heard Report was commissioned by the Trust with funding from the Ministry of Transportation and Infrastructure. The What We Heard Report highlights four key themes that emerged from participants in the in-person engagement sessions as well as the online survey. All of which are in alignment with past transportation studies that were researched as part of this study. • Governance and Policy • Community Partnerships • Government Support • Active and Alternative Transportation		
2023 UBCM Annual Report	Released August 18, 2023	The Annual Report highlights the work undertaken by UBCM on behalf of its members over the past year. In addition to summaries of Executive and Committee accomplishments, the Report provides information on member programs and services including Local Government Program Services and the Canada Community Building Fund program.	Staff monitor for grant opportunities	Will continue to monitor for grant opportunities.
Engagement: Bowen Island Municipality	Open until September 18, 2023	Bowen Island Municipality is engaging on its proposed Code of Conduct. A Code of Conduct defines core values, establishes standards and expectations with respect to the conduct, decorum, and behaviour of Council members, and outlines complaint		No actions planned. Trust Council has a Standards of Conduct Policy .

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Code of Conduct Policy		processes in the event of a violation. The draft Code of Conduct Policy 23-01 is based on the Union of BC Municipalities (UBCM) Model Code of Conduct developed by a Working Group on Responsible Conduct. Council will be considering adoption of this policy at its meeting on October 10, 2023. The Draft Code of Conduct Policy can be read here .		
Engagement: Temporary relocation of liquor stores	Open until September 29, 2023	The Province is conducting stakeholder engagement regarding the temporary relocation of liquor stores in B.C., and whether there is support for providing this option to liquor retailers. Interested local governments are to submit feedback in response to the Province's engagement paper .		Zoning must be in place for liquor retail services.
Engagement: Cannabis store license limit	Closed September 15, 2023	The Province sought local government feedback to inform its review of the BC licence cap policy, which pertains to the number of private cannabis store licences that any company, person, or group of persons can have an interest in.		
Engagement: Coastal Marine Strategy	Closed April 14, 2023	The Coastal Marine Strategy will concentrate on activities, uses and values that the Province is accountable for while recognizing that the Province needs strong collaboration and cooperation with other orders of government. B.C. is responsible for managing and authorizing activities and uses that require access to structures fixed or over the seabed, such as aquaculture, docks, clean energy, marinas, and underwater utilities. The Province also has accountability for tourism operator licensing, land use planning (e.g., marine parks and protected areas), climate change mitigation and adaptation (including ocean acidification and sea level rise) and environmental assessments for large projects.	The Executive Committee met with the Minister of Land, Water, and Resource Stewardship in September seek the Minister's support and advice in determining how Islands Trust can collaborate with the Ministry, First Nations, and other parties on the	Staff will continue to monitor this topic.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		NEW: August 15, 2023 - Following extensive consultations with British Columbians, the Province has received valuable feedback that will help shape British Columbia's first-ever Coastal Marine Strategy, co-developed with coastal First Nations. A summary of more than 900 submissions received from individuals, environmental non-governmental organizations, local and regional governments, industry associations and businesses across British Columbia is now available in the Coastal Marine Strategy's What We Heard report. This report summarizes key themes captured during the public engagement and will help inform the Coastal Marine Strategy.	development of a B.C. Coastal Marine Strategy. Staff have attended various engagement events. In April 2023, the Chair wrote in response to an engagement. Staff arranged a special session for trustees from provincial staff regarding the strategy in March 2023.	
WSÁNEĆ Land Trust Society – Charity with Ecological Gift Status	Approved 2023	The WSÁNEĆ Land Trusts Society (WLTS) is a not-for-profit organization formed in 2021 as a modern vehicle to return 9.67-acre SISĆENEM (Halibut Island) to WSÁNEĆ. Recently, the WLTS has become an approved recipient of Environment and Climate Change Canada's Ecological Gift Program (EGP), which offers significant tax benefits to landowners who donate land to the WLTS. This is one of several initiatives designed to help the Society to achieve its goal of returning land for cultural, environmental, and economic benefits to future generations of WSÁNEĆ, regardless of their band affiliation.		No actions planned.
Engagement: Eradicating Invasive	Closed on August 23, 2023	Parks Canada is undertaking a Detailed Impact Assessment to decide whether the proposed project Eradicating Invasive European Fallow Deer from Sidney Island to Facilitate Sustained Forest	Islands Trust Conservancy is a partner on the proposed project.	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
European Deer from Sidney Island to Facilitate Sustained Forest Recovery		Recovery, located in Gulf Islands National Park Reserve of Canada, is likely to cause significant adverse environmental or cultural effects. To help inform this decision, Parks Canada issued a notice of intent to make a determination and invited comments from the public on the project's potential effects on the environment or cultural features, as the public consultation for this proposal.		
Reponses from the Province to UBCM's 2022 Resolutions	Released February 2023	At last year's Convention, UBCM members passed several resolutions that involve the Provincial government's jurisdiction. The Province has now provided its responses to the provincially-focused resolutions. These responses will also be shared with each sponsoring local government in a letter.	The Islands Trust had three resolutions endorsed at the 2022 UBCM Convention • EB24 Affordable Housing Support for Rural Areas; • NR38 New Legislation to Protect and Restore Biological Diversity and Ecosystem Health; and • NR41 Climate Risk and Vulnerability Assessment Provincial responses to the resolutions are on pages 14, 106, and 110.	An Islands Trust resolution for the 2023 Convention requesting new legislation for protection of biodiversity, ecosystem health and species at risk will be considered in September 2023..
Engagement: Consultation check-in on nine aquatic species	Closed on August 10, 2023.	Fisheries and Oceans Canada conducted consultation check-ins on nine aquatic species under consideration for addition on the List of Wildlife Species at Risk pursuant to the Species at Risk Act (SARA). One of these species is found in the Trust Area. The Quillwort	Island Trust Conservancy passed the notification for consultation to conservancies and	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
under consideration for addition to on Schedule 1 of SARA		Rockfish is an inshore rockfish species, and is one of a few rockfish species found in these waters. COSEWIC designated this species as Threatened in November 2009, and commercial and recreational fisheries have been determined to be the principal threats. Indigenous organizations, interested stakeholders and the public were asked to participate.	municipalities in the Trust Area	
Engagement: Proposed amendments to the Cannabis Control Regulation (CCR)	Closed August 11, 2023	The CCR supports the implementation and enforcement of BC's regulated cannabis activities, such as retail sales, public consumption, and protections for children and youth. The proposed amendments to the CCR would include: • Removing the prohibition on promoting a place to consume cannabis; • Removing the prohibition on consuming cannabis on patios. An engagement paper included background information and considerations for proposed amendments		No actions planned
Engagement: Municipal Net-Zero Action Research Partnership (N-ZAP)	Open until September 29, 2023.	The Municipal Net-Zero Action Research Partnership (N-ZAP) is undertaking an assessment of the current state of local climate action in Canada. Survey results will be made available in a public database and used to inform the development of cutting-edge and practical climate resources for municipalities.		No actions planned
Engagement: Electoral Area B Recreation (Gabriola) and Parks Master Plan	Open until September 29, 2023.	The goal of the project is to create a guiding document for recreation services on Gabriola Island and parks services throughout the whole of Electoral Area B (Gabriola, Mudge, DeCourcy Islands). The plan will be based on best practices, research and input provided by residents.		No actions planned

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Declaration on the Rights of Indigenous Peoples Act ANNUAL REPORT 2022-2023	Released June 28, 2023	B.C. is providing detailed reporting about progress to achieve the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) through the 2022-23 Declaration Act Annual Report.	Staff routinely learn about implementation of the Declaration on the Rights of Indigenous Peoples Act	Staff will continue to monitor implementation of the Act and its application to Islands Trust.
Engagement: Monetary Penalties under the Water Sustainability Act	Closed July 14, 2023	In recognition of the increasing challenges facing water resources and the need for more effective and efficient means of enforcing the Water Sustainability Act, the Province is developing a new regulatory tool: Administrative Monetary Penalties, to better protect BC's freshwater resources. Local governments were invited to provide feedback.		No actions planned
Engagement: Policy to regulate controlled substances in public spaces	Closed July 31, 2023	The BC Ministry of Public Safety and Solicitor General undertook policy work to support possible Fall 2023 legislation to regulate the use of drugs in certain public spaces.		
Wa lyim ta Skwxwú7mesh (Squamish Strong) Protocol Agreement	Signed July 17, 2023	The agreement is between Skwxwú7mesh Úxwumixw (Squamish Nation) Council and the District of Squamish and commits both parties to the following Skwxwú7mesh guiding principles: • tkwáya7n iy nexwnewítm – listen and engage • wa nexwniwnen chet ta nexwniów tl'a Skwxwú7mesh – follow the ways of the Squamish • texwlálm ns7eyx – genuinely care • chet wa telnexw tina tl'a snewiyelh tl'a Skwxwú7mesh – learn the advice of the Squamish • na wa nelhnilhtway ta úxwumixw – going through it together	Not directly related but in August 2023 Islands Trust sent a letter to Squamish Nation requesting a leadership to leadership meeting.	No actions planned.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		we7us chet ta Skwxwú7mesh siyámin – protect the rights and title of the Squamish This protocol agreement lays the foundation for the development of a Memorandum of Understanding (MOU) between the two governments.		
QEN'T Marine Protected Area	Declared June 21, 2023	To restore the population of sea creatures off the North Saanich and Central Saanich waters, the Tsawout Nation has declared the QEN,T as an Indigenous Protected and Conserved Area (IPCA) for approximately 155 square kilometres of ocean off the eastern coast of the Saanich Peninsula on Vancouver Island.	Not directly related but in August 2023 Islands Trust sent a letter to Tsawout Nation requesting a leadership to leadership meeting.	No actions planned.
K'ómoks Treaty Public Engagement What We Heard Report	Released June 01, 2023	From May through October 2022, K'ómoks, Canada and the Province engaged with local communities in K'ómoks First Nation territory to raise awareness about the closing of treaty negotiations. Subject to further and ongoing consultation, negotiations are expected to close in 2024. The report describes engagement activities and participation rates, such as feedback and questions collected during engagement, along with responses from negotiating partners.	Staff attended the open houses and responded to provincial staff enquiries. Not directly related but in August 2023 Islands Trust sent a letter to K'ómoks Nation requesting a leadership to leadership meeting.	Staff will continue to monitor.
Engagement: Canada's 2030 National Biodiversity Strategy	Closed July 14, 2023	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..	On May 24, 2023, EC asked staff to forward information on the engagement to trustees.	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Climate Ready BC Seafood Program	Announced May 24, 2023	A new program will focus on preventing the effects of climate change on B.C.'s oceans and watersheds, and protecting seafood and marine life. The Province recently completed the British Columbia Ocean Acidification and Hypoxia (BC OAH) Action Plan in response to a preliminary assessment that identified ocean acidification as a significant climate-change risk to B.C.'s seafood sector. The Climate Ready BC Seafood Program will target funding toward high-priority actions identified in the BC OAH Action Plan, such as: • research and scientific understanding of acidification and hypoxia; • marine carbon removal technologies; and • development and testing of acidification and hypoxia mitigation and adaptation strategies.		No actions planned.
Engagement: Proposed changes to the BC Building Code	Closed June 18, 2023	Changes unique to the BC Codes and updates to align with National Model Codes 2020 are proposed. This public review sought feedback on accessibility and adaptable dwellings, cooling requirements, mass timber construction, earthquake design, radon safety, and ventilation in homes.		No actions planned.
Cowichan Tribes First Nation and the Province of British Columbia Xwulqw'selu Watershed Planning Agreement	Signed May 12, 2023	This will be the province's first Water Sustainability Plan developed under the Water Sustainability Act and will address the "whole of watershed" needs – those of the flora, fauna, land, and the communities that depend on the watershed – in the development of long-term water solutions. Cowichan Tribes and the Province agreed to jointly lead the planning process and approach decisions as equal authorities with distinct legal traditions and responsibilities. The Agreement is informed by 11 Quw'utsun snuw'uy'ulh (teachings) and ensures		No actions planned.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		that local Indigenous values guide the process and provide a foundation for an enduring and respectful co-governance relationship. This planning agreement could act as a model for Islands Trust Watershed planning agreements.		
Engagement: Engaging Canadians on the 2030 Biodiversity Strategy for Canada	Closed July 14, 2023	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.	In March 2023 Trust Council direct the Regional Planning Committee and the Trust Programs Committee to consider how the Montreal Charter on Biodiversity impacts the work of the Islands Trust and share their thinking back with Trust Council in this calendar year.	TBA
WSÁNEĆ Leadership Council and Province letter of understanding (LOU)	Announced May 12, 2023	The LOU commits both parties to work toward resolving the priority issues identified by WSÁNEĆ communities, a key step toward building lasting reconciliation.		
Engagement: Managing anchorages in the Salish Sea	Closed May 14, 2023	Transport Canada is considering giving the Vancouver Fraser Port Authority more authority to manage commercial anchorages in the Salish Sea.	On Jan 19, 2021 the Chair wrote to the Minister of Transport calling for immediate action to	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
			address freighter anchorages in the Southern Gulf Islands	
Engagement: Contribute to the review on homeless encampments	Closed June 20, 2023	The Federal Housing Advocate is undertaking a systemic review of homeless encampments across Canada and wants to hear from municipalities about their experiences and proposed solutions. At the conclusion of the review, the Advocate will submit her findings and recommendations to the federal Minister responsible for housing as well as to other levels of government and stakeholders.		
Engagement: Bowen Island Municipality Strategic Plan 2023-2026	Announced May 04, 2023	Bowen Island Municipality's Strategic Plan is an annual publication that outlines Council's strategic commitments for the term. They invite you to peruse their priorities for 2023-2026.		The Executive Committee and Bowen Island Municipal Council intend to meet.
Declaration Act Engagement Fund for First Nations	Announced April 27, 2023	The Declaration Act Engagement Fund will help support First Nations' involvement in efforts to implement the Declaration Act Action Plan and align provincial laws with the UN Declaration, as required under the Declaration on the Rights of Indigenous Peoples Act (Declaration Act).		No actions planned
Engagement: Canada Community-Building Fund renewal	Closed	UBCM staff were seeking feedback from local governments on the renewal of the Canada Community-Building Fund through two webinars held on May 24.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Approval of Roberts Bank Terminal 2 (RBT2) Project	Announced April 20, 2023	The project will see existing marine container port capacity at Roberts Bank, about 35 kilometres south of Vancouver, expanded. The terminals are built on an artificial peninsula jutting out from the mainland. RBT2 will see the artificial peninsula's footprint expand to hold the planned three-berth terminal, which will eventually increase capacity by 2.4 million twenty-foot equivalent units, or TEUs, meaning the port can handle about 2.4 million extra 20-foot shipping containers annually.	On April 15, 2019 the Islands Trust Chair provided comments to a Roberts Bank Terminal 2 Project Public Hearing. Islands Trust has also undertaken advocacy in several associated areas.	No actions planned.
Engagement: Federal Cannabis Regulations	Closed May 24, 2023	Health Canada was seeking feedback on potential amendments to federal Cannabis Regulations. The focus of this process is to find ways to reduce regulatory burden, while still adequately addressing public health and safety risks.		No actions planned.
Belonging in BC homelessness plan	Released April 03, 2023	The plan covers the initial phase from 2022-2025, with immediate actions in the plan supported by \$633 million from Budget 2022, and \$1.5 billion from Budget 2023. The plan commits to four strategic actions to be implemented over the next three years: 1. Transform housing and health systems and programs to reduce barriers to support 2. Strengthen community partnership to build capacity and respond to local needs 3. Ensure programming and service delivery includes input from people with distinct needs and perspectives 4. Apply better data on drivers and impacts of homelessness to improve policy and program design and development.		Islands Trust developing a housing action toolkit with various LTC housing projects underway.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Homes for People Action Plan	Released April 03, 2023	Focused on four priorities – unlocking more homes faster; delivering better, more affordable homes; helping those with the greatest housing need; and creating a housing market for people, not speculators – the actions in Homes for People include: • delivering more middle-income small-scale, multi-unit housing that people can afford, including town homes, duplexes and triplexes through zoning changes and proactive partnerships; • offering forgivable loans for homeowners to build and rent secondary suites below market rates to increase affordable rental supply quickly; • building thousands more affordable homes for renters, Indigenous Peoples on and off reserve, women and children leaving violence, and building thousands more on-campus student housing units; • delivering thousands of new homes near public transit, and launching BC Builds to use public land to deliver affordable homes for people; • introducing a flipping tax to discourage short-term speculation; • providing an annual income-tested tax credit of up to \$400 per year for renters; • providing more homes and supports for people experiencing or at risk of homelessness; • streamlining and modernizing permitting to reduce costs and speed up approvals to get homes built faster; and strengthening enforcement of short-term rentals.	Islands Trust received funding via UBCM to improved development application processing – the funding is being used to modernize online software which will improve application processing efficiency and transparency	Islands Trust deadline for LGDAP implementation is January 15, 2024 although are seeking an extension to February 29, 2024 due to poor timing around Christmas break and loss of Cityview project lead and Islands Trust project lead.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		An analysis of the plan by the Union of BC Municipalities can be found here .		
Implementing the United Nations Declaration on the Rights of Indigenous Peoples Act – Draft Action Plan (federal)	Released in June 2023	The Draft Action Plan contains four chapters: • Shared Priorities • First Nations Priorities • Inuit Priorities • Métis Priorities The creation of a Draft Action Plan is one step in implementing the UN Declaration Act.		
Engagement: Proposal for a national system for marine pollution incident preparedness, response, and recovery	Consultation closed on May 31, 2023	The Government of Canada was looking for feedback on a proposal for a national system for marine pollution incident preparedness, response, and recovery. The creation of a cohesive, national system will improve Canada's ability to respond to all marine pollution incidents, regardless of the source of the pollution. Visit Preparing for and responding to marine pollution to read the discussion paper.		
Engagement: Provincial permitting for new homes	Consultation closed on March 21, 2023	The Province of B.C. is developing a strategy to streamline provincial permit applications for new housing. To support this priority, the Province engaged with UBCM and its members on the current permitting process to better understand local government experiences and to hear suggestions for improvement.	Staff directly engaged with provincial staff.	Staff will monitor for new legislation.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		A reference document describing the approach taken by the government to develop the strategy is available		
Engagement: Watershed Security Strategy and Fund	Consultation closed on April 17, 2023	The Province of British Columbia concluded engagement on an Intentions Paper for the Watershed Security Strategy and Fund on April 17, 2023. The Intentions Paper was the mid-way point in the development of the Strategy and built on what was heard during the first period of engagement in early 2022. The purpose of the Strategy is to lead the changes needed to create a future for B.C. where our watersheds are better cared for and stewarded together. Launch of the Watershed Security Strategy and Fund is slated for Winter 2023/24	The Chair wrote to offer feedback on Watershed Security Strategy and Fund Intentions Paper	Staff will continue to monitor this topic.
Engagement: Supply review for the Sunshine Coast Timber Supply Area (TSA)	Consultation closed on May 01, 2023	As part of this public review, a discussion paper has been released that provides the results of a timber supply analysis. It also describes the geography, natural resources and current forest-management practices in the Sunshine Coast TSA, all of which will be used by the chief forester in the allowable annual cut (AAC) determination.		No actions planned.
Engagement: Clean Transportation Action Plan - Request for Input	Consultation closed April 05, 2023	In Fall 2021, the Province released the CleanBC Roadmap to 2030 (Roadmap): a climate plan to reduce climate pollution and build a cleaner, stronger economy for people throughout British Columbia (BC). In the Roadmap, the Province committed to developing a comprehensive Clean Transportation Action Plan (CTAP) and releasing it in 2023. The purpose of the CTAP is to identify the next set of actions to reduce greenhouse gas emissions in the transportation sector by		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		27-32% by 2030, and increase economic opportunities in clean transportation in BC. The Province is engaging with various stakeholders as part of the development of the CTAP. The CTAP Consultation Paper is available on the Provincial Clean Transportation Policies & Program webpage here.		

<u>New measures on old growth, innovation, forest stewardship</u>	Announced February 15, 2023	The B.C. government is launching new measures to protect more old growth by fast-tracking innovation and co-developing new local plans with First Nations to better care for B.C.'s forests. At the centre of the plan is \$25 million for new Forest Landscape Planning tables that will drive improved old-growth management. Additional actions to accelerate implementation of the Old Growth Strategic Review during the next year include: • developing and implementing alternatives to clear-cutting practices, such as selective harvesting techniques, that better support forest resiliency, ecosystem health and climate adaptation, through a new \$10-million silviculture innovation program; • repealing outdated wording in the Forest and Range Practices Act regulations that prioritizes timber supply over all other forest objectives, like water quality, wildlife habitat and biodiversity; • by leveraging hundreds of millions of dollars of philanthropic donations to fund conservation measures through a new conservation financing mechanism • enabling local communities and First Nations to finance old-growth protection by selling verified carbon offsets that represent long-term emission reductions through the new Forest Carbon Offset Protocol 2.0, which will be finalized this year; and • completing the Old Growth Strategic Action Plan by the end of 2023, to be developed in collaboration with First Nations and in consultation with stakeholders. • NEW: April 19, 2023 - As the province works to implement recommendations from the Old Growth Strategic Review, UBCM continues to advocate for local government to be included in the process. On April 13, UBCM hosted a webinar with the province to provide local governments with an update on the 14 recommendations made within the review.		Staff will monitor
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DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		Webinar participants had an opportunity to learn about the implementation process, share feedback and ask questions of provincial staff about the process, funding programs and transition support. For local governments that missed the webinar, additional workshop dates have been provided by the Province.		

Trust Council Requests to the Province of BC for Changes to the Islands Trust Legislation/Regulation and Related Legislation 2007 - present

ISLANDS TRUST COUNCIL REQUEST	WHEN	ADVOCACY METHOD	RESPONSE
1. Amendments to the <i>Islands Trust Act</i> that would cause four local trustees to be elected to sit on the Salt Spring Island Local Trust Committee and Trust Council.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	May 2008 Minister Chong suggested Islands Trust hold a referendum in the Salt Spring Island LTA. If the referendum was successful, Minister Chong was willing to approve four local trustees for the SSILTC, but not to increase Salt Spring Island representation on Trust Council. Turned down by Salt Spring Island LTA referendum November 15, 2008.
2. Changes to the <i>Islands Trust Act</i> that would enable the Islands Trust Council to determine the size of its Executive Committee.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	Not advanced by the Ministry. Never formally turned down.
	June 2008	Trust Council later requested a simpler amendment - that S. 20(3) of the Islands Trust Act be amended to increase the number of vice chairs from three to four.	
	June 2011	Raised during a meeting between the Executive Committee and the Hon. Ida Chong, Minister of Community Services	
3. The necessary changes to provincial / legislation and regulations to permit Islands Trust bodies to hold meetings through electronic or other communication facilities.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	Achieved in 2009 through provincial creation of a new Islands Trust Regulation.

ISLANDS TRUST COUNCIL REQUEST	WHEN	ADVOCACY METHOD	RESPONSE
4. Changes to provincial/legislation and regulations be made, if necessary, to confirm that Islands Trust bodies may perform their duties and functions while outside of the Islands Trust Area.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	This topic originally arose in response to a court case, where a bylaw was quashed because the public hearing was held outside the jurisdiction. Further evaluation determined that the relevant legislation had been amended and did not apply to local trust committees.
5. Natural Area Protection Tax Exemption Program (NAPTEP) – extension to Bowen Island Municipality	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved June 2010 through minor amendment to legislation.
6. Bylaw dispute adjudication system	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved in 2011
7. Trust Fund Board corporate status and name change	May 31, 2018	Name change achieved via <i>Miscellaneous Statutes Bill</i>	Hurray!
	January 23, 2018	Executive Committee raised the name change request as number one Trust priority during meeting with the Hon. Selina Robinson, Minister of Municipal Affairs and Housing	Advised by Minister she would investigate further.
	June 2011	Name change raised during a meeting with the Hon. Ida Chong, Minister of Community Services	Advised by Minister to explore other solutions first to determine if can resolve challenges in other ways. Trust Fund Board has asked Trust Council Chair to seek this change in writing. Several requests have been made
	June 2011	Staff met with Ministry staff	
	November 20, 2012	Letter to Hon. Bill Bennett, Minister of Community, Sport and Cultural Development	Response received Feb 2013. Minister Bennett stated that changing the corporate structure of the Trust Fund Board has broad implications that require careful consideration. He further noted that government often requires a compelling reason, such as a legislative barrier to operations, prior to considering such a

ISLANDS TRUST COUNCIL REQUEST	WHEN	ADVOCACY METHOD	RESPONSE
			legislative request. He suggested that Islands Trust staff contact the Assistant Deputy Minister to arrange for further evaluation of the proposal.
	Sept 2013 and Feb 2014	Letters to Hon. Coralee Oakes, Minister of Community, Sport and Cultural Development	Several contacts with Ministry staff have been made, most recently in May 2015. The Assistant Deputy Minister repeated earlier advice that that the ministry does not currently have the capacity to undertake this complex a legislative change, given other provincial priorities.
	May 12, 2015	Executive Committee and senior staff met with new Assistant Deputy Minister Jay Schlosar, who has since left government	
	September 2015	Letter to Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	Minister Fassbender was not responsive to Trust Council's request for legislative changes. Conversation during the meeting focused on Salt Spring governance and his request that Executive Committee meet with the Aboriginal Aquaculture Association.
	November 2015	Executive Committee and CAO met with Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	
8. Support in principle amending the Islands Trust Act to add "First Nations" to the list of those with whom we work "in co-operation."	September 2015	Trust Council requested the Executive Committee to consider asking the Minister of Community, Sport and Cultural Development to make this amendment, at an appropriate time, with respect to available resources and the potential for the amendment to be achieved.	Achieved in 2021 (see below)

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
THAT the Islands Trust write to the Minister requesting amendments to the Islands Trust Act, specifically¹: 1. Allowance for entry warrants by bylaw officers; 2. Development permit area enforcement via municipal ticketing; 3. Adoption of development approval information bylaws by LTCs; 4. Amending the Act to add "First Nations" to the list of those with whom we work "in co-operation."; 5. The ability to delegate to staff the granting of development permits; 6. Seeking clarification of foreshore zoning authority; 7. Broadening of Islands Trust entities under the Local Government Act, relative to s. 294, allowing for "incidental or conducive powers."; 8. Ability to provide an affordable housing agreement with a third party and to create a Housing Service. 9. Include reference to the ecosystem in section 8.2 of the Islands Trust Act. 10. And enact the ability to charge fees for telecommunication applications.	Sept 2018	Letter to Hon. Selina Robinson, Minister of Municipal Affairs and Housing	In 2021 The Province amended the Islands Trust Act to: • Include a specific reference to First Nations in the Trust's Object statement to recognize its ongoing relationship and reconciliation efforts with First Nations. (#4) • Enable Islands Trust to give financial support to third parties for activities that provide education about or preserve the environment and unique amenities of the Trust Area. This is an optional new power that Trust Council can use if desired. (#9) • Streamline the Islands Trust development approvals processes by transferring from Trust Council the ability to adopt and amend development approval information bylaws to local trust committees providing greater local autonomy. (#3) In 2021, the Province also amended BC Regulation 275/2021 deposited under the Islands Trust Act to enable local trust committees to delegate, by bylaw, issuance of development permits to staff with allowance for re-consideration of staff decisions by the local trust committee if warranted. (#5) Foreshore authority – on-going meetings between Islands Trust Staff, Ministry and CwVRD staff on foreshore jurisdiction in that RD. (none since March 2023 report).

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
That Trust Council request the Minister of Municipal Affairs and Housing to add the Islands Trust to the Auditor General Act, allowing for review of the Trust by the Auditor General for Local Government.	Sept. 2019	Letter to Hon. Selina Robinson, Minister of Municipal Affairs and Housing	In February 2020 the Ministry announced that the Auditor General for Local Governments would be closed down. The office was accepting no new files and finishing the ones it had.
That the Islands Trust Council request the Chair write to the Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), and the Honourable Selina Robinson, Minister of Municipal Affairs and Housing (MAH), and the Honourable Scott Fraser, Minister of Minister of Indigenous Relations and Reconciliation, requesting amendments to the Private Managed Forest Land Act that would enable local trust committees to regulate, but not prohibit, forest activities on land within the Islands Trust Area.	June 2020	Letter to Hon.Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), and the Hon.Selina Robinson, Minister of Municipal Affairs and Housing (MAH), and the Hon. Scott Fraser, Minister of Minister of Indigenous Relations and Reconciliation, March 4, 2021 meeting	April 2021 response from Director Doug Kelly commuting to work collaboratively with Islands Trust to continue to address issues as they evolve.
That Islands Trust request the Province enhance the Trust's jurisdiction over tree cutting bylaws to make its jurisdiction equal to that of municipalities under section 8 of the Community Charter.	September 2020	Letter to Hon. Josie Osborne Minister of Municipal Affairs In May 2022, discussed status of request for some forest authority, discussed the letters to his office re the Policy Statement process and the forest issue.	Withdrawn by Trust Council in March 2023 through resolution 2023-038: Islands Trust Council request the Chair to promptly inform the Province that it no longer wishes to proceed.... Previously the indication from Ministry was that this is a significant request, has Province implications from regional governance perspective. Explanation from Ministry that “the Trusts authority in relation to trees is longstanding and complex, a review of the request will require a consideration of policy choices made when the municipal authority was created, noting that this authority is primarily aimed at trees in urban environments.”

¹ Note: On March 14, 2018, Trust Council received a staff report that summarized the relevant strengths and weaknesses for each of 20 potential amendments, including some not listed below.

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
That Trust Council request the Lieutenant Governor in Council for the Province of British Columbia to conduct a review of the Islands Trust's mandate, governance and structure.	June 2022	Letter to Hon. Nathan Cullen Minister of Municipal Affairs	The Minister replied on September 23, 2022 stating that he looks forward to learning of the measures being taken by the Trust in response to the governance and management review and in relation to the broader issues that are raised in the context of this request for a review of the Islands Trust governance, mandate and opportunities for alignment with the principles of the Declaration Act.
That the Islands Trust Chair, on behalf of Council, submit a letter to the Lieutenant Governor in Council making the review request under Section 8(2)(e) of the Islands Trust Act that outlines the potential scope of a review, including, but not limited to: a. An assessment of the optimum governance model to preserve and protect the Trust area pursuant to the Province's vision for the future of the Trust area. b. The object of the Islands Trust Act and clarification of the mandate of the organization. c. The governance structure of the organization. d. The alignment of decision-making processes and structures with the Declaration on the Rights of Indigenous Peoples Act. e. The geographic scope of the organization and in particular authority over marine areas. f. The funding mechanisms provided to the organization in light of a clarified mandate.		Meeting of Executive Committee and Minister Cullen with follow-up letter in June 2022	
That Trust Council call on the Province of British Columbia, in partnership with Indigenous leadership, to develop and communicate in a timely way the process and timelines through which they will develop new legislation to protect and restore biological diversity and ecosystem health, in a manner consistent with the United Nations Declaration on the Rights of	June 2022	Letter to The Hon. Katrine Conroy Minister of Forests and The Hon. Josie Osborne Minister of Land, Water, and Resource Stewardship	In February 2023, the B.C. government launched new measures to protect more old growth by fast-tracking innovation and co-developing new local plans with First Nations to better care for B.C.'s forests.

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
Indigenous Peoples, and with the involvement of local governments, civil society groups, Indigenous and scientific experts, and the concerned public.			
That Trust Council request the Chair to submit a resolution to Union of British Columbia Municipalities September 2022 convention concerning a request to the Province for new legislation to protect and restore biological diversity and ecosystem health.	June 2022	AVICC/UBCM resolution	Provincial responses to UBCM not yet published.

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2023
From: Executive Committee **Date Prepared:** September 7, 2023
SUBJECT Draft Revised Policy Statement Amendment Project Charter v6

RECOMMENDATION: That Trust Council approve Policy Statement Amendment Project Charter v7.

CAO COMMENTS: The recommended amendments to the project charter simply shift the project timeline to account for project delays that occurred due to staff vacancies and update the proposed budget. As a reminder to Trust Council, the currently endorsed recommended project charter allows a substantial amount of time for consideration of future drafts of the revised Policy Statement. More specifically, it provides for a six-month referral process to local trust committees and Bowen Island Municipality prior to First Reading as recommended by Trust Programs Committee. During this time, local trust committees and Bowen Island Municipality could undertake local public engagement, with some Trust Area Services staff support, at regular or special meetings, to inform their referral responses. After incorporating feedback from local trust committees and Bowen Island Municipality referral responses, Trust Council would undertake First Reading and then refer the document to other agencies/First Nations for three months.

As a reminder to Trust Council this approach of a six-month referral process to local trust committees and Bowen Island Municipality to conduct their own local public engagement prior to First Reading, does not represent typical local government bylaw review process. The extended timeframe incurred by having two referral periods increases the staff resources required for the project and increases risks to the project (e.g. staff turnover). The approach of each local trust committee/Bowen Island Municipality determining its own engagement method carries risk of inconsistent approach and inefficiency and inequity in access to the process. The recommended project charter timeline with proposed amendments has adoption of revised Policy Statement in December 2026, after the next local elections.

The recommended project charter and associated proposed budget do not provide for backfilling the Senior Policy Advisor position. As a result, Trust Area Services capacity for other work during the course of the project will be reduced (e.g. Trust Council advocacy/coordination, policy research, legislative monitoring, indicator reporting, agreement monitoring/development, organization of special Trust Council sessions, etc.)

1 PURPOSE: To seek Trust Council's approval of a revised Project Charter v7 for the Policy Statement Amendment Project.

BACKGROUND

The Policy Statement guides the development of the official community plans and land use bylaws of local trust committees and Bowen Island Municipality and the development of Trust Council's Strategic Plan and advocacy/coordination activities. It is the heart of the preserve and protect mandate for this special region. Within the Islands Trust Area, regional growth strategies do not apply; instead, official

community plans and land use bylaws must be consistent with the Policy Statement. The Policy Statement is approved by the Minister of Municipal Affairs, who will consider the provincial interest and the Crown's duty to consult with First Nations.

In March 2023, Trust Council approved version 6 of the project charter. Since that time, the project has faced delays due to staff vacancies and staff have developed updated budget estimates. The recommended Version 7 of the project charter provides updated timelines and budget numbers while major deliverables are consistent between the two versions.

Current Project Status:

Staff have developed a revised draft, as per Trust Council's 32 resolutions, after engaging with internal and external staff partners and seeking legal counsel in the process. Staff are engaging with First Nations to seek their early input on the draft. Draft 2 of the new Policy Statement is expected to be first presented to Executive Committee and Trust Programs Committee in January 2024 and to Trust Council in March 2024.

At its February 6, 2023 meeting, Trust Programs Committee passed the following resolution:

that Trust Programs Committee recommend to Executive Committee that local trust committees and Bowen Island Municipality be given six months to provide their communities an opportunity to review and deliver feedback on the revised draft Policy Statement through their Advisory Planning Commissions or Regular or Special Meetings, as appropriate, prior to First Reading.

At its February 22, 2023 regular business meeting, the Executive Committee asked staff to amend the attached project charter (which incorporates Trust Program Committee's recommendation) and provide to Trust Council for approval. Trust Council approved V6 and this forms the basis of the 2024/25 business case staff will provide to the Executive Committee for approval and forwarding to Financial Planning Committee.

Communications Strategy implementation

In March 2023, Trust Council received a communications strategy developed to guide the next phases of the project. Building on lessons learned from last term, the communications strategy highlights the need for proactive, consistent, and coordinated communications when the draft revised Policy will begin to appear publicly in Trust Council/committee agenda packages. Preparation of communications and engagement materials is required to ensure broad understanding of the decision-making and engagement process, context and rationale for updating the Policy Statement, and specific amendments within the Policy Statement itself. Trust Council budgeted \$25,000 to be budgeted for this work in FY 2023-24 and Tavola Strategy Group has been contracted to support the work with the intent that materials will be prepared for when the draft is provided on the Trust Programs Committee agenda.

First Nations engagement

Staff communicated the unforeseen delay to the eight First Nations who accepted capacity funding to participate in Phase 3 of First Nations engagement, and who expected engagement to begin in February 2023. The draft revised Policy Statement was provided to those First Nations in early September. Staff hope to have First Nations comments received and summarized by the end of the year; this will depend on the capacity of First Nations to respond.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: No changes to project delivery.

FINANCIAL: The revised project charter includes updated budget estimates for 2024/25 and 2025/26. The project charter increases the proposed budget for 2024/25 by \$12,500 and \$2025/26 by \$5,000. This shift is due to additional planning regarding communications and also represents a more realistic costing of legal services. Staff are developing a business case for Executive Committee review for 2024/25 project activities using the adjusted timelines in the recommended project charter. The multi-year project budget and allocation of staff resources, while significant, are comparably lower than similar exercises conducted by regional districts and municipalities, many of which relate to a smaller geographical area and a smaller number of engagement partners.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will implement the project charter. Staff will also be recruiting for a permanent Senior Policy Advisor to work on the project in the new year.

The [Islands 2050 webpage](#) has been the primary web portal for Policy Statement Amendment Project communications since 2019 and continues to be the main source of accurate project information. Project correspondence is channelled to a dedicated islands2050@islandstrust.bc.ca email account and posted to the Islands 2050 webpage at regular intervals. News updates have been and will continue to be distributed via Islands Trust news releases, social media posts, print advertisements, flyers and mail outs, and an Islands 2050 email subscriber list. Staff will implement the communication strategy with the help of a contracted communications specialist.

If First Nations engagement occurs on the anticipated timeline (depends on capacity of First Nations to adjust to amended timeline) staff intend to provide Trust Programs Committee with the following information in January 2024:

1. Briefing with suggested recommendations for additional changes to the Draft 2 of the Policy Statement that Trust Programs Committee could make to Executive Committee/Trust Council
2. Draft 2 of the Policy Statement
3. Table explaining how each of Trust Council's 32 resolutions was handled/constraints encountered
4. Concordance table showing changes from the July 2021 draft
5. Summary of feedback from First Nations who accepted capacity funding.

There will also be communications materials available to support trustee and public understanding on the amendment process and Draft 2.

FIRST NATIONS: There have been two phases of early engagement and associated capacity funding with First Nation governments on the Policy Statement Amendment Project thus far and a third phase is taking place through Fall 2024. Early engagement to date has facilitated important relationship building opportunities with First Nation government staff, and has provided Trust Council with valuable feedback on how Policy Statement amendments can assist Trust Council to better recognize and respect Indigenous rights and preserve and protect culturally significant sites, areas, and species for Indigenous Peoples, consistent with its commitments to reconciliation. Early First Nations engagement and policy amendments have also been guided by reconciliation principles set out by the Truth and Reconciliation Commission and the UN Declaration on the Rights of Indigenous Peoples that fall within Trust Council's jurisdiction.

OTHER: None.

3 RELEVANT POLICY(S): Policy Statement Amendment Policy

4 ATTACHMENT(S):

1. Draft Policy Statement Amendment Project Charter v7
2. Timeline Slide

RESPONSE OPTIONS

Recommendation: That Trust Council approve Policy Statement Amendment Project Charter v7.

Alternatives:

That Trust Council approve Policy Statement Amendment Project Charter v7, as amended.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Russ Hotsenpiller, CAO/September 8, 2023
Executive Committee/September 13, 2023

Policy Statement Amendment Project - Project Charter v7—Updated timelines and budget

Purpose To support Trust Council’s update of the Islands Trust Policy Statement bylaw, incorporating feedback from First Nations, the public, and referral agencies, and approval by the Minister of Municipal Affairs.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement through the lenses of reconciliation, climate change, and affordable housing, and to undertake early engagement with First Nations and the public in the process.

Objectives

- To adopt an updated Policy Statement bylaw that supports Trust Council’s commitments to reconciliation, climate change, and affordable housing, and reflects feedback from the public, First Nations, and partner agencies.

In Scope

- Amendment drafting of V1 as directed by TC resolutions, communications, legal review, and implementation planning
- First Nations engagement, public engagement, and agency referrals
- Four readings/Ministerial approval

Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to official community plans and land use bylaws

Workplan Overview

Major Deliverable/Milestone	Dates
Past Years (FY 2019-20, 2021-22, 2022-23) -First Nations early engagement Phases 1 (2019-2021), 2 (2021-2022), and 3 (2023) -Public engagement Phases 1 (2019-2020), 2 (2021), and 3 (2022) -Policy review and analysis by Trust Council’s committees/working groups and staff (2020-22) -Amendment drafting and legal review Phase 1 (Apr-Jun 2021), Phase 2 (Dec 2022-Mar 2023)	2019-2023
Present (FY 2023-24) -Amendment drafting -EC/TPC and Trust Council receive revised draft Policy Statement (EC/TPC recommend changes)	To Dec 2023 Jan-March 2024
Next Steps (FY 2024-25) -As requested by TC, EC and TPC develop recommendations for further revisions -Trust Council considers TC/EC recommendations and passes resolutions on further revisions required -Approval in principle by Trust Council -Six month referrals period to local trust committees and Island Municipalities for local engagement	Apr.2024 June 2024 <u>Late Summer/Fall 2024</u> Fall 2024-Mar/Apr 2025
Final Adoption (FY 2025-26) -Trust Council receives referral responses and passes resolutions on further revisions required -Amendment drafting and amendment/ First Reading by Trust Council -Three month referral to First Nation governments, ITC Board, regional districts, other agencies as desired -Collation and consideration of feedback and preparation of document for Second / Third Reading -Second and Third readings (incorporate any desired revisions during same meeting) -Refer proposed bylaw to Minister with final FN engagement report; allow six months for review -Receive approval from Minister (estimated—no statutory timeline), and Adoption -Final graphic design and distribution, celebration event, implementation planning	June 2025 <u>Sept 2025</u> Oct– Dec 2025 Jan/Feb 2026 <u>Mar 2026</u> April 2026—Nov 2026 <u>Dec 2026</u> Post Dec 2026

Project Team

Executive Committee Trust Programs Committee Director, TAS	Project Champion Policy Content Advisors Project Director
Sr. Policy Advisor	Project Manager & Policy Writer
Program Coordinator	Public Engagement Coordinator
Communications Specialist	Communications Coordinator

Budget

Item	FY 23-24	FY 24-25	FY25-26
Communications	\$25,000	\$10,000	\$8,000
Public Engagement	\$0	\$20,000	\$0
Legal Review	\$5,000	\$5,000	\$5,000
Total Activity Costs:	\$30,000	\$35,000	\$13,000

Approved by:

Clare Frater, Director, TAS

Endorsement:

Date:

*Timeline assumes Trust Council does not schedule special meetings between regular quarterly meetings.

Policy Statement Amendment Project timeline

July -Dec 2024 - Staff refine draft document, engage with First Nations (60 day min for review), summarize First Nations feedback (with their review), and prepare communication materials

January/Feb 2024 - Trust Programs Committee and Executive Committee receive (at special meetings) revised draft Policy Statement and could make early recommendations to Trust Council for further revisions, if desired

February/March 2024 (tentative special meeting) - Trust Council receives revised draft Policy Statement (and any early committee recommendations), discusses the new draft, and passes resolutions on next steps... possibly requesting EC/TPC to undertake a more detailed review and develop further recommendations for TC's consideration

April 2024

Trust Programs Committee and Executive Committee could develop recommendations to Trust Council for further revisions

May 2024 (tentative special meeting)

Trust Council could review TPC & EC recommendations and pass resolutions requesting staff to make Trust Council's desired changes and to bring next revised draft to a future meeting

Approval in principle

June-September 2024 (tentative special meeting(s))

Trust Council could receive the next revised draft incorporating its earlier resolutions and considers approving the document in principle for referral to LTCs/BIM and Conservancy Board

LTC/IM referrals/engagement

Fall 2024 –June 2025

6 month internal referral period with locally-determined public engagement; Trust Council reviews internal referral responses, requests staff to make desired changes and bring back for First Reading

First Reading

September 2025

Trust Council and considers First Reading

External Referrals

Fall 2025

Min 90-Day Engagement & Referral Period (First Nations; Regional Districts; Islands Trust Conservancy Board; and other parties as desired)

Winter 2026

Trust Council/committees review feedback and request further changes

Second and Third Reading

Ministerial Approval

Fourth Reading & Adoption

Spring 2026

Spring/Summer 2026 Late 2026

*Timeline based on proposed V7 of project charter and assumes Trust Council schedules special meetings between regular quarterly meetings.

1. GENERAL & FINANCIAL PLANNING COMMITTEE

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

- ~ **2022/23 Financial Statement Audit:** We have completed the financial statement audits for the Islands Trust and the Islands Trust Conservancy, with a clean audit report issued by KPMG LLP on both sets of financial statements. There was additional work this year to implement two new accounting standards related to asset retirement obligations and financial instruments, as required by Canadian Public Sector Accounting Standards.
- ~ **2022/23 Allocated Financial Statements:** The allocated financial statements present the fiscal 2022/23 financial information by Local Trust Area (LTA), allocating revenues and expenses to each jurisdiction to provide an estimate of resource use and contribution by each LTA. These statements have historically been presented three months after the audited financial statements, however staff have moved the timeline to align with release of the audited financial statements. We will aim for this approach in future years where possible.
- ~ **2022/23 Statement of Financial Information:** The SOFI is complete and has been reviewed by FPC and forwarded to Trust Council for their approval. This is a legislated report that will be submitted to the Minister in accordance with the Financial Information Act. The report provides supplementary information to the audited financial statements related primarily to annual expenses.
- ~ **2022/23 First Quarter Financial Report:** We have completed the June 30, 2023 first quarter financial report which tracks actual financial performance against budget for the first three months of the fiscal year. This report showed that overall Islands Trust is spending largely as expected, at 23% of budget spent in the first quarter.
- ~ **2024/25 Draft Budget Assumptions, Principles, Guidelines:** FPC has drafted their proposed 2024/25 budget assumptions and principles for Trust Council's review and approval. Discussion of including Council-directed guidelines for the upcoming budget year is underway, which will provide FPC with guideposts as they draft the 2024/25 budget for Trust Council's review and approval.

Additional work underway with FPC:

- ~ Upcoming planned review of Trust Council financial policies by FPC will include: [Policy 6.5.1 – Reserves and Surplus](#) and [Policy 7.2.1 Trustee Remuneration](#).
- ~ Continued work on the draft corporate planning process at the request of the Governance Committee.
- ~ Investigation of options to pursue legislative changes that would permit revised distribution of special property tax requisitions within a single local trust area (LTA).
- ~ Investigation of options for recovering costs associated with building permit reviews.

2. FINANCE

In addition to day-to-day operations associated with financial functions at Islands Trust, the Finance team is focused on work associated with the draft 2024/25 budget development. Staff support the development of the draft budget by updating department templates for management's input, reviewing current costs for operating items such as office

leases, internet, hydro, etc., and updating estimates for next fiscal year accordingly. Any known or anticipated changes in legislation, Trust policies, or spending trends will be examined to inform budget estimates.

Finance is involved in and supporting two specifically funded 2023/24 projects:

1. **CityView Implementation:** This new software system will allow for electronic payment of application fees by applicants. Finance staff are working with Information Services to evaluate and select a payment processing system that will integrate seamlessly into the Trust's accounting and other financial systems, as well as maintain key financial and reporting controls throughout the process. System evaluation phase has now concluded and a system has been selected. Staff will now look to the integration process with both Islands Trust's CityView and the Islands Trust Conservancy website. Finance staff are also contributing to the workflow development for the system, to ensure the needs of finance are met in the new process that is developed, including key reporting needs.
2. **Expense Claim Upgrades:** This project will bring the Islands Trust expense claim system to a supported platform and will modernise the expense claim process to be fully electronic. External contractors will be completing this work, with staff providing a needs assessment (complete), a desired workflow that supports internal processes (complete), and contributing to design features of the platform. Project planning is complete and a kick off meeting has been held with the contractors who are developing the system. They will begin their work in the new calendar year, with full platform deployment and training for both staff and trustees anticipated near the end of the fiscal year.

Finance continues to dedicate time to the orientation and training of new staff on financial processes relevant to their work at the Trust, such as submission of electronic expense claims, travel policies, and procurement practices. Staff have also taken on the responsibility for training planning staff on proper use of the Trust's time tracking system to facilitate better use of the platform to generate more reliable, accurate, and complete data.

Since our last report Islands Trust staff has undertaken the following procurement processes:

- ~ Invitation to Quote: Dell PowerEdge Server Replacement, closed July 13, 2023.

3. EMPLOYEE SERVICES/HUMAN RESOURCES (HR)

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

- ~ Barb Dashwood, current "As and When" Administrative Assistant for the Victoria office is taking on an additional "As and When" position as GIS Technician. Barb started this role July 24, 2023 and we appreciate the wealth of experience she brings to the position.
- ~ Charly Caproff, former Planning Technician/Acting Planner 1 for the southern planning team has moved into a permanent Planner 1 position with the Salt Spring Island team effective July 17, 2023.
- ~ Bruce Belcher became permanent in the Planning Technician role effective July 24, 2023. Shortly after, he accepted a temporary assignment as Acting Planner 1 for the southern planning team for a five-month term beginning July 31, 2023. Gillian Nicol, Program Coordinator will be backfilling the Planning Technician role for a four-month term effective September 11, 2023. Mike Richards will be taking on the work of the Program Coordinator on a part-time basis alongside his regular part-time Grants Manager role during this time.
- ~ Chloe Cookson, Planning Services Administrative Assistant left the organization on August 25, 2023 to pursue a Master's degree in Creative Writing at the University of East Anglia in Norwich, UK.

- ~ Mary Storzer joined the Trust Area Services team as Acting Senior Policy Advisor on July 12, 2023 for a seven-month term. Mary holds a Masters of Arts (Planning) from the School of Community and Regional Planning from the University of British Columbia (UBC) as well as a Bachelor of Education from the University of Victoria and Bachelor of Arts from UBC. Mary will be working on the Policy Statement Amendment Project.
- ~ Dilani Hippola, Senior Policy Advisor, resigned from her position effective August 27, 2023. Her work on the Policy Statement Amendment project was a highlight of her time in the role with Islands Trust. We wish Dilani well as she moves on to new endeavours!
- ~ Eve Ruth, Conservation and GIS Technician Co-op student for the Islands Trust Conservancy completed her term with us on August 18, 2023. Thank you Eve for your contributions while you were with us!
- ~ Ian Cox, former northern team planner has returned to Islands Trust on a seven-month temporary assignment effective August 28, 2023. We are pleased to have Ian return to the fold, bringing his former Trust experience as well as new insights from his time with the Agricultural Land Commission.
- ~ Jennifer Baddeley, Office Administrative Assistant for the Salt Spring Island office accepted a new job with Emergency Management & Climate Readiness BC as a Correspondence Coordinator. Her last day with the Trust was July 14, 2023. We wish Jen well in her role!
- ~ Jess Jack joined the Salt Spring Island team as Office Administrative Assistant on September 5, 2023. Jess has studied Horticulture Plant Sciences at the UBC, and brings excellent customer support experience from her time working in the technology industry. She has recently relocated to Salt Spring Island from Vancouver, B.C.
- ~ Kalyaan Selvakumar will join Islands Trust as the Salt Spring Island office Planning Team Assistant effective September 18, 2023. Kalyaan holds a post baccalaureate diploma in Tourism Destination Development including Land Use Management and Student Leadership Program from Thompson Rivers University, and brings years of customer service experience with him to his new role.
- ~ Mark van Bakel, Senior Tech Analyst has accepted a new position as the City of Victoria's Information Manager after 16 years with Islands Trust. His last day was September 6, 2023. We wish Mark well in his new career adventure!
- ~ Taryn Plater, co-op student for the northern office finished her term with the Islands Trust on August 25, 2023.
- ~ Wendy Tyrrell, Species at Risk Coordinator with the Islands Trust Conservancy has accepted a new job with the Salt Spring Island Conservancy as Conservation Director. Wendy's last day is September 15, 2023. We will miss you Wendy!
- ~ Zhiming Sun, Freshwater Sustainability Technologist co-op student will be starting with the Islands Trust for a 16-week term on September 11, 2023.
- ~ Robyn Kefi joined the Trust Area Services team as Senior Intergovernmental Relations Advisor effective July 17, 2023. Robyn has a PhD in Indigenous Governance from the University of Victoria, and a Masters in Resource and Environmental Management from Simon Fraser University. She has former experience working for the Ts'elxwéyeqw Tribe and Stó:lō Tribal Council as a researcher and policy advisor, and teaching in the Indigenous

Studies programs at the University of Victoria and the University of the Fraser Valley. After a long vacancy in this role, we are excited to welcome Robyn to the Trust!

We are currently in the process of hiring for several vacant, soon-to-be-vacant, and/or new positions:

- ~ LTC Meeting Administrator: This new position has recently been classified and will be posted soon.
- ~ Administrative Coordinator: The Public Service Agency is currently reviewing this new position for classification determination.
- ~ Manager, Finance and Accounting: This new position is drafted for public posting with the Public Service Agency.
- ~ Administrative Assistant (Southern team): This hiring process is currently in the interview stage. We hope to have an offer made to a suitable candidate soon.
- ~ ITC Strategic Fund Development Specialist: This hiring process is currently in the resume screening stage.
- ~ ITC Species at Risk Coordinator: This position is current being prepared to post.
- ~ Senior Tech Analyst (aka: IS Manager): The job profile for this role is currently being reviewed and updated, with subsequent recruitment to follow.

Our June All Staff Meeting took place on beautiful Gabriola Island. Staff appreciated the opportunity to tour the Elder Cedar Nature Reserve and the Malaspina Galleries. Russ Hotsenpiller, CAO provided staff with updates on Trust Council work, staff arrivals and departures, and presented awards and recognition for the previous quarter. Clare Frater, Director of Trust Area Services provided a training session on the new Islands Trust Identity Guide.

INFORMATION SERVICES (IS)

Information Services continues to maintain base level technology services and support to staff and trustees as part of ongoing operations. Specific work completed with the help of third party technical support over the last quarter includes:

- ~ Upgraded primary Trust Council meeting camera to facilitate smoother, more efficient transitions between speakers for virtual viewers and recordings.
- ~ Completed transition from Windows 10 to 11 for work-from-home devices.
- ~ Completed procurement via Invitation to Quote for three physical server replacements, one for each staff office.
- ~ Completed installation of the new Victoria office server, and an upgrade to the VM (virtual server) management platform.
- ~ Scheduled upgrades of Salt Spring Island and Gabriola Island officer servers for later in the year.

Continued focus is being directed towards the following operational initiatives:

- ~ Upgrading the Trust's SQL database to version 2022.
- ~ Ongoing virtual server operating system upgrades from Windows 2016 to 2019/2022
- ~ Enhancements of internal Trust applications, to improve reporting capability and add new features that improve user experience.
- ~ Ongoing development of internal and external web map replacements to replace the end-of-life Mapit and TAPIS Map. These replacements will provide enhanced functionality and usability for both internal and external users.

Information services staff are heavily involved in two specifically funded 2023/24 projects:

1. CityView Implementation: The CityView implementation project funded by the LG Development Application Approvals grant program is underway. Currently this project is in the review and documentation phase associated with CityView system workflows, to ensure the system setup will meet the needs of Islands Trust staff and external users. This project has an expected completion date of December 15, 2023, extended from original timelines.
2. Expense Claim Upgrades: As described in the finance section of this report.

REQUEST FOR DECISION

To: Trust Council

For the Meeting of: September 26 2023

From: Financial Planning Committee

Date Prepared: September 1, 2023

SUBJECT: JUNE 30, 2023 FINANCIAL REPORT

RECOMMENDATION:

That Trust Council approve the June 30, 2023 financial report.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The first quarter financial report indicates that Islands Trust is generally following the financial plan for 2023/24.

1 PURPOSE:

To summarize the findings of the June 30, 2023 first quarter financial report.

2 BACKGROUND:

Islands Trust *Policy 2.3.1 Council Committee Systems* requires the Financial Planning Committee (FPC) to report to Trust Council on the organization's financial management practices. Quarterly financial reports are prepared by staff, reviewed by FPC, and forwarded to Trust Council as part of this requirement.

Financial Report Findings

The benchmark for non-tax revenue sources and operational expenditures after three months of operations can be estimated at 25% of the annual budget.

As at June 30, 2023 Islands Trust has consumed a net 23% of the annual approved budget which is slightly below benchmark for this time of year. Individual areas may experience minor overspending or underspending based on activities in the year to date. Individual revenue and expense items that vary significantly from the 25% benchmark set (where significance is determined as more or less than 10%, and more or less than \$5,000) are discussed in this report.

Revenues

Total Revenue is lower than the benchmark by \$1,930,000 (21%) due to the following:

- ~ *Provincial Grant - Unrestricted* is higher than benchmark budget by \$135,000 (75%) due the full value of the unrestricted operating grant received in Q1.
- ~ *Federal and Provincial Grants – Restricted* is lower than the benchmark by \$21,000 (5%) due to projects funded by these dollars (ITC Species at Risk, Local Government Development Approvals Program and Regional Freshwater Management Healthy Watershed Initiative) taking time to ramp up in the first quarter of the fiscal year.

- ~ All revenues from taxation (*General Property Tax Levy, Special Property Tax Requisition, and Bowen Tax Levy*) report at less than benchmark as levies are received in Q2 in accordance with customary timelines.
- ~ *Investment Income* was higher than the benchmark by \$7,000 (5%) due to high interest rates. Investment revenue is expected to increase as property tax funds are received in July 2023 and invested.

Expenses by Service Area

Council Services

Council Services expenses include costs related to three main areas: Trust Council; Executive Committee; and Trust Area Services; plus an allocation of general administrative expenses. Inclusive of the general admin allocation, these expenses report at \$363,000 (23% of budget) which is lower than the 25% benchmark by \$28,000 (2%).

No individual line items within Council services deviate significantly from benchmark; however, items worthy of note include the following:

- ~ Trust Council spending is \$15,000 (4%) above benchmark due primarily to higher than anticipated costs for new Chair training and related travel, and higher legal advisory costs related to topics raised by delegations to Trust Council.
- ~ Executive Committee spending is \$7,600 (6%) below benchmark due primarily to requests for application fee sponsorships not yet received.
- ~ Trust Area Services spending is \$32,000 (5%) below benchmark due primarily to vacancies in the roles of Senior Indigenous Relations Advisor, Senior Policy Advisor, and Administrative Coordinator. These vacancies contribute to delays in related work including the Policy Statement Amendment Project and advancement of the Reconciliation Action Plan. Spending on funded stewardship education programs are planned for and expected to occur later in the year.

Local Trust Committee (LTC) Services

LTC Services expenses include costs related to five main areas: Local Trust Committees (LTCs); planning services projects; planning services staff; facilities; and bylaw enforcement; as well as an allocation of general administrative expenses. Inclusive of the general admin allocation, these expenses report at \$1.5M (23% of budget) which is lower than benchmark by 173,000 (2%). Individual expense lines within LTC services that deviate from benchmark are as follows:

- **Local Trust Committees (LTC) costs** are comprised of rent, phone, internet and office service for on-island trustee offices, the trustee portion of insurance costs, general legal costs, bylaw enforcement legal costs, legal litigation costs, statutory notices, EC travel expenses to chair LTC meetings; trustee-incurred expenses, LTC and APC meeting expenses, LTC communications, special project expenses, LTC statutory notices and the LTC portion of trustee remuneration and benefits.

Total LTC spending to June 30, 2023 is \$237,000 (29% of budget), higher than benchmark by \$34,000 (4%), due to the following:

- ~ Legal costs incurred were higher than planned due to advancement on two contempt proceedings. Of note is that Islands Trust has been awarded legal costs for these proceedings, which will see costs recovered in future quarters. High activity related to legal actions formerly placed on hold due to prior year cost constraints also contributed to the higher than anticipated spending in this fiscal quarter one, as well as the procurement of two unanticipated legal opinions for LTCs.

- ~ Travel costs for Executive Committee members to chair LTC meetings reports at almost double the total annual budget at the end of the quarter one. This is due to the unanticipated extra accommodation costs incurred by EC members to attend meetings in-person, which is a product of EC members resident location, the LTCs they chair, and related ferry restrictions, particularly for Lasqueti Island members.
- **Planning Projects** costs are comprised of all LTC and Regional Planning Committee projects, including the regional freshwater management project, housing strategy, groundwater recharge mapping, work associated with the Local Government Development Approvals program, and as well as the coordination of the Salt Spring Island Watershed Protection Alliances (SSIWPA). Planning projects report at \$27,000 (5% of budget), which is less than benchmark by 108,000 (20%). This underspending is due primarily to a combination of the following:
 - ~ *Underspending on LTC Projects* (\$68,000 from benchmark): This is due primarily to LTCs taking time to discuss and approval approaches to First Nations engagement on their projects, as well as some delays assigning work to specific staff.
 - ~ *No spending on Salt Spring Island Water Protection Authority (SSIWPA) Coordination*: Progress on this work has not been made, as the SSI LTC has not yet determined next steps related to this initiative.
 - ~ *Underspending on the Local Government Development Approvals Program (LGDAP)* (\$135,000 from benchmark): Delays in this project are primarily a result of contractor time constraints due to the contractor supporting most BC local governments who have received funding under this program. This project still remains to be completed in the current fiscal year.
 - ~ *No spending on Housing Strategy work*: This work was furthered in quarter two, with a housing gap-assessment completed with further analysis and communications planned for quarter three.
- **Planning Staff** costs include employee salaries, benefits, training and travel costs, as well as any contracted human resources associated with planning work. Spending to June 30, 2023 reports at \$703,000, (22% of budget) which is below benchmark by 108,000 (3%). This is due to vacancies in the following staff positions:
 - ~ LTC Meeting Administrator – one month vacancy (\$5,300)
 - ~ Northern Office Island Planner – full quarter one vacancy (\$24,000)
 - ~ Salt Spring Island Planning Team Assistant – full quarter one vacancy (\$13,000)
 - ~ Northern Office Island Planner working less than full time for 3 months (\$11,000)
 - ~ Senior Indigenous Relations Advisor (portion) – full quarter one vacancy (\$12,000)
 - ~ Administrative Coordinator (portion) – month vacancy (\$6,800)
 - ~ Salt Spring Island Planner 1 – 2.5 month vacancy (\$13,000)
- **Bylaw Enforcement** costs include staff salaries and benefits, training, mobile devices, and travel costs. Spending to June 30, 2023 reports at \$119,000 (29% of budget), which is higher than benchmark by \$17,000 (4%). This is due primarily to increased enforcement staff travel and overtime costs.

Islands Trust Conservancy Services

Total ITC expenses include costs related to three main areas: Board expenses; Operations expenses; and Property management expenses; as well as an allocation of administrative expenses. Inclusive of the general admin allocation, these expenses were lower than benchmark by \$17,000 (1%). Individual expense lines within ITC services that deviate from benchmark are as follows:

- ~ ITC Board costs comprised of board meeting expenses, honoraria and training for board members reports at only \$800 (9% of budget) to June 30, 2023, 16% below benchmark. This is due primarily to meetings being held electronically, and training costs not yet incurred.

- ~ Conservancy staff and associated costs include staff salaries and benefits, ITC contracted temporary staffing, memberships, subscriptions, mobile devices, training, and travel costs. This budget area reports at \$215,000 (28% of budget), higher than benchmark by \$25,000 (3%). This is due to increased staff travel and overtime associated with Species at Risk programming and fieldwork that takes place primarily in the warmer months of the year. w
- ~ Property Management costs include ITC property management expenses, ITC conservation planning and land securement expenses, First Nations engagement planning, and legal costs. Property management expenses report at \$21,415 (10% of budget), lower than benchmark by \$33,000 (15%). This is due primarily to work on management plans taking place later in the year after the warmer-season fieldwork is complete, as well as slower progression on the First Nations Engagement Plan due to high staff workloads and a vacancy in the SIRA staff position.
- ~ ITC Communications reports at \$2,500, (13% of budget), lower than benchmark by \$2,000 (12%). Work on communications will advance more readily in the remainder of the year with the now completed fulfillment and training of the new ITC Communications staff.
- ~ Eco-System Mapping reports no spending to June 30, 2023. This undertaking is scheduled for later in the year.

General Administration

Total general administrative expenditures include costs related to six main areas: Executive office; Administrative services; Office Operations; Information systems; Computer, Furniture and Equipment; and Amortization expense. General administration costs are allocated to the three service areas of the Trust (Council, LTC, and ITC) based on their relative dollar magnitudes for the period. In aggregate these expenses are reported at \$572,000 (24% of budget), which is lower than benchmark by \$28,000 (1%).

No individual expense lines within general administration deviate significantly from benchmark. However items worthy of note include the following:

- ~ Admin Services costs include all contracted human resources to backfill staffing shortages, staff salaries, benefits, training, and travel costs. These costs report at \$127,000 (21% of budget), 4% lower than benchmark primarily due to delayed hiring of the new Manager of Finance and Accounting position.
- ~ Office Operations costs include costs for audit fees, bank charges, internet, payroll processing, insurance, portion of office rent and services contributed to the general admin area, postage and courier, recruitment costs, stationery and supplies, telephone, mobile devices, organization-wide training, and all staff meetings and recognition. Office operations costs report at \$70,000 (22% of budget) 3% below benchmark, due to specific work and related costs scheduled for later in the year such as the annual audit and winter snow removal at staff offices.
- ~ Information Systems costs include all software support and licensing, technical support, meeting streaming services, mobile devices salaries, benefits, training, and travel costs associated with information systems staff. Information Systems costs report at \$177,000 (27% of budget), 2% above benchmark. This is due to high spending on tech supplies in the first quarter of the year and high levels of external tech support used.

Consolidated Expenses by Object

Public Sector Accounting Standards determine that financial reporting for government entities be reported “by function” (i.e.: service area) in the Statement of Financial Operations as presented in the earlier section of this report. Expenses “by object” (i.e.: type) are reported in accompanying financial statements notes. For

purposes of greater transparency and understanding of Islands Trust financial results, December 31, 2022 expenses by object are shown as follows:

Description	Approved Budget	30-Jun-23	% of Budget Consumed
Staff Salaries and benefits	6,229,223	1,440,617	23%
Office Operations	1,219,335	290,288	24%
Council and trustee costs	1,006,244	256,847	26%
Elections	7,000	0	0%
Programs	872,176	67,427	8%
Legal - General	70,000	37,527	54%
Legal - Bylaw Enforcement	80,000	28,088	35%
Legal - Litigation	72,356	24,837	34%
Legal - Statutory Notices	17,850	5,044	28%
Travel/training/recruitment	171,025	70,792	41%
Total *	9,745,209	2,221,467	23%
Amortization	178,000	40,760	23%
Total including Capital	9,923,209	2,262,227	23%

Staff salaries and benefits costs are less than benchmark due to staff vacancies for the Senior Indigenous relations officer, Administrative Coordinator, LTC Meeting Administrator, Manager of Accounting and Finance, Communication Specialist, Northern Office Island Planner, Salt Spring Office Planning Team Assistant, and Salt Spring Office Planner 1.

Office Operations costs are slightly below benchmark due primarily to a lack of communications spending in the first quarter of the year, whereby planned spending is geared more heavily towards the latter portion of the year.

Council and trustee costs are slightly above benchmark due to higher costs for Executive Committee travel for LTC chairing.

Elections costs are lower than the benchmark where no by-election has taken place.

Programs costs are less than the benchmark due to planning discussions taking time with the LTCs, and time taken to determine best First Nations engagement approaches for LTC projects. Projects are expected to advance in future quarters (i.e.: LGDAP, Regional Freshwater Management, SSIWPA and Housing Strategy).

Total Legal expenses for general, bylaw, litigation and statutory notices are tracking at a cumulative total of \$35,000 higher than benchmark, 40% of budget due to the advancement of two legal claims proceedings, increased bylaw enforcement legal action, and multiple legal opinions sought for LTCs.

Traveling/training and recruitment costs are above benchmark due to increased staff travel for ITC property management activities, increased travel by bylaw enforcement staff and for increase training and associated travel as almost all training is in person rather than on line as in previous years.

Amortization expense is tracking as expected.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None. Expenditures to June 30, 2023 are within the overall Islands Trust annual approved budget.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: None. Managing staff at Islands Trust and Islands Trust Conservancy will continue to receive financial reporting on their respective areas of oversight throughout the year.

FIRST NATIONS: None.

OTHER: None.

- 4 **RELEVANT POLICY(S):**
 [Islands Trust Policy 2.3.1](#) Council Committee System
 [Bylaw 191](#) Islands Trust Financial Plan Bylaw, 2023-2024

- 5 **ATTACHMENT(S):**
 Q1 June 30, 2023 Financial Report

RESPONSE OPTIONS

Recommendation: That Trust Council approve the June 30, 2023 financial report.

Alternative: None.

Prepared By: Finance Officer
Reviewed By: Director, Administrative Services
 Chief Administrative Officer/
 FPC/Aug 30, 2023

Islands Trust
Detailed Statement of Operations
For The 3 Months Ending June 30, 2023

Expected % of Budget Received/Used as at Report date = 25%
 Exceptions: Grant revenue, property tax levies, other revenues, project spending
 Variances > +/- 10% and +/- \$5000 include explanations

Description	Approved Budget	Year to Date Actual	% of budget received/ spent
Revenue			
Fees & Sales	192,000	105,966	55%
Provincial Grant - Unrestricted	180,000	180,000	100%
Federal and Provincial Grants - Restricted	389,795	76,618	20%
General Property Tax Levy - All LTAs	8,046,025	-	0%
Special Property Tax Requisition - SSI LTA	43,500	-	0%
Municipal Property Tax Levy - Bowen Island Municipality	345,989	-	0%
Investment Income + Other Income	133,000	40,753	31%
Total Revenue	9,330,309	403,337	4%
Council Services			
Trust Council	416,300	119,007	29%
Executive Committee	125,563	23,738	19%
Trust Area Services	643,623	128,333	20%
General Admin Allocation - 16%	376,388	91,681	24%
Total Council Expenses	1,561,874	362,759	23%
Local Trust Committee Services			
Local Trust Committees	810,862	237,011	29%
Projects (NOTE 1)	539,296	26,579	5%
Planning Staff	3,169,470	702,868	22%
LPS Facilities	389,820	94,794	24%
Bylaw Enforcement	406,193	118,931	29%
General Admin Allocation - 70%	1,697,319	399,151	24%
Total Local Planning Services Expenses	7,012,960	1,579,333	23%
Islands Trust Conservancy Services			
Board	10,025	855	9%
Conservancy Staff and Associated Costs	759,784	214,647	28%
Property Management	216,480	21,415	10%
Communications	18,000	2,310	13%
Ecosystem Mapping	18,000	-	0%
General Admin Allocation - 14%	326,086	80,909	25%
Total Trust Conservancy Expenses	1,348,375	320,136	24%
General Admin			
Senior Management	485,645	122,722	25%
Admin Services	610,328	127,612	21%
Office Operations	323,880	69,911	22%
Information Systems	667,640	177,254	27%
Computer/Furniture & Equipment	134,300	33,481	25%
Amortization Expense	178,000	40,760	23%
General Admin Recovery	(2,399,793)	(571,741)	24%
Net General Admin Expenses	-	-	
Total Expenses	9,923,209	2,262,227	23%
YTD Surplus (Shortfall)	(592,900)	(1,858,891)	
Amortization Adjustment	(178,000)	n/a	
Capital adjustment	n/a	33,481	
Adjusted surplus (shortfall)	(414,900)	(1,825,409)	

Exceptions: Grant revenue, property tax levies, other revenues, project spending
 Variances > +/- 10% and +/- \$5000 include explanations

Description	Approved Budget	Year to Date Actual	% of budget received/ spent
Transfer from (to) General Revenue Surplus Fund	231,000	1,822,357	
Transfer from (to) LTC Project Reserve Fund	183,900	3,053	
Transfer from (to) Special Tax Requisition Fund	0	-	
	414,900	1,825,409	
Net Balance	-	-	

Note 1: LTC & Planning Services Project Spending

LTC Projects			
LTC Projects funded by Reserve Fund	(3,500)	-	0%
Denman Housing Review	18,000	110	1%
Denman Farming Regulations Review	2,000	-	0%
Gabriola OCP/LUB	18,000	76	0%
Gabriola Ecological Protection Zone	2,000	-	0%
Galiano Groundwater Strategy Implementation	5,000	-	0%
Gambier OCP/LUB	16,000	-	0%
Gambier Keats Island Shoreline Protection Review	4,000	1,185	30%
Hornby OCP/LUB	15,000	260	2%
Lasqueti OCP/LUB	4,000	-	0%
Mayne Island Housing	1,000	274	27%
Mayne LUB Minor Amendments	2,000	-	0%
North Pender OCP/LUB	3,000	1,392	46%
North Pender Groundwater Strategy Implementation	2,500	-	0%
North Pender Raptor Nest DPA update	5,000	-	0%
Salt Spring Bylaw Review - Procedural Updates	96,000	-	0%
Salt Spring Ganges Village Area Planning	86,500	-	0%
Salt Spring Housing Action Program	5,000	201	4%
South Pender LUB Minor Amendments	2,000	-	0%
Thetis Unzoned Marine Area LUB Amendment	2,500	-	0%
Total All LTC Projects	286,000	3,498	1%
SSIWPA Coordinator Expense	43,500	-	0%
Regional Freshwater Management	32,000	7,161	22%
Housing Strategy	30,000	-	0%
Groundwater Recharge Mapping	-	2,800	
LG Development Approvals Program	147,796	13,120	9%
Total all Project Spending	539,296	26,579	5%

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 27, 2023
From: Audit Committee **Date Prepared:** September 1, 2023
SUBJECT: MARCH 31, 2023 AUDITED FINANCIAL STATEMENTS

RECOMMENDATION:

That Trust Council approve the Islands Trust audited financial statements for the year ended March 31, 2023.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The Independent Auditor's report indicates that, in their opinion, the financial statements present fairly, in all material aspects, the financial position of the Islands Trust as at March 31, 2023.

1 PURPOSE:

To present the audited financial statements for Islands Trust to Trust Council (TC). The financial statement package and audit report has been reviewed by the Audit Committee and has been forwarded to Trust Council for approval.

2 BACKGROUND:

The Islands Trust Audit Committee is responsible for overseeing the legislatively required financial statement audit annually, and reviews the results of the audit with the appointed audit firm. They report directly to Trust Council on this work.

Audit Committee has met with the audit firm to review the audit results and has forwarded the audited financial statements and related audit report to Trust Council for approval.

Since TC reviewed the draft year-end financial statements in May 2023, staff completed the following activities in advance of the audit:

- Completed the full financial statement package including financial statement notes.
- Completed assessment of the new accounting standard re: Asset Retirement Obligations. This assessment resulted in no new asset retirement obligations or expenses recognized in the financial statements.
- Completed assessment of revenue recognition associated with the new provincial Local Government Climate Action Program grant funds. As a result of this assessment, the following changes were made in the draft financial statements:
 - Reduction in deferred revenue of \$38,082
 - Increase in recognition of grant revenue of \$38,082

This adjustment increased the annual and accumulated surplus balances by the same amount.

- Reclassified the year-end payroll accrual from accrued liabilities to wages payable on the Statement of Financial Position. This adjustment had no impact on annual or accumulated surplus balances as it relates to presentation only.

The auditors did not identify any adjustments to the financial statements during the course of their work, and a clean audit report has been issued for Islands Trust.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS:

Once approved by the Islands Trust Council, the year-end audited financial statements and auditor's report will be forwarded to the Minister of Municipal Affairs as required by the *Islands Trust Act, S. 19* and made available to the public via the Islands Trust website.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S):

Islands Trust Council Bylaw No. 185

Islands Trust Act S. 18 requires Islands Trust to appoint an auditor to audit the accounts and transactions of the Islands Trust Council and local trust committees, and requires that the auditor report to the Islands Trust Council and to the Minister.

5 ATTACHMENT(S):

- Islands Trust March 31, 2023 Audited Financial Statements & Audit Report

RESPONSE OPTIONS

Recommendation: That Trust Council approve the Islands Trust audited financial statements for the year ended March 31, 2023.

Alternative: None.

Prepared By: Director, Administrative Services
Reviewed By: David Marlor, Acting CAO
 Audit Committee/Aug 30, 2023

Financial Statements of

ISLANDS TRUST

Year ended March 31, 2023

ISLANDS TRUST

Financial Statements

Year ended March 31, 2023

Financial Statements

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MANAGEMENT'S RESPONSIBILITY FOR THE FINANCIAL STATEMENTS

The accompanying financial statements of Islands Trust (the "Trust") are the responsibility of the Trust's management and have been prepared in compliance with legislation, and in accordance with generally accepted accounting standards for local governments as established by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. A summary of the significant accounting policies are described in Note 1 to the financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Trust's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the financial statements. These systems are monitored and evaluated by management.

The Trust, acting through its Audit Committee, meets with management and the external auditors to review the financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the financial statements.

The financial statements have been audited by KPMG LLP, independent external auditors appointed by Trust Council. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Trust's financial statements.

Chief Administrative Officer

Director, Administrative Services

INDEPENDENT AUDITOR'S REPORT

To the Trustees of Islands Trust and the Minister of Municipal Affairs

Opinion

We have audited the financial statements of Islands Trust which comprise:

- the statement of financial position as at March 31, 2023
- the statement of operations for the year then ended
- the statement of change in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of Islands Trust as at March 31, 2023, and its results of operations, its changes in net financial assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "***Auditor's Responsibilities for the Audit of the Financial Statements***" section of our auditor's report.

We are independent of the Entity in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing Island Trust's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate Islands Trust or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing Island Trust's financial reporting process.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Islands Trust's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on Island Trust's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However, future events or conditions may cause Islands Trust to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

Chartered Professional Accountants

Victoria, Canada

_____, 2023

ISLANDS TRUST

Statement of Financial Position

March 31, 2023, with comparative information for 2022

	2023	2022
Financial assets:		
Cash and cash equivalents (note 2)	\$ 1,750,989	\$ 3,558,169
Accounts receivable	301,396	192,573
Investments (note 3)	2,670,862	1,202,607
	4,723,247	4,953,349
Liabilities:		
Accounts payable and accrued liabilities	737,364	900,909
Wages and benefits payable	1,397,218	1,450,243
Deferred revenue	226,282	203,591
Employee benefit obligations (note 4)	233,999	281,672
Obligations under capital leases (note 5)	43,837	18,071
Cost recovery deposits (note 13(b))	2,996	763
	2,641,696	2,855,249
Net financial assets	2,081,551	2,098,100
Non-financial assets:		
Tangible capital assets (note 6)	237,000	286,953
Prepaid expenses	208,318	178,779
	445,318	465,732
Commitments (note 11)		
Contingent liabilities (note 12)		
Accumulated surplus (note 7)	\$ 2,526,869	\$ 2,563,832

The accompanying notes are an integral part of these financial statements.

Approved by the Trust Council:

Peter Luckham, Trust Council Chair

Joe Bernardo, Audit Committee Chair

ISLANDS TRUST

Statement of Operations

Year ended March 31, 2023, with comparative information for 2022

	Budget (note 9)	2023	2022
Revenue:			
Property tax - general	\$ 7,309,863	\$ 7,309,863	\$ 7,079,772
Property tax levy - Bowen Island municipality	323,769	323,769	311,188
Property tax - special requisition	60,000	60,000	75,500
Government transfers (note 8)	760,500	711,724	690,627
Fees and sales	264,724	199,570	117,488
Interest income	20,001	168,943	11,914
Other income	-	450	33,779
Total revenue	8,738,857	8,774,319	8,320,268
Expenses (note 10):			
Council services	1,529,806	1,524,852	1,373,658
Local trust committee services	6,635,424	6,111,543	6,176,850
Trust conservancy services (note 13)	1,137,127	1,174,887	1,133,771
Total expenses	9,302,357	8,811,282	8,684,279
Annual deficit	(563,500)	(36,963)	(364,011)
Accumulated surplus, beginning of year	2,563,832	2,563,832	2,927,843
Accumulated surplus, end of year	\$ 2,000,332	\$ 2,526,869	\$ 2,563,832

The accompanying notes are an integral part of these financial statements.

ISLANDS TRUST

Statement of Change in Net Financial Assets

Year ended March 31, 2023, with comparative information for 2022

	Budget	2023	2022
	(note 9)		
Annual deficit	\$ (485,800)	\$ (36,963)	\$ (364,011)
Acquisition of tangible capital assets	(77,700)	(83,248)	(66,514)
Acquisition of leased tangible capital assets	-	(44,136)	-
Amortization of tangible capital assets	168,000	172,246	182,751
Loss on disposal of capital assets	-	5,091	-
	(395,500)	12,990	(247,774)
Acquisition of prepaid expenses	-	(29,539)	(12,860)
Change in net financial assets	(395,500)	(16,549)	(260,634)
Net financial assets, beginning of year	2,098,100	2,098,100	2,358,734
Net financial assets, end of year	\$ 1,702,600	\$ 2,081,551	\$ 2,098,100

The accompanying notes are an integral part of these financial statements.

ISLANDS TRUST

Statement of Cash Flows

Year ended March 31, 2023, with comparative information for 2022

	2023	2022
Cash provided by (used in):		
Operating activities:		
Annual deficit	\$ (36,963)	\$ (364,011)
Items not involving cash:		
Amortization of tangible capital assets	172,246	182,751
Loss (gain) on disposal of tangible capital assets	5,091	-
Extinguishing of obligations under capital lease	(5,712)	-
Changes in non-cash operating assets and liabilities:		
Accounts receivable	(108,823)	15,473
Wages and benefits payable	(149,938)	31,569
Accounts payable and accrued liabilities	(66,632)	124,866
Deferred revenue	22,691	44,447
Employee benefit obligations	(47,673)	30,323
Cost recovery deposits	2,233	(18,527)
Prepaid expenses	(29,539)	(12,860)
Net change in cash from operating activities	(243,019)	34,031
Capital activities:		
Acquisition of tangible capital assets	(83,248)	(66,514)
Investing activities:		
Purchase of investments	(1,468,255)	(1,202,607)
Financing activities:		
Principal payments on obligations under capital leases	(12,658)	(13,484)
Change in cash and cash equivalents	(1,807,180)	(1,248,574)
Cash and cash equivalents, beginning of year	3,558,169	4,806,743
Cash and cash equivalents, end of year	\$ 1,750,989	\$ 3,558,169
Supplemental cash flow information:		
Assets acquired under capital lease	\$ (44,136)	\$ -

The accompanying notes are an integral part of these financial statements.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

Islands Trust (the "Trust") is incorporated under the Islands Trust Act of British Columbia (as amended). The objectives of the Trust are to preserve and protect the Trust area and its unique amenities and environment for the benefit of the residents of the Trust area and of the Province generally.

1. Significant accounting policies:

The financial statements of Islands Trust are prepared by management in accordance with Canadian public sector accounting principles for local governments as recommended by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants of Canada. Significant accounting policies adopted by the Trust are as follows:

(a) Reporting entity:

The financial statements include a combination of all the assets, liabilities, revenues, expenses, and changes in fund balances and in financial position of the trust council and the local trust committees.

The Trust occasionally conducts work on behalf of development applicants on a cost-recovery basis. These trust activities are not included in the financial statements.

(i) Consolidated entities:

The Trust does not control any significant external entities and accordingly no entities have been consolidated with the financial statements.

(ii) Funds held in trust:

The Trust administers operations of The Islands Trust Conservancy. The annual expenses of The Islands Trust Conservancy are reported by the Trust in accordance with The Islands Trust Act (note 13).

(b) Basis of accounting:

The Trust follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and/or the creation of a legal obligation to pay.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(c) Revenue recognition:

Government transfers are recognized in the financial statements as revenues in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made, except when and to the extent that the transfer gives rise to an obligation that meets the definition of a liability under section PS 3200 of public sector accounting standards.

Revenue unearned in the current period is recorded as deposits or deferred revenue.

Tax revenue is recognized on an accrual basis.

(d) Financial instruments:

A contract establishing a financial instrument creates, at its inception, rights and obligations to receive or deliver economic benefits. The financial assets and financial liabilities portray these rights and obligations in the financial statements. The Trust recognizes a financial instrument when it becomes a party to a financial instrument contract.

Financial instruments consist of cash and cash equivalents, accounts receivable, investments, accounts payable and accrued liabilities and wages and benefits payable.

Financial instruments are recorded at fair value on initial recognition. Derivative instruments and equity instruments that are quoted in an active market are reported at fair value. All other financial instruments are subsequently recorded at cost or amortized cost unless management has elected to carry the instruments at fair value.

Unrealized changes in fair value are recognized in the statement of remeasurement gains and losses until they are realized, when they are transferred to the statement of operations. In the years presented, there are no unrealized gains or losses and as a result no statement of remeasurement gains or losses has been included.

Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the straight-line method.

All financial assets are assessed for impairment on an annual basis. When a decline is determined to be other than temporary, the amount of the loss is reported in the statement of operations and any unrealized gain is adjusted through the statement of remeasurement gains and losses. When the asset is sold, the unrealized gains and losses previously recognized in the statement of remeasurement gains and losses are reversed and recognized in the statement of operations.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(e) Cash and cash equivalents:

Cash and cash equivalents include short-term highly liquid investments with a term to maturity of 90 days or less at acquisition.

(f) Investment income:

Investment income is reported as revenue in the period earned. When required by the funding government or related Act, investment income earned on restricted funds is added to the investment and forms part of the deferred revenue balance.

(g) Employee future benefits:

The Trust and its employees make contributions to the Public Service Pension Plan, which provides benefits directly to employees upon retirement. These contributions are expensed as incurred.

A gratuity is also available to employees upon retirement. The cost of this benefit is paid by the Public Service Pension Plan.

(h) Asset retirement obligations:

An asset retirement obligation is recognized when, as at the financial reporting date, all of the following criteria are met:

- (i) There is a legal obligation to incur retirement costs in relation to a tangible capital asset;
- (ii) The past transaction or event giving rise to the liability has occurred;
- (iii) It is expected that future economic benefits will be given up; and
- (iv) A reasonable estimate of the amount can be made.

As of March 31, 2023 no asset retirement obligations have been identified for the Trust and as such no liability has been recognized.

(i) Liability for contaminated sites:

A liability for contaminated sites is recognized when a site is not in productive use and the following criteria are met:

- (i) an environmental standard exists;
- (ii) contamination exceeds the environmental standard;
- (iii) the Trust is directly responsible or accepts responsibility;
- (iv) it is expected that future economic benefits will be given up; and
- (v) a reasonable estimate of the amount can be made.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(i) Liability for contaminated sites (continued):

The liability is recognized as management's estimate of the cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

(j) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

(i) Tangible capital assets:

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less residual value, of the tangible capital assets, excluding land, are amortized on a straight line basis over their estimated useful lives as follows:

Asset	Useful life - years
Furniture and equipment	5
Computers	3
Leasehold improvements	lesser of remaining term of the lease and useful life

Amortization is charged annually, including in the year of acquisition and disposal. Assets under construction are not amortized until the asset is available for productive use.

Tangible capital assets are written down when conditions indicate that they no longer contribute to the Trust's ability to provide goods and services, or when the value of future economic benefits associated with the asset are less than the book value of the asset.

The Islands Trust is fortunate to have, and to be mandated to protect, many natural assets in the Trust Area that reduce the need for engineered infrastructure that might otherwise be required by other government agencies to provide various services to the islands. This includes island aquifers (water storage and filtration); streams, ditches and wetlands (rain water management); forests (carbon sequestration); and foreshore areas (natural seawalls). Canadian public sector accounting standards do not provide for the valuation and recording of such assets in the financial statements. As such, these natural assets are not reported in these financial statements. Nevertheless, the Trust acknowledges the importance of these assets and the need to manage them in conjunction with engineered infrastructure that is managed by other government agencies.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(j) Non-financial assets (continued):

(ii) Contributions of tangible capital assets:

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also are recorded as revenue.

(iii) Works of art and historical treasures:

Works of art and historical treasures are not recorded as assets in these financial statements.

(iv) Interest capitalization:

The Trust does not capitalize interest costs associated with the acquisition or construction of a tangible capital asset.

(v) Leased tangible capital assets:

Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as leased tangible capital assets. All other leases are accounted for as operating leases and the related payments are charged to expenses as incurred.

(k) Use of estimates:

The preparation of financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the period. Estimates include assumptions used in estimating provisions for accrued liabilities, fair value of financial instruments and asset retirement obligations. Actual results could differ from these estimates.

(l) Change in accounting policies:

On April 1, 2022 the Trust adopted Canadian public sector accounting standard PS 3280 *Asset Retirement Obligations*. The new accounting standard addresses the reporting of legal obligations associated with the retirement of certain tangible capital assets, such as asbestos removal in buildings by public sector entities. The standard was adopted on a prospective basis at the date of adoption resulting in no changes to accumulated surplus or annual surplus for comparative years presented. No asset retirement obligations were recognized by the Trust as a result of implementation of this new standard.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

1. Significant accounting policies (continued):

(l) Change in accounting policies (continued):

On April 1, 2022 the Trust adopted Canadian public sector accounting standards PS 3450 *Financial Instruments* and PS 2601 *Foreign Currency Translation*. The standards were adopted prospectively from the date of adoption. The new standards provide comprehensive requirements for the recognition, measurement, presentation and disclosure of financial instruments and foreign currency transactions. All financial instruments are included on the statement of financial position and are measured at amortized cost. There were no adjustments to accumulated surplus at April 1, 2022 or financial assets and liabilities for the year ended March 31, 2023 as a result of the adoption of PS 2601 and PS3450.

2. Cash and cash equivalents:

	2023	2022
Bank account balances	\$ 1,750,989	\$ 1,962,503
Short-term GICs	-	1,595,666
	\$ 1,750,989	\$ 3,558,169

3. Investments:

At March 31, 2023, investments consisted of guaranteed investment certificates with a cost plus accrued interest that approximated market value. The stated interest rates ranged from 4.35% to 5.05% with maturity dates ranging from September 2023 to February 2024.

4. Employee benefit obligations:

	2023	2022
Vacation pay	\$ 177,343	\$ 230,882
Compensatory time off	56,656	50,790
	\$ 233,999	\$ 281,672

Vacation pay and compensatory time off represent the liability for accumulated banks for draw down at future dates and/or for payout on approved retirement, or upon termination or death.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

4. Employee benefit obligations (continued):

Other pension plans:

The Trust and its employees contribute to the Public Service Pension Plan (a jointly trustee pension plan). The Public Service Pension Board of Trustees, representing plan members and employers, is responsible for administering the plan, including investment of assets and administration of benefits. The plan is a multi-employer defined benefit pension plan. Basic pension benefits are based on a formula. As at March 31, 2022, the plan has about 68,000 active members and approximately 54,000 retired members.

Every three years, an actuarial valuation is performed to assess the financial position of the plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the plan. This rate is then adjusted to the extent there is amortization of any funding deficit.

The latest actuarial valuation as at March 31, 2020, indicated a funding surplus of \$2,667 million for basic pension benefits on a going concern basis. The next valuation will be as at March 31, 2023 with results available later in 2023. Employers participating in the plan record their pension expense as the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the plan.

The Trust paid \$365,419 (2022 - \$382,903) for employer contributions to the plan in fiscal 2023.

5. Obligations under capital leases:

The amounts due for obligations under capital leases are as follows:

2024	\$ 11,356
2025	11,008
2026	9,804
2027	9,804
2028	11,141
2029	1,872
Total minimum lease payments	54,985
Less amounts representing interest (at rates ranging from 4.70% to 8.45%)	11,148
Present value of net minimum capital lease payments	\$ 43,837

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

5. Obligations under capital leases (continued):

Interest of \$2,204 (2022 - \$1,962) relating to capital lease obligations has been included in expenses on the statement of operations.

6. Tangible capital assets:

	Denman Island Site	Furniture and equipment	Computers	Leasehold improvements	Total 2023	Total 2022
Cost:						
Balance, beginning of year	\$ 10,000	\$ 249,026	\$ 315,869	\$ 386,975	\$ 961,870	\$ 998,787
Additions	-	46,460	80,924	-	127,384	66,514
Disposals	-	(155,036)	-	-	(155,036)	(103,431)
Balance, end of year	10,000	140,450	396,793	386,975	934,218	961,870
Accumulated amortization:						
Balance, beginning of year	10,000	212,131	221,828	230,958	674,917	595,597
Additions	-	24,107	72,389	75,750	172,246	182,751
Disposals	-	(149,945)	-	-	(149,945)	(103,431)
Balance, end of year	10,000	86,293	294,217	306,708	697,218	674,917
Net book value, end of year	\$ -	\$ 54,157	\$ 102,576	\$ 80,267	\$ 237,000	\$ 286,953

Contributed tangible capital assets:

There were no contributed assets received during 2023 or 2022.

In fiscal 1994, the Denman Island Ratepayers' Association donated \$10,000 which was used by the Trust to purchase the Denman Island Old School Site from School District #71. The Trust agreed to facilitate the sale of the school site between School District #71 and the Ratepayers' Association and to hold title to the property on behalf of the community. The Denman Island Ratepayers' Association has leased the building on the site from the Trust for 99 years for a total fee of \$10.

Included in tangible capital assets is assets under capital leases with a net book value of \$43,837 (2022 - \$18,071).

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

7. Accumulated surplus:

Accumulated surplus consists of:

	2023	2022
Invested in tangible capital assets	\$ 193,163	\$ 268,882
General Revenue Fund	2,190,140	2,091,376
Local Trust Committee Project Specific Reserve Fund	102,751	105,867
Special property tax requisition fund	40,815	97,707
	<u>\$ 2,526,869</u>	<u>\$ 2,563,832</u>

8. Government transfers:

Government transfers recorded as revenue on the statement of operations are comprised of:

	2023	2022
Provincial operating grant	\$ 228,000	\$ 180,000
Provincial restricted grant	49,246	248,618
Federal restricted grant	238,500	242,500
Transportation Canada	2,121	-
Other	193,857	19,509
	<u>\$ 711,724</u>	<u>\$ 690,627</u>

9. Budget data:

The budget data presented in these financial statements is based upon the 2023 operating budget approved by Trust Council on April 20, 2022. The following reconciles the approved budget to the budget figures reported in these financial statements.

	Budget amount
Operating budget:	
Revenue	\$ 9,134,357
Less appropriation from surplus	395,500
	<u>8,738,857</u>
Expenses	9,134,357
Plus amortization expense	168,000
	<u>9,302,357</u>
Annual deficit	<u>\$ (563,500)</u>

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

10. Classification of expenses by object:

	2023	2022
Staff salaries and benefits	\$ 5,221,815	\$ 5,342,092
Traveling/training and recruitment	155,198	68,321
Council and trustee costs	907,609	798,765
Elections	157,631	-
Office operations	997,722	1,001,408
Programs	835,059	1,035,255
Legal	358,911	255,687
Amortization	172,246	182,751
Loss on disposal of assets	5,091	-
	\$ 8,811,282	\$ 8,684,279

11. Commitments:

The Trust is committed to leases for rented premises. Minimum future payments in the next five years are as follows:

2024	\$ 331,601
2025	143,933
2026	-
2027	-
2028	-

12. Contingent liabilities:

In the normal course of operations, claims for alleged damages are made against the Trust. The Trust records an accrual in respect of legal claims that are likely to be successful and for which a liability amount is reasonably determinable. The remaining claims, should they be successful as a result of litigation, will be recorded when a liability is likely and determinable. The Trust is covered through an independent insurance program against certain claims.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

13. Trust activities:

(a) Trust Conservancy:

The Trust pays the administration expenses of The Islands Trust Conservancy (the "Conservancy") which is related through the composition of the Conservancy's Board. The Conservancy is empowered to accept donations, grants and bequests and to hold land and other property in compliance with a plan approved by the Ministry of Municipal Affairs. The Conservancy's Board is comprised of three members from Trust Council and up to three members appointed by the Minister of Municipal Affairs.

For financial reporting purposes, the Trust and the Conservancy are reported on separately. These financial statements present the financial position and results of operations of the Trust. Amounts owing from the Conservancy were \$71,061 (2022 - \$88,174).

The Conservancy's annual expenses are funded by and reported as part of the Trust in accordance with The Islands Trust Act. These expenses are summarized as follows:

	2023	2022
Operations and Property Management	\$ 884,981	\$ 876,595
Board	10,725	8,503
Administration	279,181	248,673
	<u>\$ 1,174,887</u>	<u>\$ 1,133,771</u>

(b) Cost-recoveries:

The Trust administers trust activities on behalf of development applicants on a cost-recovery basis. These activities are included in cost recoveries and are as follows:

	2023	2022
Cash received during the year	\$ 21,652	\$ 15,796
Cash paid during the year	19,418	34,323

The net payable from development applicants of \$2,996 (2022 - \$763) is included in cost recoveries on the statement of financial position.

ISLANDS TRUST

Notes to Financial Statements

Year ended March 31, 2023

14. Financial risks and concentration of risk:

The Trust has exposure to the following risks from its use of financial instruments: credit risk, market risk and liquidity risk. The Trust has established policies to identify risks and ensure that management monitors and controls them.

(a) Credit risk:

Credit risk is the risk of financial loss if a customer or counterparty to a financial instrument fails to meet its contractual obligations. Such risks arise principally from certain financial assets held consisting of cash, amounts receivable and investments.

The Trust is exposed to credit risk in the event of non-performance by a debtor. This risk is mitigated as most amounts receivable are due from the Province and are collectible.

It is management's opinion that the Trust is not exposed to significant credit risk associated with its cash deposits and investments as they are placed in recognized British Columbia institutions and the Trust invests solely in guaranteed investment certificates.

(b) Market risk:

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk is comprised of currency risk and interest rate risk.

Currency risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in the foreign exchange rates. It is management's opinion that the Trust is not exposed to significant currency risk, as amounts held and purchases made in foreign currency are insignificant.

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in the market interest rates. It is management's opinion that the Trust is not exposed to significant interest rate risk as it invests solely in guaranteed investment certificates with fixed interest rates.

(c) Liquidity risk:

Liquidity risk is the risk that the Trust will not be able to meet its financial obligations as they become due.

The Trust manages liquidity risk by continually monitoring actual and forecasted cash flows from operations and anticipated investing activities to ensure, as far as possible, that it will always have sufficient liquidity to meet its liabilities when due, under both normal and stressed conditions, without incurring unacceptable losses or risking damage to the Trust's reputation.

There has been no change to risk exposure from 2022 related to credit, market or liquidity risks.

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 27, 2023
From: Financial Planning Committee **Date Prepared:** September 1, 2023
SUBJECT: 2022/23 STATEMENT OF FINANCIAL INFORMATION (SOFI)

RECOMMENDATION:

That Trust Council approve the 2022/23 Statement of Financial Information.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

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

1 PURPOSE:

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

2 BACKGROUND:

Each year, Trust Council receives and approves the audited Financial Statements for the Islands Trust. These are subsequently included in the Islands Trust Annual Report and forwarded to the Ministry.

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

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

(a) a schedule showing

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

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

(b) a schedule showing

(i) the total amount paid to each supplier of goods or services during the fiscal year that is greater than a prescribed amount, and

(ii) a consolidated total of all other payments made to suppliers of goods or services during that fiscal year.”

Islands Trust finance prepares this report annually. Following review by the CAO and Financial Planning Committee, and approval by Trust Council, the report is submitted to the Ministry to fulfill the legislated requirement.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: The SOFI will be submitted to the Ministry by September 30, 2023 to ensure compliance with legislated deadlines, and will be posted to the Islands Trust website.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S): None.

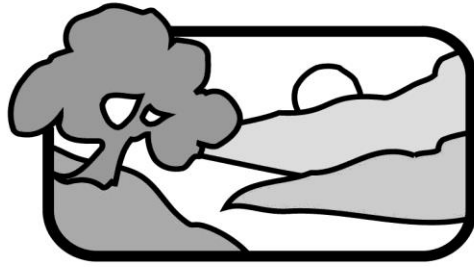
5 ATTACHMENT(S): 2022/23 Statement of Financial Information

RESPONSE OPTIONS

Recommendation: That Trust Council approve the 2022/23 Statement of Financial Information.

Alternative: None.

Prepared By:	Director, Administrative Services
Reviewed By:	David Marlor, Acting CAO
	FPC/Aug 30, 2023

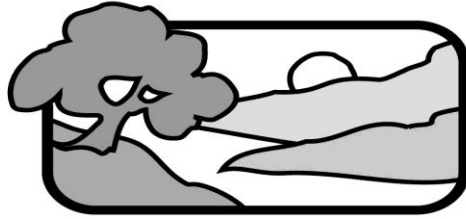


Islands Trust

STATEMENT OF FINANCIAL INFORMATION APPROVAL

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

Peter Luckham
Chair, Islands Trust Council



Islands Trust

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

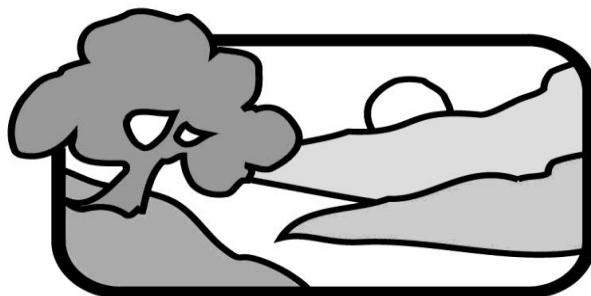
Management is also responsible for implementing and maintaining a system of internal controls to provide reasonable assurance that reliable financial information is produced.

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

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

On behalf of Islands Trust,

Director, Administrative Services



Islands Trust

SCHEDULE OF GUARANTEE AND INDEMNITY AGREEMENTS

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

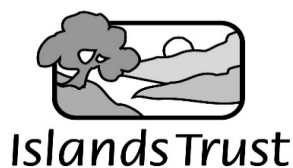
STATEMENT OF SEVERANCE AGREEMENTS

There were no severance agreements made between Islands Trust and its non-unionized employees during fiscal year ending March 31, 2023.

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

On behalf of Islands Trust,

Director, Administrative Services



SCHEDULE OF REMUNERATION & EXPENSES FOR TRUSTEES

For the year ended March 31, 2023

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

ELECTED OFFICIAL		POSITION	TOTAL REMUNERATION & TAXABLE BENEFITS		EXPENSES
Adams,	Linda	ITCB Provincial appointee	\$	1,250	\$ -
Allen,	Alexander	Trustee		12,841	974
Bernado	Joe	Trustee		5,016	
Boland	Mairead	Trustee		4,327	
Borthwick	Sam	Trustee		4,933	
Brent,	Paul	Trustee		7,084	-
Busheikin,	Laura	Trustee		8,279	46
Campbell	Aaron	Trustee		6,116	760
Colbourne,	Scott	Trustee		14,152	-
Critchley,	David	Trustee		8,079	419
Dodds,	Jeanine	Trustee		13,355	370
Elliott	Tobi	Trustee, Council Vice Chair		23,898	2,872
Evans	Kristina	Trustee		4,059	1,589
Falck	Dag	Trustee		3,559	444
Fast,	Sue Ellen	Trustee, Council Vice Chair		30,774	7,865
Fenton,	Lawrence	Trustee		7,870	472
Gauvreau	Lisa	Trustee		4,857	
Gedye	Judith	Trustee		1,679	
Graham	David	Trustee		5,033	
Grove,	Peter	Trustee		23,819	-
Harris	Jaime	Trustee		14,195	
Hunter	Ken	Trustee		3,938	
Johonston,	Peter	Trustee		6,351	-
Kaile,	Michael	Trustee		2,536	-
Langereis,	Kees	Trustee		14,352	49
Lironi	Mikaila	Trustee		3,949	
Luckham,	Peter	Trustee, Council Chair		63,137	11,594
Mabberley	Benjamin	Trustee		4,857	811
Maude,	David	Trustee, Council Vice Chair		28,603	779
McConchie,	Benjamin	Trustee		10,322	-
Middleton,	Lee	Trustee		10,782	-
Morrison,	Deborah	Trustee		16,494	380
Patrick,	Laura	Trustee, Council Vice Chair		64,280	4,482
Peterson,	Timothy	Trustee, Council Vice Chair		26,871	3,730
Rockafella,	Tahirih	Trustee		8,428	47
Rogers,	Dan	Trustee, Council Vice Chair		34,000	4,700
Scott,	Grant	Trustee		12,891	805
Smith	Risa	ITCB Provincial appointee		1,150	1,062
Stamford,	Kate-Louise	Trustee		14,013	2,100
Thorn,	Cameron	Trustee		6,029	-
Wolverton,	Jane	Trustee		9,761	148
Wright,	Stephen	Trustee		6,429	707
Yates	Susan	Trustee		8,550	190
TOTAL			\$	562,899	\$ 47,392



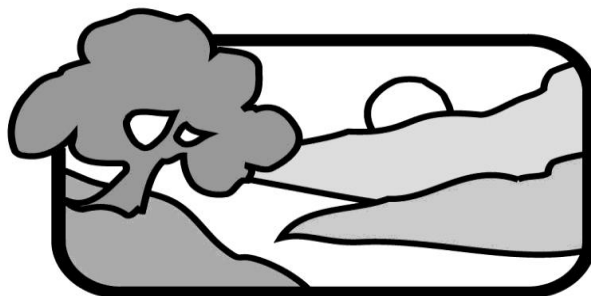
Islands Trust

SCHEDULE OF REMUNERATION & EXPENSES FOR EMPLOYEES

For the year ended March 31, 2023

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

EMPLOYEE	POSITION	TOTAL REMUNERATION & TAXABLE BENEFITS	EXPENSES
Beeston, David	Information Systems Coordinator	\$ 89,263	\$ 964
Cermak, Stefan	Director, Local Planning Services	90,348	4,182
Chadwick, Narissa	Island Planner	94,390	5,110
Dingman, Warren	Bylaw Enforcement Manager	87,006	12,255
Emmings, Kate	Manager, Islands Trust Conservancy	99,752	3,017
Frater, Clare	Director, Trust Area Services	124,440	2,929
Garbo, Louisa	Island Planner	93,221	2,822
Hippola, Dilani	Senior Policy Advisor	96,577	1,544
Hotsenpiller, Russel	Chief Administrative Officer	185,435	6,454
Kojima, Robert	Regional Planning Manager	111,196	1,880
Marlor, David	Director, Legislative Services	131,210	5,952
McCargar, Marlin	Island Planner	79,699	4,149
Mobbs, Julia	Director, Administrative Services	127,253	3,006
Shulba, William	Senior Freshwater Specialist	92,881	1,873
Smith, Bradley	Island Planner	108,522	7,400
Stockdill, Kimberly	Island Planner	92,319	1,669
Van Bakel, Mark	Senior Technical Analyst	104,833	745
TOTAL OVER \$75,000		1,808,346	65,951
TOTAL \$75,000 OR LESS		2,498,399	62,652
GRAND TOTAL		\$ 4,306,744	\$ 128,603



Islands Trust

RECONCILIATION OF EMPLOYEE REMUNERATION AND EXPENSES TO THE FINANCIAL STATEMENTS

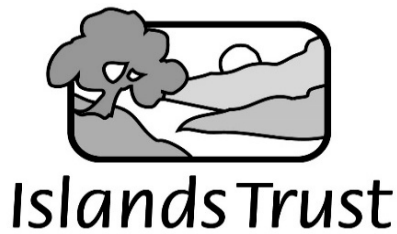
For the year ended March 31, 2023

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

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

On behalf of Islands Trust,

Director, Administrative Services

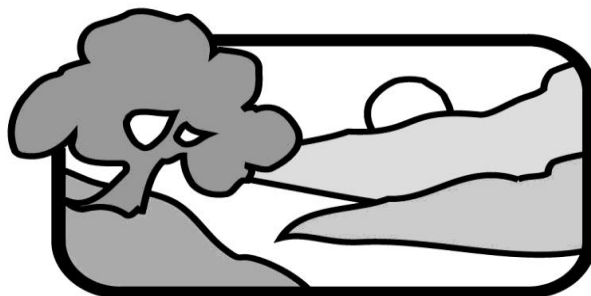


SCHEDULE OF PAYMENTS TO SUPPLIERS

For the year ended March 31, 2023

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

SUPPLIERS NAME	AMOUNT PAID
1322146 BC LTD	\$ 61,118
AON REED STENHOUSE INC	208,737
BC HYDRO CAD	54,005
BLACKMAN SUPPORT SERVICES LTD	142,589
CAPITAL REGIONAL DISTRICT	114,600
CARRINA MASLOVAT	31,341
CITYVIEW, A DIVISION OF N HARRIS COMPUTER CORP	203,270
COAST VICTORIA	26,235
COLLIERS MACAULEY NICOLLS INC	300,502
DRIFTWOOD PUBLISHING LTD	31,228
ECONICS SERVICES INC	31,500
GW SOLUTIONS INC	68,229
ISL ENGINEERING & LAND SERVICES LTD	34,427
MINISTER OF FINANCE - Employee benefits	1,055,680
MINISTER OF FINANCE - KINGS PRINTER	42,950
PACIFIC BLUE CROSS	47,727
RECEIVER GENERAL - Trustee remuneration remittances	101,926
REGIONAL DISTRICT OF NANAIMO	26,888
SHANNON COWAN CONSULTING	57,285
SHAW BUSINESS SOLUTIONS	39,579
SHI CANADA	30,285
TELUS MOBILITY	29,760
YOUNG ANDERSON	374,551
ZOOM VIDEO COMMUNICATIONS INC	25,467
TOTAL PAYMENTS OVER \$25,000	3,139,880
TOTAL PAYMENTS \$25,000 OR LESS	722,178
GRAND TOTAL	\$ 3,862,058



Islands Trust

RECONCILIATION OF PAYMENTS FOR GOODS AND SERVICES TO THE FINANCIAL STATEMENTS For the year ended March 31, 2023

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

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

On behalf of Islands Trust,

Director, Administrative Services

Islands Trust

Description of Vendor Services reported in the 2022/23 Statement of Financial Information (SOFI)

For trustee information only. Descriptions of services will not be included in official SOFI report.

SUPPLIER	AMOUNT	DESCRIPTION OF SERVICES PROVIDED
1322146 BC LTD	\$ 61,118	Office Lease and associated costs - Gabriola
AON REED STENHOUSE INC	208,737	Insurance
BC HYDRO CAD	54,005	Office Lease and associated costs - Salt Spring Island
BLACKMAN SUPPORT SERVICES LTD	142,589	Technical support/computer hardware and software purchases
CAPITAL REGIONAL DISTRICT	114,600	Election costs, SSI Fire Risk Mapping, SSI Weston Lake water project, Pender Island Office lease
CARRINA MASLOVAT	31,341	Islands Trust Conservancy - Species at Risk work and property management plans
CITYVIEW, A DIVISION OF N HARRIS COMPUTER CORP	203,270	LG Development Approval Processing project
COAST VICTORIA	26,235	December Trust Council
COLLIERS MACAULEY NICOLLS INC	300,502	Office Lease and associated costs - Victoria
DRIFTWOOD PUBLISHING LTD	31,228	Statutory notices and advertising
ECONICS SERVICES INC	31,500	SSI Watershed Stewardship and Protection Strategic Plan
GW SOLUTIONS INC	68,229	Groundwater Recharge Mapping Project
ISL ENGINEERING & LAND SERVICES LTD	34,427	Policy Statement Amendment Project - Public Engagement
MINISTER OF FINANCE - Employee benefits	1,055,680	Employee benefit costs paid to BC Public Service Agency
MINISTER OF FINANCE - KINGS PRINTER	42,950	BC Mail services and off-site storage/movement of files
PACIFIC BLUE CROSS	47,727	Trustee extended benefits premiums
RECEIVER GENERAL - Trustee remittances	101,926	Remittances on Trustee remuneration (CPP, Income Tax)
REGIONAL DISTRICT OF NANAIMO	26,888	Election costs
SHANNON COWAN CONSULTING	57,285	SSI Watershed Protection Alliance (SSIWPA) Coordination fees
SHAW BUSINESS SOLUTIONS	39,579	Internet and connectivity costs - all offices
SHI CANADA	30,285	Software Licenses for Windows and other renewals
TELUS MOBILITY	29,760	Mobile phones and internet sticks
YOUNG ANDERSON	374,551	Legal fees
ZOOM VIDEO COMMUNICATIONS INC	25,467	Zoom Licenses
TOTAL PAYMENTS OVER \$25,000	3,139,880	

BRIEFING

To:	Trust Council	For the Meeting of:	September 26, 2023
From:	Financial Planning Committee	Date Prepared:	September 1, 2023
SUBJECT:	March 31, 2023 Allocated Financial Statements		

PURPOSE:

To provide Trust Council with allocated Financial Statements for the fiscal year ending March 31, 2023.

BACKGROUND:

In 2006/07, Local Trust Committees (LTCs) had concerns about their ability to conduct business and to undertake community planning projects due to the amount of planning staff available. In response to these concerns, Trust Council requested the finance department to develop a methodology to allocate fiscal revenues and expenditures to local trust areas (LTAs) to provide a crude estimate of resources generated and used by each LTA

The process of allocating revenues and expenses to LTAs was revised in 2015/16, and was further refined in 2017/18. The process is completed through three major steps:

1. Revenues and expenses directly attributed to Local Trust Areas

The Islands Trust financial system tracks most financial transactions by location code (among other segments) which enables such expenses to be reported by specific LTA (and other work units). The first step in the process is to report this information.

Revenues received are allocated as follows:

- Fees and sales revenues – allocated by specific LTA, as tracked in the accounting system.
- Property tax revenues (LTAs) – allocated to LTCs based on net converted assessment values per BC Assessment.
- Special Property tax levies – allocated to the LTA for which it was levied.
- Property tax levy (BIM) – allocated to BIM.
- Provincial Grant/Interest and other income – allocated to LTAs and Island Municipalities based on net converted assessment values per BC Assessment.
- Grant Income – allocated by specific LTA, as tracked in the accounting system.

2. Allocating Planning Services (PS) administrative costs to Local Trust Areas

Planning staff (planners and administrative staff) and bylaw enforcement officers record their time in the Islands Trust Time Collection system. Time allocation options for these staff are restrained to the following categories:

- PS Admin Staff - PS administrative staff working time and related travel time is reported here.

- PS Planner Administration - Planner time spent on LTC, council committee and Trust Council meeting attendance, preparation and travel would be recorded.
- PS Planner Current Planning – planner time for application processing would be recorded. This includes time spent at public meetings, travel for site visits, research and reporting, and general work associated with application processing.
- PS Planner Projects – this includes planner time spent working on LTC work program items and Islands Trust wide planning projects, including related travel.
- PS Region Management – review and preparation of documents for meetings, staff support and mentoring, and related travel.
- PS Cost Recovery – specific applications operating under cost-recovery agreements have time codes set up for staff time tracking.
- Bylaw Enforcement – BE time and related travel time by bylaw enforcement staff.
- General Leave – paid time off, such as vacation time or paid sick time.
- General Administration – staff meetings, training, conferences and related travel.

The data collected by staff in the Time Collection system is used to develop allocation percentages for each of the three offices: Northern, Southern, and Salt Spring Island. These percentages are used to allocate certain PS-administrative expenses attributable to Planning Services, as follows:

- *Planning Costs, Northern Office* – allocated based on the percentage of planning time in the Northern office reported to specific Local Trust Committees.
- *Planning Costs, Southern Office* - allocated based on the percentage of planning time in the Southern office reported to specific Local Trust Committees.
- *Planning Costs, Salt Spring Island* – allocated 100% to Salt Spring Island Local Trust Committee.
- *Director LPS Costs* – allocated to each Local Trust Committee based on the percentage of total planning time reported to a specific Local Trust Committee by all offices.
- *LTC Executive Committee expenses* - allocated to each Local Trust Committee based on the percentage of total planning time reported to a specific Local Trust Committee by all offices.
- *Bylaw Costs* – allocated based on the percentage of bylaw enforcement officer, administrative assistant, and manager time reported to specific Local Trust Committees.

3. Non-LPS Administration expenses allocated to Local Trust Areas and Island Municipalities

Trust Council Expenses – allocated to each Local Trust Committee based on their percentage of assessed values in relation to all Local Trust Areas, including Island Municipalities.

Trust Conservancy Expenses – allocated to each Local Trust Area based on their percentage of assessed values in relation to all Local Trust Areas, including Island Municipalities.

General Administrative Expenses

- *Non-LPS related* – allocated to each Local Trust Area based on their percentage of assessed values in relation to all Local Trust Areas, including Island Municipalities.

- *LPS-related* – allocated to Local Trust Committees only (excludes Island Municipalities) based on their percentage of assessed values in relation to all Local Trust Committees.

The inclusion of Island Municipalities was new as of fiscal 2018. Previous year's statements will not show these separately.

Conclusions:

- Data from the Time Collection system is only as reliable as the users of the system. In recent years, not all staff have been recording their time in the system in a timely manner. Many staff who have left the organization did so with very limited time entry into the collection system, leaving supervisors to estimate their hours for the fiscal year. Due to the delays between time worked and time entry to the system, the accuracy of staff time used for allocations in these statements is reduced, meaning cost allocations based on staff hours may be less reliable. Staff have been reminded that this information is important and should be input on a weekly basis. New processes requiring management tracking and follow-up have been implemented on which should help increase the accuracy and usefulness of the data collected. Improvements in time tracking have been seen over previous fiscal years as a result of the increased follow up.
- The process to produce the Allocated Financial Statements remains an imperfect reflection of Local Trust Area resource use, due to the many services that are shared throughout the Islands Trust organization.

ATTACHMENT: March 31, 2023 Allocated Financial Statements.

FOLLOW-UP: As directed.

Prepared By: Director, Administrative Services
Reviewed By: David Marlor, Acting CAO
FPC/Aug 30, 2023

ISLANDS TRUST

Allocated Financial Statements

For the year ended March 31, 2023

	LTC Bal/Win	LTC Denman	LTC Gabriola	LTC Galiano	LTC Gambier	LTC Hornby	LTC Lasqueti	LTC Mayne	LTC N. Pender	LTC Salt Spring	LTC Saturna	LTC S. Pender	LTC Thetis	BIM	Total
Direct Revenue															
Fees & Sales	12,988	8,570	23,905	42,922	8,786	12,887	(715)	8,880	14,104	44,447	10,670	7,561	4,566	-	199,570
Property Tax Levy - General	737	305,007	1,044,142	490,436	447,840	408,795	100,780	468,411	746,959	2,836,841	169,351	123,889	166,675	323,769	7,633,632
Special LTC Tax Requisition	-	-	-	-	-	-	-	-	-	60,000	-	-	-	-	60,000
Grant income for projects	-	7,314	-	-	-	-	-	-	-	-	-	-	-	-	7,314
Total Direct Revenue	13,725	320,891	1,068,047	533,358	456,626	421,682	100,065	477,291	761,063	2,941,288	180,021	131,450	171,241	323,769	7,900,515
LTC Direct Expenses - Operating															
Computer - internet charges	-	-	-	840	-	-	-	-	-	-	-	-	-	-	840
Legal - general	-	-	1,526	-	2,036	1,488	-	-	9,219	19,010	-	4,044	-	-	37,322
Legal - bylaw enforcement litigation	-	7,465	8,077	3,011	106	5,100	56	30	5,746	16,094	-	-	20,173	-	65,859
Legal - litigation	-	-	94,057	70,811	-	-	-	-	7,605	16,341	-	-	-	-	188,814
LTC Trustee Expenses	-	266	88	182	546	197	133	-	-	234	-	243	-	-	1,889
LTC Meeting Expenses	-	2,127	4,767	5,054	1,558	2,734	1,889	1,804	2,660	3,761	867	1,052	1,381	-	29,652
LTC Local Exp APC Meeting Expenses	-	416	1,116	715	-	542	62	549	123	150	-	51	-	-	3,723
LTC Local Exp Communications	-	535	369	2,636	-	98	-	770	-	500	-	-	80	-	4,988
LTC Local Exp Special Projects	-	-	-	-	-	-	-	62	-	-	-	-	180	-	242
Notices - Statutory & Non-Statutory	138	1,598	311	5,441	164	144	-	2,101	3,780	517	1,137	666	171	-	16,167
Office - Lease costs	-	420	-	7,848	-	-	-	300	2,473	-	300	-	-	-	11,341
Office - outside services	-	-	-	1,934	-	-	-	-	100	-	-	-	-	-	2,034
Trustee Remuneration	-	16,994	35,673	16,860	16,339	17,073	12,753	18,901	24,412	66,805	13,173	11,746	13,767	-	264,497
Trustee Remuneration - Benefits	-	5,423	5,117	5,419	6,094	5,652	5,516	5,071	6,986	8,136	5,980	4,147	4,781	-	68,322
LTC Direct Operating Subtotal	138	36,591	153,368	123,546	27,696	33,635	21,204	30,712	63,805	134,800	21,620	23,921	40,795	-	711,829
LTC Direct Expenses - LTC Projects															
Projects - Trust Wide	18	7,322	25,065	11,773	10,750	9,813	2,419	11,244	17,931	68,099	4,065	2,974	4,001	-	175,475
Project - Funded by Special requisition	-	-	-	-	-	-	-	-	-	116,892	-	-	-	-	116,892
LTC Specific Projects	-	20,109	1,008	2,297	20,184	13,596	-	3,604	1,183	39,120	1,284	8,045	-	-	110,430
LTC Projects Subtotal	18	27,431	26,073	14,070	30,934	23,409	2,419	14,848	19,114	224,112	5,349	11,019	4,001	-	402,797
Total Direct Expenses (Operating + Projects)	156	64,022	179,441	137,616	58,630	57,044	23,623	45,559	82,919	358,911	26,969	34,939	44,796	-	1,114,625
Direct Revenues less Direct Expenses	13,569	256,869	888,606	395,742	397,996	364,638	76,442	431,732	678,144	2,582,376	153,052	96,511	126,445	323,769	6,785,890
Indirect Planning Expenses															
Allocate Planning Costs - Northern Team	4,875	166,806	233,359	318	188,955	132,364	36,456	318	742	30,097	954	106	43,874	-	839,224
Allocate Planning Costs- Southern Team	-	9,911	14,220	244,750	5,925	6,356	431	150,060	304,214	80,039	66,358	97,275	2,693	-	982,231
Allocate Planning Costs - SSI Team	-	-	-	-	-	-	-	-	-	687,479	-	-	-	-	687,479
Allocate Director LPS	1,759	32,364	46,438	42,187	35,516	25,803	8,210	25,583	51,973	195,833	11,454	16,567	8,961	-	502,648
Allocate LTC Executive expenditures	323	5,945	8,530	7,749	6,524	4,740	1,508	4,699	9,547	35,972	2,104	3,043	1,646	-	92,330
Allocate Bylaw Team	-	1,312	44,203	33,202	5,096	6,863	-	23,363	52,680	167,526	1,009	1,716	3,633	-	340,603
Total Indirect Planning Expenses	6,957	216,338	346,750	328,206	242,016	176,125	46,605	204,023	419,155	1,196,946	81,879	118,707	60,808	-	3,444,516
Net surplus (shortfall) before Administrative	6,611	40,531	541,856	67,536	155,979	188,513	29,837	227,708	258,989	1,385,430	71,173	(22,196)	65,637	323,769	3,341,374
Administrative Expenses															
Allocate Trust Council	90	36,704	125,650	59,018	53,892	49,193	12,128	56,367	89,887	341,379	20,379	14,909	20,057	183,174	1,062,828
Allocate Trust Conservancy	55	22,680	77,643	36,469	33,302	30,398	7,494	34,831	55,544	210,949	12,593	9,212	12,394	113,189	656,755
Allocate Net Administration	159	65,956	225,789	106,054	96,842	88,399	21,793	101,291	161,525	613,449	36,621	26,790	36,042	78,045	1,658,755
Total Administrative Allocation	304	125,340	429,082	201,541	184,036	167,991	41,415	192,489	306,957	1,165,777	69,593	50,911	68,494	374,409	3,378,338
Net Surplus (Shortfall) incl. Special Taxes	6,307	(84,809)	112,774	(134,005)	(28,057)	20,522	(11,577)	35,219	(47,968)	219,653	1,580	(73,107)	(2,856)	(50,640)	(36,963)
Made up of:															
SSIWPA surplus (shortfall)										(56,892)					(56,892)
Trust-wide Surplus (Shortfall)	6,307	(84,809)	112,774	(134,005)	(28,057)	20,522	(11,577)	35,219	(47,968)	276,545	1,580	(73,107)	(2,856)	(50,640)	19,929
	6,307	(84,809)	112,774	(134,005)	(28,057)	20,522	(11,577)	35,219	(47,968)	219,653	1,580	(73,107)	(2,856)	(50,640)	(36,963)

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 27, 2023
From: Financial Planning Committee **Date Prepared:** August 30, 2023
SUBJECT: 2024/25 DRAFT BUDGET ASSUMPTIONS, PRINCIPLES, GUIDELINES, & TIMELINES

RECOMMENDATION:

That Trust Council approve the 2024/25 Budget Assumptions, Principles (BAP), and Guidelines.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

1 PURPOSE:

To discuss and develop the assumptions, principles, and potential guidelines upon which the next fiscal year's budget will be based. The assumptions and principles provide the underlying basis for developing many of the individual revenue and expense budget lines (budget inputs). Guidelines speak to a desired budgetary outcome (budget outputs).

2 BACKGROUND:

Trust Council's [Policy 6.3.i Budget Process Policy](#), section C.2.d states that "*Budget Principles and Assumptions shall be addressed in December of each year*".

Initial review of the BAP by Trust Council takes place in September each year, to inform Trustees of the preliminary assumptions and principles that Financial Planning Committee will use in developing the first draft of the next fiscal year budget.

In some cases, assumptions and principles are well-defined and unlikely to change during the budget development process. Other assumptions and principles are less certain at this point in the budget cycle, and will likely be amended during the budget development process.

As part of the corporate planning process under development with the Governance Committee and the FPC working group, the concept of budget has been raised. Budget guidelines provide a desired budgetary outcomes, directed by Trust Council, that staff and FPC can look to as guideposts or parameters during the development of the upcoming fiscal budget, in addition to the assumptions and principles. Examples of guidelines from the District of Saanich (the District) include those that guide departmental budgets, guide capital funding, guide additional resourcing to advance the organization's strategic plan, and guide tax increases. Specific examples from the District include the following:

- 2023 net departmental budget totals limited to 0% increase, exclusive of: existing personnel costs, core capital increases, non-discretionary increases.
- Resource requests for additional operating budgets (including one-time projects) and new personnel only to be considered for critical capacity issues, or where upfront investment will result in longer-term savings.

- Provision to be made for Corporate Information Technology replacement with the annual addition of \$X until annual sustained funding is achieved.
- The District will consider resourcing needs to continue implementation of the Climate Action Plan, the long-term staffing plan, initiatives from the 2019-2023 strategic plan.

At its August 2023 meeting, FPC made the following resolution:

“That Financial Planning Committee ask Trust Council to consider creating guidelines on the 2024/25 budget early in the budget cycle.”

Council may provide guidelines for the 2024/25 budget cycle as it sees fit. Staff and FPC will receive any directed guidelines and refer to them throughout the budget cycle.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Dependent on the nature of budget guidelines provided.

FINANCIAL: Dependent on the nature of budget guidelines provided.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Approved budget assumptions, principles, guidelines will be communicated to all department leads in the organization, and will be referred to by staff and Financial Planning Committee during development of the draft budget

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S):

[Policy 6.3.i Budget Process Policy](#)

5 ATTACHMENT(S):

- 2024-25 Draft Budget Assumptions and Principles
- 2024-25 Draft Budget Timelines

RESPONSE OPTIONS

Recommendation:

That Trust Council approve the 2024/25 Budget Assumptions, Principles, and Guidelines.

Alternative:

None.

Prepared By:	Director, Administrative Services
Reviewed By/Date:	David Marlor, Acting CAO Financial Planning Committee/August 30, 2023

ISLANDS TRUST

2023/24 Draft Budget Assumptions and Principles

August 2023

Draft Budget Development Process:

During the budget cycle, each line of the detailed draft budget is reviewed by the responsible Director or manager, giving consideration to previous years' spending and future work programs and services (including Trust Council's Strategic Plan initiatives). Planning staff review planning project needs with Local Trust Committees and identify top priorities and senior staff review project recommendations with Trust Council's committees and Executive Committee. The Islands Trust Conservancy Board requests budget funding levels appropriate to support the goals in its Regional Conservation Plan and other fiscal initiatives. Directors review their respective Committee work programs, policy requirements and operational needs to ensure activities are appropriately funded. The Director, Administrative Services compiles the detailed budget for the year. The draft budget detail is reviewed by the Islands Trust management team prior to being submitted to the Financial Planning Committee for review and consideration. A first draft of the budget is forwarded to Trust Council in December of each year, or in the case of election years, the following January.

REVENUES			
	ITEM	ASSUMPTION/PRINCIPLE	DATA SOURCE
1	Fees and Sales	Budgeted fees revenue has historically been based on an average of previous years' actual revenues, adjusted for trends identified by the Director, Planning Services. In June 2021, Trust Council amended their Application Processing Services Policy 5.6.1 which includes a revised Model Fees Bylaw for consideration by LTCs. LTCs have adopted and implemented new Fees. Budgeted fees revenue for 2024/25 will be based on the following: - Estimated application volumes, by type and by LTA, based on historical volume trends, normalised for unusually large volumes seen in COVID-19 years. - Estimated application fees by type and by LTA, as determined by Trust Council's revised model bylaw approved in June 2021. Model Fee bylaw adopted with minor amendments in all Local Trust Areas to the exception of Saturna and North Pender LTAs. The Saturna LTA has deferred consideration to October 19, 2023, the North Pender LTA has deferred consideration to November 24, 2023. -	Historical application volume levels seen in non-pandemic-impacted fiscal years. Model Fees Bylaw as approved in Trust Council's Application Processing Services Policy 5.6.1. Estimated will be adjusted if/as LTCs adopt new application processing fees in advance of the final budget draft.

2	Provincial Grant Funding - Unrestricted	Unrestricted grants are given without restrictions dictating how the funds must be spent. The Provincial grant funds received by Islands Trust annually are unrestricted. These grants are recorded as revenue when they are received. Assumed that unrestricted grant funding from the Province will be received, and that the value will remain consistent with prior years. Although there is a Trust Council resolution to request more funds from the Province, no work has progressed on this task and progress is unlikely in the short term. As such, no increase in funds is anticipated at this time.	Prior year funding levels.
3	Provincial Grant Funding – Restricted	Restricted grants have restrictions dictating how the grant funds must be spent by the receiver. These grants are recorded as revenue only when eligible expenses have been incurred. Assumed the LG Development Application Approvals program funding my grant will be completed in expected timelines this fiscal, requiring no grant revenue in FY2024/25. Assumed receipt of LG Climate Action Program funds of \$38,000. The planned spending in FY2024/25 will be reflected as revenue in the draft budget, along with the related expenses the grant will pay for.	• NA • LG CAP program Other grants as identified and approved.
4	Federal Grant Funding – Restricted	Restricted grants have restrictions dictating how the grant funds must be spent by the receiver. These grants are recorded as revenue only when eligible expenses have been incurred. In October 2020, ITC was awarded a multi-year grant for work related to Species at Risk in the Trust Area. The grant amount for fiscal 2024-25 is \$220,000. This amount is recognised as revenue in the draft budget, along with the related expenses the grant will pay for. Related expenses are included in their appropriate area of spending and are not shown separately as their own line item.	Signed grant agreement between ITCB and Environment and Climate Change Canada.

5	Property Taxes - General	Assumed property tax revenue will be required to balance the Islands Trust budget. Assumed the full balance requisitioned will be received by Islands Trust under normal timelines. It is assumed that there will be increased pressures on taxation in the coming budget year as a result of: - Reduced minimum balance surplus levels, meaning less funds available to draw from to balance the budget as has been historical practice of the Trust. - Anticipated increases in the operating budget lines. - Possible changes in project budgets	Draft budget expenditures less amortization expense, less other revenue sources.
6	Property Taxes - Non-Market Change (NMC) in Tax Base	The property tax base within the Islands Trust Area will grow due to new development activity and changes in use. Assumed that jurisdictions 763 and 764 remain an appropriate representation of the NMC within the total Trust Area.	Draft 1, Version 1 of the budget retains the previous budget's NMC values. BC Assessment report provided in December each year indicates non-market growth for the Trust Area and is updated in the draft budget at that time.
7	Property Taxes - Special Requisitions	Assumed SSI LTC may request by way of resolution, a special levy to continue the SSIWPA work (to be considered).	Trust Council Policy 6.3.2 Special Property Tax Requisitions SSI LTC resolution related to SSIWPA request (not yet determined)
8	Property Taxes - Bowen Island Municipality	Assumed relevant policy regarding this requisition will remain unchanged.	Trust Council Policy 7.2.6 Municipal Tax Requisition Calculation
9	Investment Income	Assumed interest income will remain relatively consistent with current fiscal levels. Assumed Islands Trust will continue to invest in conservative investments in line with legislation. Assumed sustainable investment vehicles will be secured for a portion of invested funds to align with Trust values.	Islands Trust Act, Community Charter , current interest rate trends and investment advisor information.
10	Other Grant Funding	Islands Trust will continue to monitor grant opportunities available for corporate work, but does not expect significant new inflows of revenue from this source. Any budgeted revenue from grant funds for projects will be offset by a budgeted expense for the same amount, to ensure appropriate conservatism in the budget.	Current grant programs available to Islands Trust and historical inflows of grant funding, adjusted for change in staff hours dedicated to the grants function in light of job description revamp associated with this position.

EXPENSES			
	ITEM	ASSUMPTION/PRINCIPLE	DATA SOURCE
11	Inflation	The cost of goods and services will rise in line with inflation. Application of this assumption is not applied in a direct manner whereby all expenses are increased by a percentage. Rather, where real spending trends are analysed for purposes of generating a budget figure, historical averages are most frequently rounded upwards, with special considerations given to expenditure types experiencing higher than typical increases, including standard rates for contractors where work is most often completed by external parties (i.e.: strategic plan projects).	Consumer Price Index (CPI) for Victoria, as reported for the month of December by BC Statistics (based on Statistics Canada data), to assess if current inflation accommodations are appropriate. Draft 1, Version 1 of the budget will include CPI rates available as at the date of this budget draft, with final update happening in December.
12	Staffing Levels	Assumed Island Trust management will bring forward funding requests for additional staff positions as needed, or revised staffing complements that result in budget increases. Assumed requested for any new staff positions will be presented via business case to FPC/TC. Decreased staffing levels may result in a reduced level of services, functions, or quality of work. New functions or services may require either additional staffing or the deletion of some existing functions or service levels.	Current staffing levels, plus potential forthcoming new staff requests, including the following: - Business case for Planning Services Co-op student (expected) - Business case for Freshwater Co-op student request (expected) - ITC Board resolutions 2023-018 and 2023-019 requesting staff to consider budget increases for property management.
13	Staffing Salaries and Benefits	Assumed that staff will continue to be appointed subject to the <i>Public Services Act</i> and the <i>Public Service Labour Relations Act</i>, in accordance with the <i>Islands Trust Act</i>. Assumed costs for staff salaries and benefits will rise in accordance with relevant legislation and union agreements.	Public Service Labour Relations Act (all staff). Public Service Act and PSA Policy on salary administration for management employees (exempt staff). BCGEU union agreement (union staff). Public Service Agency (benefits costs/rate, all staff) – based on prior year benefit rate in the absence of information from PSA whose timing is delayed

			due to provincial budget delays.
14	Trustee Remuneration	Assumed that no changes will be made to the guiding policy for Trustee Remuneration. Assumed that the number of meetings requiring payment to trustees for Trust Council Committees (FPC, TPC, RPC, GC) will remain similar to prior year figures.	TC Policy 7.2.1 Trustee Remuneration. (census information 2021) stats Canada CPI information, Folio information from BC Assessment)
15	Office Facilities	Assumed that office locations for staff will remain in Victoria, on Salt Spring Island and on Gabriola Island. Islands Trust has signed a 2 year lease with Northern Island office landlord. During this time management will continue to explore opportunities to share office space with other Provincial agencies in Nanaimo, BC. With the adoption of a more remote workforce at the Trust, real estate needs on Gabriola Island may shift, providing an opportunity to re-evaluate our needs in the current climate. Consideration of retaining a presence in Gabriola Island in a smaller capacity is part of the ongoing assessment. Assumption that the SSI office will be relocated by July 2024 in line with SSI office lease termination by the landlord. Funding for an office move will be required. Discussion regarding current leased space on Galiano will take place with Galiano trustees to determine if retaining the office space is of value.	TC Policy 7.4.4 On-Island Trustee Offices. Existing multi-year office leases. Cost estimates for the planned SSI office relocation.
16	Planning Services	Assumed that Islands Trust Council will continue to provide sufficient funding for LTCs to carry out their primary function of land-use planning and regulatory activities within their local trust area, as permitted by the <i>Islands Trust Act</i>. OCP and LTC project budgets are distributed between LTCs as they seek funding for various projects. Smaller projects with estimated costs less than \$5,000 continue to be funded by the lump sum budget for LTC project work, which LTCs can draw from throughout the year. The following principles will guide decisions on LTC projects in the budget cycle: • OCP and LTC projects with estimated costs greater than \$5,000 will require a funding request from the LTC, for consideration by Trust Council. • Similar projects (e.g., OCPs) will be consolidated for efficiencies where feasible.	Local Planning Services Review 2018 TC's Strategic Plan 2018-2022 TC Policy 5.9.1 Best Management Practices for Delivery of Local Planning Services to Local Trust Committees

		Proposed projects will not be funded unless there are sufficient staff resources to implement them.	
17	Planner Resource Allocation	Assume planner resource allocation will be allocated in accordance with Trust Council policy 6.2.1 (Priority Setting/Review Guidelines) and Trust Council 6.7.1 (Work Program, FUAL, and Priorities Report)	LPS Review 2018 TC's Strategic Plan 2018-2022 Implementation TC Policy 6.2.1 Priority Setting/Review Guidelines and TC Policy 6.7.1 Work Program, Follow-up Action List and Priorities Report
18	Strategic Plan Projects	Assumed projects underway that were endorsed at June 2023 TC, as part of the current strategic plan will be seen through to completion, potentially requiring funding in 2024/25.	TC's Strategic Plan 2018-2022
19	Elections	No Election in the year.	
20	First Nations Reconciliation	The principle of reconciliation should be embraced across all levels of work at Islands Trust. To facilitate this in the budget cycle, all business cases will include consideration of First Nation engagement needs and opportunities to advance reconciliation.	Business cases submitted during the budget cycle.
21	Community Communications and Engagement	The principle of communication with community and public engagement are important to Islands Trust, as such all business cases will include consideration of public engagement and communication needs.	Business cases submitted during the budget cycle.
ITEM		ASSUMPTION/PRINCIPLE	DATA SOURCE
20	General Surplus	Assumed that general surplus will be used to reduce tax burden leaving the general revenue surplus at the minimum level under Trust Council Policy.	TC policy 6.5.1 Reserves and Surplus , section D.6, amended, recommends a minimum level of General Revenue Surplus as "2.4 months (or 20%) of expenses net of 2.4 months of revenue, excluding revenue from property taxes or the provincial grant".
21	LTC-Specific Reserve Fund	Assumed Trust Council will continue to make use of the LTC-Specific Reserve Fund.	Estimate from Direct, Planning Services based on known and anticipated projects.
22	Special Property Tax (SSIWPA) Surplus Fund	Unknown at this time if the SSI LTC unspent special property tax balance at fiscal 2024 end will be requested for spending in the 2024/25 budget.	TC resolution #2020-086

			SSI LTC to provide resolutions related to SSIWPA as they are determined.
23	Significant Unusual Circumstances	Assumed significant unusual circumstances identified in the budget development cycle will be addressed as required.	None identified.

Resolutions Referenced, in order of mention:

ITC-2023-018

that the Islands Trust Conservancy (ITC) Board direct staff to prepare an ITC Budget request, including the following items, and to return to the ITC Board for review in July:

- *Inclusion of Species at Risk Program grant commitments, totaling \$220,000;*
- *An increase to the property management budget of \$6,210 to reflect new nature reserves and covenants;*
- *An increase to the travel budget of approximately \$1,000 to accommodate additional travel needs for newly acquired remote covenants;*
- *Consideration of further increases to the budget to accommodate increasing property management needs; and,*
- *Development of a business case for the second year of First Nations engagement associated with development of the 2026-2030 ITC Five-Year Plan.*

ITC-2023-019

that the Islands Trust Conservancy Board direct staff to conduct an analysis of property management needs relative to available staff hours and return to the Board with a summary of the analysis and available options.

TC 2020-086

THAT Trust Council authorize the Salt Spring Island Local Trust Committee to use unspent special property tax requisition funds from previous fiscal years to undertake water sustainability projects that do not require coordination through the local trust committee's (LTC's) delegated authority under Trust Council Bylaw No. 154.

ISLANDS TRUST
BUDGET CYCLE TIMELINE

Fiscal Year: 2024/25

Date	Activity
May - June 2023	Council Committees begin discussions of upcoming fiscal year priorities and work program planning with staff and give direction to staff for business case development.
May 31, 2023	Financial Planning Committee meeting Budget Cycle Timeline: FPC reviews and discusses (potentially approves) the budget cycle timelines.
July-Aug, 2023	LTCs (+ SSIWPA) start discussion of upcoming fiscal year priorities and work programs with planning staff, including project proposals for consideration as 'additional operations' (ie: potential special requisitions)
August 30, 2023	Financial Planning Committee meeting Budget Cycle Timeline: FPC reviews and approves the Budget cycle timeline, if not approved in May. BAP: FPC reviews first draft of Budget Assumptions and Principles (BAP) Public Consultation: FPC discussion of planned changes/improvements to the budget Public Consultation process.
1st week of Sept 2023	Departmental budget templates deployed: Budget documents distributed to all Managers for development of departmental budgets. Budget Requests Development: Managers develop and review budget requests with staff for input and feedback into the budget process.
Sept 26-28, 2023	Trust Council meeting BAP: Trust Council reviews and approves the BAP. General discussions at this meeting may help inform budget decisions.
Oct 18, 2023	Financial Planning Committee meeting BAP: FPC reviews updated BAP. Budget Draft 1, V1: FPC reviews and discusses Draft 1, Version 1 of the budget. Budget Requests: FPC reviews business cases for budget funding requests and makes recommendations to staff on which requests to include/remove from the draft budget.
3 weeks ↓ Oct 18 - Nov 1, 2023	Budget Draft 1, V2: Staff make revisions to budget draft as directed by FPC. Continued research and planning to improve estimates for proposed operational changes. LTC Project Specific Reserve Fund: Planning staff develop budget proposals on behalf of LTCs for estimates of LTC Specific Reserve Fund requirements. Special Tax Requisitions: Preparation for potential local tax requisitions for individual LTCs (see policy 6.3.ii Special Property Tax Requisition).
Nov 8, 2023	Financial Planning Committee meeting BAP: FPC reviews updated BAP to be forwarded to December Trust Council. Budget Requests: FPC reviews amended and new budget request business cases to be forwarded to Trust Council in December. Budget Draft 1, V2: FPC reviews Draft 1, Version 2 of the budget to be forwarded to Trust Council in December. LTC + ITCB requests: FPC reviews any specific requests coming from LTCs and ITCB as part of the budget draft review.
Dec 5-7, 2023	Trust Council meeting BAP: Trust Council endorses Budget Assumptions and Principles. Budget Draft 1, V2: Trust Council discusses and debates draft budget, and provides direction for changes as determined necessary. Public Consultation: Trust Council endorses draft budget (as amended, if needed) for public consultation, and approves the Budget consultation process.
January 2024	Financial Planning Committee meeting (assumed) Budget Draft 2, V1: FPC reviews and discusses Draft 2, V1 of the budget which will be amended to reflect Trust Council's directions, as well as refined operational budgets to adjust for new and updated data. Other Agency Consultation: Consultation with Bowen Island Municipality and Trust Conservancy Board continue. Public Consultation on draft budget is conducted. Special Tax Requisitions: LTCs seeking funding for "additional operations" from a special tax requisition pass a resolution to do so.
February 2024	Financial Planning Committee meeting (assumed) Special Tax Requisitions: LTCs proposing a special tax requisition hold public consultation meetings. Public Consultation Review: FPC reviews results and feedback from the budget public consultation, and makes recommendations to budget changes from these results, as needed. Special Tax Requisitions: FPC makes recommendations on special requisitions. Budget Draft 2, V2: FPC reviews Draft 2, Version 2 of the budget to be forwarded to Trust Council for their March meeting
March 2024	Trust Council (assumed) Budget Approval: Trust Council approves the Budget along with the current year Property Tax Requisition, Bowen Municipality Tax Levy and LTC special tax requisitions. Bylaw Approvals: Trust Council approves Financial Plan bylaw and Revenue Anticipation bylaw. Minister's Package: Staff prepare a report on the budget for the Minister, and submit this report along with the approved financial bylaws for consideration by the Minister. Communications: Approved budget information is posted to the Islands Trust website and a news release rolled out.

From: Susan Yates
Sent: Friday, September 1, 2023 3:51 PM
To: Lori Foster
Cc: Renee Jamurat; Peter Luckham; Tobi Elliott
Subject: Notice of Motion for September Council

Follow Up Flag: Follow up
Flag Status: Completed

Hi Lori,

At our June 8 Gabriola LTC, we unanimously voted (GB-2023-043): that the Gabriola Island LTC send a **Request for Decision to Council for discussion in September on: a Motion to request Staff to look at options and report back to Council in December (or earlier if possible) on: Asking the Ministry of Transportation and Infrastructure, the Ministry of Forests, Lands and Natural Resources Operations and the Ministry of Mines, to: limit sand, gravel, aggregate, and related road-building materials extraction to the use of such materials on the island to which an extraction Permit applies.**

This Motion arose from an LTC discussion, arising from community concerns, about the extraction of sand, gravel, and related materials and the current *continual transport of such materials off Gabriola*, through populated neighbourhoods where residents see rural, narrow roads being damaged by heavy construction vehicles, and where they are subjected to excessive dust and noise with no abatement except late at night.

Thank you for adding this to the September Council agenda for discussion,

With best regards,
Susan

TO: Trust Council

FOR THE MEETING OF: September 26-28, 2023

FROM: Trustee Peterson

DATE PREPARED: May 29, 2023

SUBJECT: Disposition of Delegations, for discussion.

PURPOSE: To improve Trust Council practices regarding Disposition of Delegations

BACKGROUND:

The past practice of Trust council in regard to Disposition of Delegations has room for improvement. At times, Trustees have created resolutions “on the fly” that gave directions for actions which have not had the benefit of analysis on feasibility, benefits/outcomes/deliverables, and staff and financial resourcing which might be required. This can easily lead to delays in other work programs, over subscribing of staff time, and budgetary implications. In addition, there have been examples where such resolutions did not result in the desired outcomes.

Some points to consider:

*Do we need a policy?

*Is a response urgent? (e.g., a letter of support required by a looming deadline) Should we define some criteria?

*What resourcing would be required to implement a particular response? (e.g., staff time, financial)

*Should some responses be most appropriately referred to a committee of TC?

*If the response should come from TC, waiting until the next Trust Council meeting could be beneficial in terms of analysis, staff time, and financial considerations.

ATTACHMENT(S):

1. Practices of local governments regarding delegation thank-you letters – Briefing¹

¹ At its August 25 business meeting, Executive Committee requested this briefing be forwarded to Trust Council for information.



BRIEFING

To: Executive Committee **For the Meeting of:** August 25, 2023

From: Executive Coordinator **Date Prepared:** August 18, 2023

SUBJECT: Practices of local governments regarding delegation thank-you letters

PURPOSE: To inform Executive Committee of the anecdotal results and responses received from local area administrators, whose mayor and council receive delegations in open public meetings.

BACKGROUND: On January 11, 2023, Executive Committee passed the following resolution:

“That Executive Committee request that 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.”

Staff followed up with nine local governments to ask them about their process.

The hyperlinks in the table below connect to the local government’s delegation process or application procedure where available.

Central Saanich	Colwood	District of Saanich
District of Sooke	Esquimalt	Highlands
North Saanich	Oak Bay	Sidney

Responses to the following questions were received (see Attachment 1.):

1. **Do you send out formal thank-you letters to ALL delegates regardless if council has initiated action on a delegation’s “ask”?**
 - None of the respondents affirmed that this was their administration’s practice.

2. **Do you send out formal thank-you letters ONLY to delegates whose “ask” has been acted on by your council, keeping the delegate informed?**
 - Four of the nine respondents reach out to delegates and follow up as directed by council request or resolution.

3. **Do you communicate at all after, or does the mayor/chair thank the delegates just in the meeting?**

- All delegations are thanked in the meeting by the chair for addressing council or its committees.

ATTACHMENT(S):

1. Table showing anecdotal responses to questions as presented in the background of this briefing

FOLLOW-UP: As directed

Prepared By: Lori Foster

Reviewed By/Date: Clare Frater, Director, Trust Area Services/August 21, 2023

Attachment 1. Table showing anecdotal responses to questions

	Send out formal thank-you letters to ALL delegates	Send out formal thank-you letters ONLY to delegates whose "ask" has been acted on by your council, keeping the delegate informed	The mayor/chair simply thanks the delegates in the meeting
Colwood	No		Thank in the meeting
Sidney	No	If there are actions, reach out after	Thank in the meeting
North Saanich	No	It's best practice here to respond to all third parties when council approve resolutions, so a lot of letters!	
Oak Bay	No		We do not have a practice of following up with delegates after a meeting.
Central Saanich	No		We don't send any formal letters after a delegate has addressed Council. Our Mayor will thank them for attending during the meeting, and if there is any follow up required with them afterwards as a result of a requested action by Council we would be in contact.
Highlands	No		Option 3: We generally do not send out formal "thank you" letters to delegations; our Mayor will thank them in the meeting after they have spoken.
District of Sooke	No	We only follow up with Delegations if Council provides direction (verbal or via formal resolution). The person and their organization are listed in the meeting minutes, and if they have any follow up questions or inquiries they usually speak with the Corporate Officer.	
Esquimalt	No		Delegations are heard at Committee of the Whole. Typically we don't communicate after the meeting (unless a request for a letter of support or similar was approved). The Mayor/Chair thanks the delegates at the conclusion of their presentation and any Q&A that may occur.
District of Saanich	No	Unless Council directs otherwise, there is no after meeting contact made with delegations.	

BRIEFING

To:	Trust Council	For the Meeting of:	September 26, 2023
From:	Mairead Boland	Date Prepared:	August 19, 2023
SUBJECT:	<u>Trust Council Meeting Schedule and Agenda – discussion</u>		

PURPOSE:

This content is based on discussions between 9 trustees. Incorporating staff ideas is very important but there has not been an opportunity for that yet.

This is a request for a discussion about the Trust Council (TC) meetings schedule and the format of the agendas.

Trust Council is an important decision-making forum of the Trust. TC meetings must be effective to achieve the goals of the Trust.

BACKGROUND:

We live in a new era with respect to communications. We need not be constrained by the need to travel to meet with our colleagues. TC meeting schedule and format can be flexible.

In recognition of this new era the Islands Trust purchased Zoom licenses 6 months before the pandemic. Opportunities created by this are explored here.

The existing TC schedule (quarterly) and the full agenda format were created when all meetings were face to face by necessity.

Considerations:

The full cost for the face-to-face meetings – inclusive of travel time for staff and trustees – is not considered in the cost estimate for Trust Council face to face meetings.
(Cost of approx. \$25K is for travel expenses and accommodation (to be confirmed).)

Trustees with other work commitments may find it difficult to book those (3) full days. Travel to and from the islands is challenging and time-consuming especially during holiday periods. The necessity of travelling to/from on the same day as the meeting begins/ends generates stress and distraction.

The current timeline of quarterly meetings makes it difficult to pause and reflect before decisions. It can be impossible to delay decisions to the next meeting.

The timing of provision of material, and the sheer volume, makes it difficult to conduct a proper review before a meeting.

The duration of the meeting and the volume of content can drive a need for formality, adherence to rigid rules, and can restrict free discussion.

The agenda is organized very logically, by Committees, and then Trust organizational units. As a consequence, housekeeping and more trivial items are interspersed with the items that really matter. This can present a challenge to participants.

Some ideas for discussion (these ideas came from discussions between 9 trustees)

Face to face TC (when justified) could be a single full day and 2 nights stay. Travel the previous day, meet for a full day, travel home the following day. That would allow a long day and dinner together. (Ferry schedules and distances are very different and its stressful and disruptive to travel there or back as well as attending a meeting on that day.)

Supplement quarterly meetings with monthly Zoom meetings whose purpose is to enable greater and better deliberation.

Hold short monthly meetings to address particular topics to allow free ranging discussion.

Delegations could be in a single monthly meeting with dispositions delayed till the following meeting.

Quarterly reports from CAO, Trust Area Services, Planning, Administrative, – a single meeting with time for discussion would enable better active participation.

Some monthly meetings could be limited in scope like this:

- 2-hour hard limit.
- No motions permitted or decisions made.
- The purpose of the meetings would be to debate important issues. Trustees would be provided in advance with the relevant background material on one or at most two issues. With no decision required people could focus on discussing the merits more freely and without feeling pressured.

Request for Decision (RFD): Any RFD could be presented and discussed at one meeting and the decision deferred to the next. Monthly meetings would allow this. Each RFD should have a “champion” – who makes a very short (PowerPoint) presentation to highlight the key aspects of the RFD. If an RFD is proposed by the Executive Committee (EC) a member of the EC should introduce it and explain the rationale for it.

Agenda items could be classed as being introduced, for discussion, or for decision. Moving from introduction to decision in one meeting should be unusual.

Meetings focused on decision making would be more efficient – discussions and briefings having taken place at earlier meetings.

Agendas could be organized so that:

- Similar items are bundled together.
- RFDs are all up front as the first items for consideration after the minutes have been adopted.
- Routine reports and historical background being provided for the record are in an appendix.
- Agenda items should have links to their supporting materials.
- Revised documents coming back for consideration should be blacklined.

Other suggestions:

Rotating the Council chair position through the Executive Committee members, for different shorter meetings or sections of the agenda, would share the load and allow the Chair to participate in discussions.

More frequent Council meetings could allow EC meetings to alternate with Council. (Current schedule of formal EC meetings is twice monthly. TC is quarterly)

This could allow a better connection between EC meeting content and Trust Council. This would encourage better, more knowledgeable and more timely support for EC by Trust Council.

Policy and other considerations:

Trust Council meetings: Policy allows a TC meeting schedule of any frequency with a minimum of a meeting in each quarter.

MEETING PROCEDURES BYLAW NO. 101 Trust Council: March 11, 2004, Page 3.

<https://islandstrust.bc.ca/document/trust-council-meeting-procedures-bylaw-no-101/>

“Council shall establish the schedule of the date, time and place of regular Council meetings for the following calendar year, one of which shall be in each of the months of March, June, September and December”

EC schedule -advice from David Marlor: EC requires a monthly meeting as Bylaws must be approved within 30 days – or they are deemed to have been approved.

ATTACHMENT(S):

MEETING PROCEDURES BYLAW NO. 101 Trust Council: March 11, 2004, Page 3.

<https://islandstrust.bc.ca/document/trust-council-meeting-procedures-bylaw-no-101/>

FOLLOW-UP:

Prepared By: Mairead Boland drafted this content based on conversations between 9 trustees.

Reviewed By/Date: Aug 19th 2023



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

Overview

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

Submissions

- Each delegation is required to complete this form and submit it to Islands Trust, along with any PowerPoint or video presentation that accompanies a delegation's written presentation by 4:30 pm at least 3 weeks prior to the meeting.
- If you miss this deadline, you may still submit this form; however, such requests will require approval by Executive Committee before the meeting or, 2/3 majority approval of Trust Council at the meeting.
- Each address shall be limited to 10 minutes unless a longer period is agreed to by approval of Executive Committee before the meeting or, of Trust Council at the meeting.
- *Application deadlines and approval requirements to address a Trust Council Committee may vary from the above. Contact ExecAdmin@islandstrust.bc.ca for guidance.*
- Rules governing delegations are outlined in the Islands Trust Council Meeting Procedures Bylaw 101.

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

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

I wish to address Islands Trust Council or Trust Council Council Committee

at the meeting of September 26-28

I REPRESENT EAGLE WATCH

(Name of Organization if applicable)

AS Coordinator

(Capacity/Office)

NAME OF PRESENTER or Alternate Dave Manning

ADDRESS PENDER ISLAND, VON ZMO

TELEPHONE NO.(s) [REDACTED] E-MAIL [REDACTED]

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

BALD EAGLES and TREES – The importance of
preserving big Douglas-fir trees for Eagle nesting and perching
(If more space is required, please attach an additional page to this form.)

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

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

Date: August 25, 2023

Signed:

Dave Manning
(Signature of Applicant)

TO: Islands Trust Staff
FROM: Dave Manning (Coordinator of **Eagle Watch**), [REDACTED], Pender Island, V0N 2M0
Phone: [REDACTED]
RE: Bald Eagles and Trees
DATE: September 27, 2023

BALD EAGLES and TREES

We love our Eagles, a year-round resident and, along with whales, an iconic species here on our coast.

History of Eagle Watch: For 18 years I've been the Coordinator of **Eagle Watch**, a project to locate and monitor Bald Eagle nests, along with other raptors. On land and sea, I and other volunteer monitors have monitored nests on over 60 islands in the Salish Sea, including Pender, Mayne, Galiano, Saturna, Salt Spring, Gabriola, Denman and Hornby to name a few.

Data collected has been shared with the Hancock Wildlife Foundation in Surrey which has a master data base for all Bald Eagle nests along the BC coast, the Lower Mainland and up the Fraser Valley, and with various island Conservancy groups.

Grants have been given by Islands Trust Local Trust Committees, CRD, Pender Conservancy, Baillie Fund, Wildlife Tree Stewardship (WiTS), and others, providing auto and boat fuel, binocular, camera, spotting scope, GPS unit, rangefinder and a tree measuring tape.

Importance of Big Trees

Bald Eagle nest trees, Douglas-fir, are a habitat at risk on Salish Sea islands. Eagles build their large nests primarily in mature Douglas-fir trees (200-400 years old) that have sturdy branches to support such nests. Not just any big tree will do—limbs must have just the right configuration to support the nests. And the Eagles are continually adding materials to their nests, making them heavier and heavier.

Also important are **nearby trees, live or dead**: 1) for young Eaglets to make their first flights to (after over 2 ½ months in the nest, they are anxious to leave!), 2) a perch for parents to observe their chicks growing up and protect them from predators, 3) for parents to watch for prey in the surrounding waters (mainly fish), and 4) as a buffer to protect nests and nest trees from wind destruction.

Loss of Big Trees

Unfortunately we're losing these large Douglas-fir trees. They die; large nests can eventually break the supporting branches; people cut them down for safety reasons, for better views and for land development. For example, during my 18 years of monitoring nests on Pender Island, I've known at least **33** nests to have collapsed, one just a few weeks ago while a chick was still in it! And Eagles can't just move somewhere else to another territory. Eagles are very faithful to their own territories, which usually include 1-2 kilometers of shoreline and away from other Eagle territories. They will nest inland if necessary but that is not their preference. Of course these veteran trees are also beneficial to many other plant and animal species.

Bald Eagles are relatively tolerant of human activity and will nest in residential areas, but only if suitable nesting and perching trees exist. For example, in Magic Lake Estates, with 1200 half acre lots on Pender, there are 3 Bald Eagle nests that I'm aware of. If we want to see Bald Eagles continuing to inhabit our islands, it is advisable to establish Development Permit Areas for Eagle trees, as has been done on North Pender, and to enforce these DPAs.

Please direct any questions or comments to my above contact info.



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

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I wish to address Islands Trust Council or _____ Council Committee

at the meeting of Trust Council September 2023

I REPRESENT Friends of the Gulf Islands Society

(Name of Organization if applicable)

AS President

(Capacity/Office)

NAME OF PRESENTER or Alternate Jennifer Margison

ADDRESS [REDACTED], Galiano Island

TELEPHONE NO.(s) [REDACTED]

E-MAIL [REDACTED]

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

To encourage the Governance Committee & Trust Council to proactively address the recommendations in the 2022 Governance Review Report

See attached presentation with slides.

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

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

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Date: September 4, 2023

Signed: _____

Jennifer Margison
(Signature of Applicant)



Friends of the Gulf Islands Society

*Working to protect the natural environment, surrounding waters and rural character of
the Islands Trust Gulf Islands.*

1

From the Governance Review Report:

“Current Trust Council practices do not meet the requirements set by good governance principles.”

2

**No significant governance changes were made from two previous reviews in 2007:
- Neilson-Welch and Stantec**



“What if we don’t change at all ...
and something magical just happens?”

3

2022 Governance Review Report warns of dangers:

- no clear sense of direction or purpose;
- Trustees who don’t understand their collective and individual responsibilities;
- lack of an understanding of the roles and responsibilities in a federated governance model;
- conflict of interest;
- rubberstamping of important decisions;
- disregard of policies on a regular basis;
- Board micromanagement;
- interpersonal rivalries, distrust and factionalism;
- loyal to only their own constituency;
- Trustee disengagement; boring meetings that don’t engage Trustees;
- lack of regular Council assessment, including self-assessment;
- overloading Trustees with briefing material; and information for decision-making (P.16)

4

Six Recommendations:

- ▶ 1. A shared understanding among trustees of the Islands Trust mission and mandate is essential to good governance.

5

- 2. Conduct a carrying capacity study for each island.



6

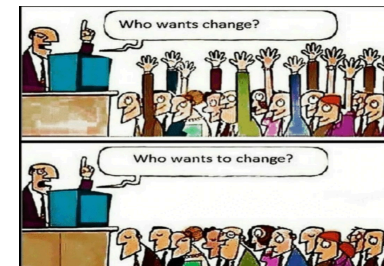
▶ 3. The dual responsibilities:

- to act on behalf of the entirety of the Islands Trust Area to preserve and protect the trust area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally;
- and in a manner consistent with the Policy Statement, act in the best interests of their Local Trust Area

should be acknowledged and discussed so Trustees know what this means.

7

- ▶ 4. More committees should be formed that would include outside expertise.



8

- ▶ 5. Membership on Trust Council should be increased to represent both First Nations and the interests of the province as a whole.

9

- ▶ 6. Include governance expert, Maryantonett Flumian or another author of the Report as a member of the Governance Committee.

10

Six Recommendations:

- ▶ 1. A shared understanding among trustees of the Islands Trust mission and mandate is essential to good governance.
- ▶ 2. Conduct a carrying capacity study for each island.
- ▶ 3. The dual responsibilities should be acknowledged and discussed so Trustees know what this means.
- ▶ 4. More committees should be formed that would include outside expertise.
- ▶ 5. Membership on Trust Council should be increased to represent both First Nations and the interests of the province as a whole.
- ▶ 6. Include governance expert, Maryantonett Flumian or another author of the Report as a member of the Governance Committee.

11

Thank you for your attention.
Questions? Comments?



Friends of the Gulf Islands

12

Delegation Presentation - Friends of the Gulf Islands Society

for Sept. 2023 Trust Council Meeting

Presented by Jennifer Margison, Galiano Island

Governance Review Follow-up: Getting Value for Our Dollars

Slide 1

In March 2021, Great North Management received a request from the Islands Trust Council to undertake a review and make recommendations pertaining to governance and management policies. In February 2022, they submitted their thorough report and excellent recommendations.

Slide 2

The Executive Summary of that report states on the first page: "Current Trust Council practices.....do not meet the requirements set by good governance principles." (P.1)

Since that time, we have had a Trustee election and we have a new Trust Council and the creation of a Governance Committee.

Slide 3

It is a warning that no significant governance changes were made from two previous reviews both in 2007: the Neilson-Welch governance review and the Stantec review of local planning services. We hope this time will be different.

The 2022 Great Northern Management Review Report emphasizes that a governance review is never an end in itself and that there is a pressing need to modernize the Trust's governance framework. We urge the Governance Committee and Trust Council to spend their time on the critical recommendations of the current report.

Slide 4

The Report warns, of among other things, the dangers of:

- no clear sense of direction or purpose;
- Trustees who don't understand their collective and individual responsibilities;
- lack of an understanding of the roles and responsibilities in a federated governance model;
- disregard of policies on a regular basis;
- loyal to only their own constituency;
- Trustee disengagement; boring meetings that don't engage Trustees;
- lack of regular Council assessment, including self-assessment;
- overloading Trustees with briefing material; and information for decision-making (P.16)

The new Governance committee has held 6 meetings since January 2023. We understand that creating a "vision statement" is proposed at this point. Yet in 2017, 4 vision statements were drafted and none could be agreed upon. We caution against spending time on yet another fruitless exercise when in fact the report states, "The first challenge that confronts the Trust is to agree on how to interpret the Preserve and Protect Object" of the Trust Act". (P.20)

Slide 5

Friends of the Gulf Islands Society suggest that Trust Council prioritize the following six recommendations from the Governance Report:

1. We agree with Trustee Bernardo who said in the July 31, 2023 Governance Committee meeting, "Our vision has been defined for us. It is in Section 3 (the Object of the Trust Act)." We suggest instead spending your valuable time on defining what the Object means as per the Governance report recommendation.

A SHARED UNDERSTANDING AMONG TRUSTEES OF THE ISLANDS TRUST MISSION AND MANDATE IS ESSENTIAL TO GOOD GOVERNANCE

Slide 6

2. Directly related to and underpinning that vision, again from the Governance Report is the statement that, "there is no comprehensive analysis of the Trust Area's capacity to sustain current population and activity, and its ability to accommodate more growth and development, especially in light of climate change and other considerations." (P.4)

CONDUCT A CARRYING CAPACITY STUDY FOR EACH ISLAND

Slide 7

3. The Report states that, "The fundamental and most important characteristic of the Islands Trust model is its unique federal structure. The locally-elected Trustees have two sets of fiduciary responsibilities. First, to act on behalf of the entirety of the Islands Trust Area to preserve and protect the trust area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally. Second, in a manner consistent with the Policy Statement, act in the best interests of their Local Trust Area." (P.12) The Report goes on to say that lack of recognition of this dual responsibility "encourages unhealthy tension and behaviors that are not designed for consensus building". (P.12)

THESE DUAL RESPONSIBILITIES SHOULD BE ACKNOWLEDGED AND DISCUSSED SO TRUSTEES KNOW WHAT THIS MEANS

Slide 8

4. The Report encourages a greater number of committees, "...each with a sharper focus on particular priorities or areas of interest" (P.3), and suggests that the expansion of membership on committees to those who have expertise in the subject would both

aid in the process of committee work and the credibility of committee recommendations to Trust Council. The report also states that, "there is an important onus on committee members to ensure proposals have been considered from a Trust-wide, federal point of view." (P.30)

MORE COMMITTEES SHOULD BE FORMED THAT WOULD INCLUDE OUTSIDE EXPERTISE

Slide 9

5. Reconciliation is in danger of being narrowly confined to fine-sounding words on paper and earnest land acknowledgements at the beginning of meetings that will all lose meaning as time goes on.

MEMBERSHIP ON TRUST COUNCIL SHOULD BE INCREASED TO REPRESENT BOTH FIRST NATIONS AND THE INTERESTS OF THE PROVINCE AS A WHOLE

Slide 10

6. The last Trust Council supported the idea of having an independent advisor, Maryantonett Flumian, one of the authors of the Governance Review Report and allocated \$15,000 for this expertise. She stated that trustees are working within "one of the most burdensome and heavy governance structures that I've ever seen for an organization of this size." Today, as we put this forward as the last item on our shortlist of recommendations from the Report, we would like to ask the Trust Council why this has not been actioned?

INCLUDE INDEPENDANT GOVERNANCE EXPERT, MARYANTONETT FLUMIAN OR ANOTHER AUTHOR OF THE REPORT AS A MEMBER OF THE GOVERNANCE COMMITTEE.

Slide 11

In the view of The Friends of the Gulf Islands Society, attention to these six areas, as identified in the 2022 Governance Review Report should receive the immediate and sustained attention by the Governance Committee and Trust Council, and would be likely to reduce the potential pitfalls listed at the beginning of this presentation.

Slide 12

From: Peter Pare <[REDACTED]>
Sent: Tuesday, September 5, 2023 5:01 PM
To: Executive Admin
Subject: Delegation to the Islands Trust Council
Attachments: Trust Council Power Point SBO.pptx; delegation-application-form.pdf; Trust Council Statment.docx

Please find attached and application to make a presentation to the Trust Council at the September meeting on Pender Island. Also a summary of the issue which involves a request to IT Council to join the lawsuit against Big Oil companies and as set of slides that I will be showing at the meeting.

Thank you.

Peter D Pare
Emeritus Professor of Medicine, University of British Columbia
[REDACTED]

Pender Island, BC, V0N2M1
[REDACTED]

e-mail
[REDACTED]



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

I wish to address Islands Trust Council or _____ Council Committee

at the meeting of _____

I REPRESENT _____
(Name of Organization if applicable)

AS _____
(Capacity/Office)

NAME OF PRESENTER or Alternate _____

ADDRESS _____

TELEPHONE NO.(s) _____ E-MAIL _____

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

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

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Date: _____ Signed: _____
(Signature of Applicant)

For decades, oil and gas corporations have known that burning fossil fuels would cause the heat waves, wildfires, drought and flooding that we're now experiencing in BC and around the world. They spent millions to deceive, deny and distract us while making billions in profit by preventing action on climate change. Municipalities and Regional Districts across BC are joining forces to sue these companies for a portion of the costs to taxpayers of adapting to climate change.

This delegation will ask the Islands Trust to contribute to this effort by joining with the Regional Districts to allocate a small amount of money support this initiative.

Recovering the Costs of Climate Change

Presentation to the Islands Trust Council
Peter Paré
 The Gulf Islands' Sue Big Oil Group
 September 2023

Actual Costs

- Lytton Fire 2021: \$100M+
- BC floods 2021: \$13B

Costs of Climate Change: Present and Future

**\$5.3 Billion
annually**

Insurance Bureau of Canada estimated cost of climate impact at municipal level

The Islands are disproportionately impacted by Climate Change

- Adverse consequences of sea level rise
- Saltwater incursion & foreshore property damages
- Increasingly droughts ➡ loss of forest cover
- Stress on local agriculture
- Increased potential for wild fires.
- Heavier winter rains ➡ increased costs for road repair, culvert replacement and property damage.

Anticipated Costs



Funding from the Sue Big Oil lawsuit could help the Trust

- Implement the recommendations of your Freshwater Sustainability Strategy
- Funding for the Islands Trust Conservancy for adaptation/maintenance of parks
- Pay for the repair and retrofitting of water storage
- Pay for the repair and relocation of wells and septic fields affected by salt intrusion
- Pay for the increased fire preparation in building costs

The other cost is adverse health effects

- During the 2021 Heat Dome, 600 people died in BC
- Climate change ➡ Increased the likelihood of cardiovascular and respiratory illnesses like asthma
- Mental health issues and eco anxiety, especially among young people, are prevalent.

Why Climate Litigation?

Precedent for such lawsuits

- Tobacco companies suppressed knowledge about the harm that their product causes and have been held to account in massive law suits. 
- Big Pharma companies have been sued for billions for making false claims.



Climate Crisis vs Corporate Profits

\$3 BILLION
daily

Profits generated by the fossil fuel industry globally (1970s to present)

- In 2022,
- Exxon = \$56 B
 - Shell = \$40 B
 - Chevron = \$35 B

Support for this Motion

- In 2019, 28 law professors across Canada published an open letter, arguing in favour of the case against Big Oil.
- A poll by Stratcom Strategic Communications showed that 69% of BC residents support SBO
- On Denman 85% of those canvassed signed the declaration
- At a recent farmers market on North Pender 89% of the 150 people canvassed signed the declaration.

Call to Action

We are requesting that the following motion be passed by the Islands Trust.

THAT the Islands Trust:

- Set aside at least \$0.50 per resident in the 2023 budget towards a community fund to sue Big Oil;
- Commit to joining with other local governments in BC to file a class action lawsuit to recover a fair share of our costs related to the climate crisis; and
- Cooperate with First Nations in doing so.

Support for this Motion

Citizen engagement in SBO

- Vancouver
- Victoria, Saanich and Sooke
- Comox Valley (Regional District)
- Nanaimo
- Sunshine Coast
- Qathet (Powell River)
- Burnaby
- Mission
- Surrey
- North Vancouver
- Qualicum Beach
- Squamish
- Whistler
- Rossland
- Nelson
- Kelowna

Why Climate Litigation?

Given the level of support in the community and the costs we're facing, we believe suing the top five oil companies is a prudent, fiscally responsible, fair, low risk, forward-thinking action.

Questions?

Why Climate Litigation?

The [UN secretary general](#) argued:

"Legal challenges against climate-wrecking corporations are an important step forward. Fossil fuel producers and their financial backers need to understand a crucial truth: pursuing mega-profits when so many people are losing their lives and rights, today and tomorrow, is completely unacceptable."

-February 27, 2023

Why Climate Litigation?

- In 2019, the Islands Trust Council declared a climate change emergency, committing to take urgent and fair climate action
- Joining the lawsuit is a natural extension of this action



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I wish to address Islands Trust Council or _____ Council Committee

at the meeting of September 26-28, 2023

I REPRESENT Pender Forest Stewards

(Name of Organization if applicable)

AS Spokesperson

(Capacity/Office)

NAME OF PRESENTER or Alternate Andy Nowak

ADDRESS [REDACTED], Pender Island

TELEPHONE NO.(s) [REDACTED]

E-MAIL [REDACTED]

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

Gulf Island residents are concerned about the supply and quality of water especially in the new reality of changing climate. We are requesting effective action through collaboration to protect watersheds.

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

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Date: 2023-09-04

Signed: [Signature]

(Signature of Applicant)

Freshwater Security for the Islands Trust Area

- The effects of climate change are clear, present, and dangerous.
- Water security is of immense importance to ongoing human habitation of the islands in the Salish Sea, and to the ecosystems upon which we depend.
- The Islands Trust has completed an impressive amount of work towards understanding freshwater resources on the islands, and states that a goal is to “Protect ecosystems and the overall health of watersheds and groundwater in the Islands Trust Area” (Freshwater Sustainability Strategy).
- There are many recommendations provided in reports and the Freshwater Sustainability Strategy that we, as residents of North Pender Island, support and wish to see implemented.
- Science, policy and planning, regulation, and advocacy are all essential approaches within the jurisdiction of the Islands Trust that can make water security for islanders possible, even in a changing climate.
- The provincial Water Sustainability Act (2016) gives local governments the ability to proactively work with the Province to resolve conflicts between water users and protect water sources and aquatic ecosystems. The Trust’s Freshwater Sustainability Strategy can inform the development of a Water Sustainability Plan, which the Trust Council should request from the Province for the Islands Trust Area.
- We urge the Islands Trust to implement the key recommendations of the Freshwater Sustainability Strategy. Given the urgency of the risks facing our water sources and health of freshwater ecosystems, immediate action can be taken: link water management to land use planning decisions (e.g. consider water in any rezoning and development applications); protect the priority recharge areas that have already been identified; engage the public in understanding that they live *within* their watershed and empower them to help protect it; create a reliable water budget using *current* water demand data; coordinate the various governments and agencies with authority over water resources and include First Nations and communities.



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I wish to address Islands Trust Council or _____ Council Committee

at the meeting of September 26 - 28, 2023 (The Penders)

I REPRESENT Pender Forest Stewards

(Name of Organization if applicable)

AS speaker

(Capacity/Office)

NAME OF PRESENTER or Alternate Julia Nicholls

ADDRESS [REDACTED]

TELEPHONE NO.(s) [REDACTED]

E-MAIL [REDACTED]

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

Concern for the forests

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

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Date: September 4th, 2023

Signed: _____

(Signature of Applicant)



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I wish to address Islands Trust Council or _____ Council Committee

at the meeting of 27 September, 2023

I REPRESENT _____
(Name of Organization if applicable)

AS _____
(Capacity/Office)

NAME OF PRESENTER or Alternate Michael Sketch

ADDRESS [REDACTED]

TELEPHONE NO.(s) [REDACTED] E-MAIL [REDACTED]

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

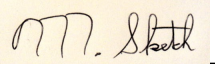
Council's adopted Policy Statement should be effective in implementing the Trust Object and
there should be an effective federation governance for the Trust Area

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

- ☐ I will have a PowerPoint or video presentation and will submit it at least three weeks in advance of the meeting.
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Date: 6 September, 2023

Signed: 
(Signature of Applicant)

**Delegation submission from Michael Sketch for the Trust Council meeting,
North Pender Island Community Hall,
1:30 P.M. Session, on Wednesday, 27 September, 2023**

**Council's adopted Policy Statement should
be effective in implementing the Trust Object
and there should be an effective federation governance for the Trust Area**

Councilors – The ‘preserve and protect’ Islands Trust Act is unique in Canadian legislation. Council must ensure the potential of the Act is realized. Lest we think that provincial legislation will stand on it's own merit to effectively preserve and protect, look at the sad state of Ontario's protection for the greenbelt, despite the provincial legislation.

My continued request to Council is that you carefully examine how the Trust has interpreted the Act. Is the current Trust Policy Statement implementation of the Object effective? I argue it is not.

- - - - -

It's been 30 years since the Trust Council corporation approved the new Trust Policy Statement (TPS) bylaw. Its structure remains today, Surely, you say, the status quo is reliable.

But there are too many case studies of staff advice and Local Trust Committee (LTC) decisions to believe that Trust Area policy is usually effective on the LTC ground. The Trust Policy Statement (TPS) bylaw is, simply put, ineffective. Ineffective, I have argued in submissions to Council, by design.

Both the Trust and provincial websites state that the Islands Trust is a federation. But Trust Area governance has the look of a confederation, not a federation. The confederation model is a union of substantially independent Local Trust Areas. Indeed, with both the Trust Object and Trust Area policies less effectively implemented than they should be, the appearance of a confederation is believable.

But in the federation model established in the Act, the Trust Object and Trust Policy Statement are the flagship instruments of federation. The Trust Area Services “federal level” would oversee the Local Planning Service.

The check and balance advantages of federation governance simply haven't been implemented.

A confederation lookalike, with the Local Planning Service (LPS) effectively dominant, remains the status quo.

The historical perspective is important. Five decades ago it was clear to forward thinkers that some vulnerable provincial lands had no answer to the pressure of post second world war development, save that in time sustaining elements of the natural environment would fail.

The Province introduced unique legislation to preserve farmland – the Agricultural Land Commission Act – and in part to preserve and protect the predominantly rural Trust Area environment – the Islands Trust Act.

The province tread carefully with Trust Area legislation, gradually transferring land use decision making from the Regional District - municipal model to that for the Trust Area and its LTCs.

Land use planning was first retained by the Regional District, then given to the Trust, then to the Ministry and finally back to the Trust. Can we not sympathize with a new Local Planning Service trained in municipal planning who might assume proprietary oversight when they drafted the first legislated TPS bylaw? That was a 1989 amendment to the Act.

The Local Government Act's regional growth strategy for municipalities, sometimes with protection for the natural environment, could have been the go-to model for a new Island Trust TPS bylaw.

But the flexibility of a regional growth strategy is very different from the certainty given Islands Trust decision makers in the Act.

Islands Trust decision makers are required to implement the Trust Object, both when considering changes in land use and in deliberating and adopting a TPS bylaw.

The definite constraints on Trustee decision making are a measure of the importance the province ascribed to the Trust 'preserve and protect' jurisdiction.

It follows that the flexibility of a regional growth strategy, as the regional district may require for a municipality, is simply inappropriate for a TPS bylaw.

Yet that very 'take policy or leave it' flexibility of a Regional Growth Strategy seems to have been borrowed for the September, 1993 seminal draft of the TPS. And inappropriately persists today in Council's TPS Bylaw 17.

Take Trust Area Policy or leave it? Let's pick that one apart.

The Trust Policy Statement (TPS) bylaw is ineffective by design

LTCs need only observe directive TPS policies. Each directive begins with instruction to address a particular Trust Area policy in Local Area bylaws. In other words, Council is delegating its own responsibility to implement the Trust Object to each Local Trust Area in their bylaws.

Worse still, there is a separate TPS implementation policy - also from 1993 - in the Trust Policy Manual which isn't referenced in TPS bylaw and isn't reviewed by the Minister. There we find that LTCs may either implement the relevant Trust Area policy – or give reason not to do so. Furthermore the onus is on the LTC to ensure that their draft bylaws are consistent with the Trust Policy Statement.

Some have suggested that correction of TPS failure to implement the Object is simple – just incorporate the Trust Policy Manual's TPS implementation policy in the TPS bylaw itself. No, the correction is to rewrite the TPS with content which is entirely policy given by Council which will, in and of itself, effectively implement the Object.

I understand that Islands Trust staff will further amend your Bylaw 17 based on comment from some of the public and that the draft will be available to Council in January, 2024. But that staff draft won't correct the delegation of Trust Area policy implementation to the LTCs. Nor will it provide for a two level federation governance.

Just how a diligent Trust Executive Committee could ensure that a draft LTC bylaw before them isn't at variance with the TPS, is one of those mysteries in current Trust governance.

And that, Councilors, is sufficient rationale for Council to take on the work of rewriting your own TPS bylaw, around your own table. Please cooperate and resolve to do so.

I have submitted draft TPS bylaw versions for Council's use as the model is improved. The structure is very simple. There are three parts.

The first part are policies which Council should believe must be adhered to throughout the Trust Area.

The second part are policies which individual Local Trust Areas may petition Council to be excused from.

The third part is a statement of those amenities which are identified in inter agency agreements as unique amenities of the Trust Area, such as the Agricultural Land Reserve.

Conclusion

This term, Councilors, please ensure that your adopted Policy Statement is effective in implementing the Trust Object and there is an effective federation governance for the Trust Area.

You have the knowledge and the skills. Please have the will.

Michael Sketch

North Pender Island

email: [REDACTED]



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

Overview

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

Submissions

- Each delegation is required to complete this form and submit it to Islands Trust, along with any PowerPoint or video presentation that accompanies a delegation's written presentation by 4:30 pm at least 3 weeks prior to the meeting.
- If you miss this deadline, you may still submit this form; however, such requests will require approval by Executive Committee before the meeting or, 2/3 majority approval of Trust Council at the meeting.
- Each address shall be limited to 10 minutes unless a longer period is agreed to by approval of Executive Committee before the meeting or, of Trust Council at the meeting.
- *Application deadlines and approval requirements to address a Trust Council Committee may vary from the above. Contact ExecAdmin@islandstrust.bc.ca for guidance.*
- Rules governing delegations are outlined in the Islands Trust Council Meeting Procedures Bylaw 101.

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

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

I wish to address Islands Trust Council or _____ Council Committee

at the meeting of SEPTEMBER 26 TO 28, 2023.

I REPRESENT BRIAN MILNE
(Name of Organization if applicable)

AS _____
(Capacity/Office)

NAME OF PRESENTER or Alternate BRIAN MILNE

ADDRESS _____ SALT SPRING ISLAND

TELEPHONE NO.(s) _____ E-MAIL _____

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

TO ADDRESS THE COUNCIL ON THE MOTION TO
SUSPEND ISLANDS TRUST BYLAW ENFORCEMENT
(If more space is required, please attach an additional page to this form.)

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

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

Date: SEPTEMBER 5 Signed: _____
2023 (Signature of Applicant)

ISLANDS TRUST COUNCIL MEETING – SEPTEMBER 2023

THE MOTION: SUSPEND BYLAW ENFORCEMENT

Islands Trust Council along with the Islands Trust CAO and his staff have ignored Island Trust bylaw enforcement illegal activities that have resulted in the coercive control of property owners.

BYLAW ENFORCEMENT COERCIVE CONTROL GOAL.

SSIWPA Quote:

“Trust Council Strategic Plan, specifically ensuring human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of the Trust Area ecosystems, and to sustain island character and healthy communities”.

Question:

Are the Islands Trust Council and Senior Staff allowing the illegal behavior of Bylaw Enforcement to continue unchallenged to discourage growth in the Gulf Islands?

Facts:

From the FINANCIAL PLANNING COMMITTEE AGENDA:

Young Anderson (Legal fees).	\$374,551
By law Enforcement (over-budget).	\$406.193
Legal Fees and Bylaw Enforcement total:	\$780,744

LEGAL FEES & BYLAW ENFORCEMENT MAKE UP OVER 8% OF THE TRUST BUDGET

Note:

No budgeted allowances have been made for the liabilities of the adjudication of issued BVN's.

No budgeted allowances for damage and cost claims precipitated by Bylaw Enforcements illegal activities and unprofessional judgements have been made.

Governing Policy and Legal Precedents

Islands Trust Policy 5.5.1

2. BEST PRACTICES MANUAL

2.1 BYLAW ENFORCEMENT MANAGER will maintain a best practices operating manual in accordance with administrative fairness principles outlined in the BC Ombudsperson's report. "Bylaw Enforcement: Best Practices Guide for Local Governments", March, 2016.

Legal precedent (Pearlman Lindholm) was provided to Mr. Luckam, Ms. Patrick and Mr. Hotsenpillar (June 29, 2021) informing that the bylaw officer is required to give prior **notice** of inspection and **purpose** of inspection. They were informed of breach of this obligation on June 4, 2021 and failed to discipline Bylaw Enforcement and curtail the illegal activity.

Islands Trust Policy also requires the bylaw officer to give notice of inspection and purpose of inspection.

Islands Trust Bylaw Compliance and Enforcement fails to meet this requirement. Despite a multitude of complaints to Islands Trust Staff and Islands Trust Council, neither have acted to protect property owners and have allowed Island Trust personnel to break the law.

Violations of Islands Trust policy by bylaw enforcement includes manipulation of information, presentation of false information, overreach of authority, harassment

often of single women, and physical assault. Documentation and complaints have been forward to Islands Trust Council and Islands Trust staff.

Violations are still occurring, and it is the obligation of Islands Trust Council to stop these activities.

Many of Islands Trust Council have a conflict of interest in the motion (having introduced Policy 5.5.1) but failed to implement the policy. Ms. Patrick carried this a step further by introducing bylaw adjustments on Pender that require bylaw enforcement to notify the property owner of impending inspections and provide inspection details but failed to respond to complaints on Salt Spring.

The Trust Council members who consciously allowed the coercive bylaw enforcement, have, in doing so, violated Governance Principles. This has created a conflict of interest for them in the vote to suspend Bylaw Enforcement.

Respectfully,

Brian Milne

Baynes Sound/Lambert Channel EcoForum Report

By Sam Borthwick

After a delayed start, due in part to my own challenges in getting up to speed on the varied complexities of Trusteeship, as balanced against the rest of the necessary business required to keep life rolling, I am extremely gratified to have properly embraced my role as a member of the Steering Committee for the Baynes Sound Lambert Channel EcoForum, an initiative begun in no small part due to support from the Islands Trust Secretariat program, that has blossomed into one of the most genuine inter-agency forums I have had the pleasure to observe.

I had the pleasure to attend the November Ecoforum meeting alongside Trustee Graham, and although I was unable to make the May forum, I have enjoyed reviewing the resulting materials and conversations, which Trustee Petersen was able to contribute to in person.

What follows is excerpted from a forthcoming meeting report from the Steering Committee, which, without delving too deeply into details (I will happily forward the unabridged report to any interested parties upon its release), I believe provides an excellent summation of the aims of the EcoForum, and the invaluable cross-communication it facilitates so well.

“Four things became clear at the meeting BaynesSound/Lambert Channel EcoForum when it met on May 26, 2023 at VIU’s Marine Field Station.

- A lot of data has been (and is being collected) about Baynes Sound. However, there is no central inventory list and access can be haphazard.
- It has been two decades since there has been a comprehensive look at the kind of data/knowledge that is required to make grounded decisions about many aspects of the care and management of the marine ecosystem in Baynes Sound.
- Stakeholders, communities, industry, and even other government departments would value a jurisdictional map outlining ministry, departmental, legislative, and regulatory responsibilities.
- There are grassroots community groups that are eager to undertake local projects that could change attitudes and behaviours about human waste entering the Sound.

The Sum is Greater Than Its Parts

The Forum supports collaborative initiatives made up of participants which work on projects as directed by Forum participants. It is these groups and committees that do the work between meetings to advance a need or tackle an issue that has been identified by the participants. This has been accomplished in the past because of the commitment and energy of Forum participants representing their communities or organizations. When the Forum was established, its terms of reference made it clear that it is not an organization which pursues actions on its own nor does it have the resources to do so. Rather, it brings interested parties together in that most delightful of human endeavours – hive mind. It provides a regular opportunity (the bi-annual meeting) for individuals representing various levels of government departments and ministries, First Nations, industry, academic research, and community. Information is shared through presentations and informal discussion over lunch and coffee breaks. Participants have an opportunity to hear presentations about current challenges and successes. This provides a window out of individuals silos and broadens perspectives. Sometimes it sparks informal working relationships. It reinforces the idea that protecting and maintaining a healthy marine ecosystem is not the work of any one organization. It respects traditional and cultural knowledge and traditions.

How to best “catalyze” action among participant organizations is a fluid concept based on the issue and input from participants. In some cases, the role of the EcoForum can be to profile work in progress being done by an organization, ministry, agency, or community and provide an opportunity for feedback. Ongoing dialogue and collaborative action have already increased the practice of knowledge-sharing about the area with participants reporting that they value contacts made. But much work remains. A further goal is to avoid duplication of effort, identify jurisdictional gaps, and enhance any single organization’s capacity for action.

In the case of an emerging issue, one task of the EcoForum is to give voice to the participants on front lines (industry, communities, researchers) to report concerns, findings. A second role is to facilitate connections for action.

It has been the experience of the five years of the EcoForum that this somewhat unique model is an effective way to stimulate both conversation, interaction, and action. Participants come to the table with a common goal: To protect, maintain and improve the marine ecosystem in Baynes Sound and Lambert Channel.

As indicated at the outset, participants felt that their aims could be better achieved with a more comprehensive understanding of data and jurisdictional responsibilities.”

In summation, the EcoForum feels like a meaningful and toothsome embodiment of the conservation and advocacy roles of the Trust, and I eagerly look forward to my future participation in a body that so adroitly brings together so many oft-disparate bodies around the shared goal of preserving and protecting the vitality of the waters around the home of my friends and neighbours.

BRIEFING

To: Trust Council **For the Meeting of:** September 26, 2023
From: Executive Committee **Date Prepared:** August 29, 2023
SUBJECT: Supporting materials for discussion on climate change action

PURPOSE: To provide Trust Council with background materials to support a discussion about further action regarding the Climate Change Emergency.

BACKGROUND:

In March 2019, Islands Trust Council declared a climate emergency. At that same meeting Trust Council also passed resolutions directing the following:

1. Add climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement Amendment Project.
2. Direct the Trust Council Chair to [write](#) to the Chairs of Regional Districts in the Islands Trust Area asserting Trust Council's full support for declarations of a Climate Emergency;
3. Direct the Trust Council Chair to [write](#) to the Provincial Minister of the Environment, asserting the Islands Trust Council's support to help the Province close the 25% emissions gap in the CleanBC Plan, and calling on the Province to provide the powers and resources to local governments;
4. Direct the Trust Council Chair to [write](#) to the Federal Minister of the Environment, asserting the Islands Trust Council's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments.
5. Direct staff to report back to the June 2019 Trust Council meeting on measures and land-use planning actions that the Islands Trust can take to advance progress toward Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations (see attachment 1).
6. Direct staff to include a central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning to provide guidance and support for the Trust Area's efforts to transition away from fossil fuels in ways that prioritize those most vulnerable to climate impacts and most in need of support in transitioning to renewable energy.
7. Trust Council directs staff to [work](#) with First Nations and First Nations government agencies to seek support for the climate change emergency and to engage to coordinate climate action strategies with First Nations within the Islands Trust Area. (June 2019 [response](#) from First Nations Leadership Council).

In May 2023, Executive Committee passed the following motion:

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.

Staff have compiled the attached materials to support a conversation by Trust Council.

ATTACHMENT(S):

1. June 2019 Trust Council Briefing re Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation
2. September 2019 Trust Council Briefing re Council committee/Conservancy board recommendations for climate actions
 - a. Attachment: Detailed summary of topics raised at the July 17, 2019 Trust Programs Committee meeting
 - b. Attachment: Islands Trust Conservancy memorandum regarding the Trust Council referral for recommendation on responding to climate change emergency declaration.
3. February 2020 Climate Change Speaking Notes and Backgrounder prepared by Trust Programs Committee, approved by Executive Committee (trustee developed)

Online Resources

4. [Local Government Climate Action Program Survey Submission Report, 2022](#)
5. [Climate Projections for Islands Trust Area Report, 2020](#)
6. [Final Report: Scoping Exercise to Identify Climate Change Indicators for the Islands Trust Area Report, 2020](#)

FOLLOW-UP: As directed.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Stefan Cermak, Director, Planning Services/September 4, 2023
Russ Hotsenpiller/September 5, 2023
Executive Committee/September 13, 2023

BRIEFING

To: Trust Council **For the Meeting of:** June 18, 2019

From: David Marlor, Director, Local Planning Services **Date Prepared:** May 30, 2019

SUBJECT: **Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation**

PURPOSE:

To provide an initial approach in response to Trust Council's Climate Change Emergency Declaration in respect to local planning tools to address climate change.

BACKGROUND:

At its regular business meeting in March 2019, Trust Council declared a Climate Change Emergency. As part of that declaration, Trust Council requested that staff:

"report back to June 2019 Trust Council meeting on measures and land use planning actions that the Islands Trust can take to advance progress towards Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations".

This briefing focuses on land use planning actions that the local trust committees and Bowen Island Municipality could take to advance progress towards greenhouse gas reduction targets and to adapt to the effects of climate change.

Following the implementation of new mandatory requirements for official community plans to include targets and policies for greenhouse gas reductions, all local trust committees and Bowen Island Municipality amended their official community plans to include those targets and policies.

The following table includes a summary of the targets established by each local trust committee and Bowen Island Municipality in their official community plans. Each local trust committee and Bowen Island Municipality also adopted related policies on how to achieve those targets.

Local Trust Committee/Island Municipality	Reduction By 2015	Reduction By 2020	Reduction By 2050	Notes
Bowen Island Municipality	-	33%	80%	Reduction over 2007 emissions
Ballenas-Winchelsea	-	50%	50%	Below per Canadian per capita for 2020/2050
Gabriola	-	33%	85%	Reduction over 2007 emissions

• Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
• DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
• Associated	-	20%	85%	Reduction over 2007 emissions
• Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
• Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
• Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

A. Local Planning Actions Since 2010

Since 2010, planning Staff regularly include consideration of climate change mitigation and adaptation in staff reports on planning applications and projects. As a result, all planning decisions by local trust committees over the past eight years have included a climate change lens. In addition to this, local trust committees adopted specific policies in their official community plans related to climate change mitigation and adaptation. Many of these policies have been implemented through land use bylaw amendments. A list of these implemented policies is included in Appendix 1.

Appendix 2 lists the official community plan policies that have not yet been implemented in the land use bylaws.

The remainder of this briefing provides information on land use planning actions that can be undertaken in relation to climate change. Section B addresses actions related to climate change mitigation and Section C addresses actions related to climate change adaptation.

B. Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be

effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

5. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

C. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. **Sea Level Rise Adaptation Tools**

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for

buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. **Longer Periods of Drought Adaptation Tools**

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

ATTACHMENTS:

1. Summary of Local Trust Committee OCP climate change policies already implemented
2. Summary of Local Trust Committee OCP climate change policies not yet implemented

FOLLOW-UP:

Further work in specified areas as indicated in the briefing, or as requested by the Trust Council, Executive Committee, Local Planning Committee or local trust committees.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/

Summary of Official Community Plan policies, listed by local trust area, that have been implemented in the land use bylaws.

Ballenas-Winchelsea Local Trust Area

- Shoreline Development Permit Area (applicable to 30 m upland of the natural boundary of the sea).
- Regulations in the land use bylaw exempts solar collectors, wind generators and water storage tanks from height restrictions.

Denman Island Local Trust Area

- Climate change impacts are considered in staff.
- Providing the dedication of conservation area, consistent with OCP policies for density transfer.

Gabriola Island Local Trust Area

Gabriola Island

- Climate change impacts are considered in staff reports.
- Providing for rainwater collection and storage, trail/path connections and dedication of 300+ acres of parkland.
- Development Approval Information (DAI) Bylaw amended (2013) to include option to address GHG emissions, anticipated energy usage, carbon emissions and groundwater resources in conjunction with bylaw amendment or TUP applications [Criteria for assessing OCP/LUB applications developed.
- Land Use Bylaw (parking regulations and Village DPA guidelines) amended to encourage public transit, smaller vehicles, non-polluting vehicles, and permeable parking surfaces and increase walkability.
- Land Use Bylaw amended to measure the footprint of buildings and structures from the interior walls instead of the outer perimeter of the foundation of the building, so increased insulation is encouraged, and to exclude cisterns from floor area calculation.
- Official Community Plan and Land Use Bylaw amended to encourage local food production.

Mudge Island

- Climate change impacts considered in staff reports.
- Land Use Bylaw amended to exclude from the calculation of lot coverage in the RR zone: cisterns and similar structures for rainwater collection and storage; fire-fighting towers; pervious paths, driveways and parking spaces; and garden beds.

DeCourcey Island

- Climate change impacts considered in staff reports.

Galiano Island Local Trust Area

- Climate change impacts considered in staff reports, and inclusion of a policy in the Land Use Policies section of the Official Community Plan applicable to consideration of all applications.
- Amendments to shoreline development permit area to include guidelines to consider and address sea level rise impacts.
- Changes to zoning regulations to permit small-scale renewable energy, specifically height regulations amended.

Gambier Island Local Trust Area

- Climate change impacts considered in staff reports.

Hornby Island Local Trust Area

- Climate change impacts considered in staff reports.
- Official Community Plan Water Supply Protection and Water Resource Protection Development Permit Area includes guidelines to protect water resources.
- Official Community Plan Community Service Use Development Permit Area includes guidelines to provide rainwater catchment and storage; and hydrology study.
- Official Community Plan Commercial Development Permit Area includes guidelines to maintain natural vegetation and reduce light pollution.
- Water storage tanks and wind turbines exempt from Land Use Bylaw height regulations.

Lasqueti Island Local Trust Area

- Climate change impacts considered in staff reports.

Mayne Island Local Trust Area

- Climate change impacts considered in staff reports.
- Zoning amended to exclude solar collectors, wind generators and water tanks from maximum height regulations.
- Geothermal heating systems permitted.
- Amendments to Land Use Bylaw to permit mixed use (second storey residential) in commercial zones.
- Zoning for employee accommodation in commercial resorts.
- Secondary suites permitted.

North Pender Island Local Trust Area

North Pender Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted.
- Temporary use permit guidelines amended to include climate change impacts.

North Pender Associated Islands

- Climate change impacts considered in staff reports.
- Shoreline DPAs include erosion provisions.

Salt Spring Island Local Trust Area

Salt Spring Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted in select areas.
- Amenity Zoning includes implementation of energy efficient building design criteria that exceeds that required by the B.C. Building Code or other regulations.
- Climate change considered when evaluating suitability of density transfer.
- Rezoning application supporting local food production and storage as a community amenity
- Coordination with local and provincial agencies regarding fresh water demand and supply in relation to climate change.
- Land use regulations require 15m setbacks from natural bodies of water; 1.5 m elevation above natural body of water.
- Pathways and bikeways dedication at time of subdivision as per OCP Cycle Route map.

- DAI Bylaw including development permit checklist (both are drafted but not yet implemented).

Piers Island

- Climate change impacts considered in staff reports.
- 3.0 m elevation of buildings required if within 30m of water body.

Prevost Island

- Climate change impacts considered in staff reports.

Saturna Island Local Trust Area

- Climate change impacts considered in staff reports.
- Geothermal heating permitted.
- Secondary dwelling units (secondary suites amendment in process).
- Sustainability checklist.
- TUP guidelines amended to include consideration of climate change impacts.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.
- Although not a Bill 27 requirement, LUB was amended to limit dwelling floor area and overall floor area on residential lots.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.

Thetis Island Local Trust Area

Thetis Island and Valdes Island

- Climate change impacts considered in staff reports.

Thetis Associated Islands

- Climate change impacts considered in staff reports.
- Land Use Bylaw definition of floor area excludes any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection.
- Land Use Bylaw permits the following uses in all zones: conservation; water supply facilities for the purposes of supplying potable or grey water on an individual island, including cisterns, reservoirs, pipes, treatment facilities, catchment and storage facilities and pumping and intake structures; solar collectors; wind turbines; and ocean geothermal loop exchange systems.
- Solar collectors are exempt from Land Use Bylaw height regulations.

Summary of Local Trust Committee Official Community Plan Policies that have yet to be implemented.

The following is a summary of Official Community Plan policies on climate change that have not yet been enacted in the land use bylaw regulations or through development permit areas. For actual wording of the policies, please consult that relevant official community plan bylaw.

Ballenas-Winchelsea Local Trust Area

- Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value.

Denman Island Local Trust Area

- Review zoning to ensure provisions encourage energy efficiency and the greenhouse gas emissions reduction in new construction.
- Review development permit area guidelines and incorporate provisions to promote energy conservation, water conservation and greenhouse gas emissions reduction.
- Encourage renewable energy, limit fossil fuel consumption, encourage energy-efficient and carbon-efficient building construction.

Gabriola Island Local Trust Area

Gabriola Island

- Consider new development permit area guidelines that promote low impact land uses, alternative transportation, energy conservation, water conservation, and the reduction of GHGs.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping both for their environmental values as well as carbon sequestration areas.
- Amend LUB to consider setbacks from the ocean in relation to sea level rise.

Mudge Island

- Establish climate change as a fundamental factor in land use decision making.
- Encourage on-island agriculture and sharing of local food production.
- Encourage all new construction be built at the highest possible energy-efficiency standards.
- Further policies and actions to be considered as part of a future review of the OCP.

DeCourcey Island

- Encourage on-island agriculture and the sharing of local food production.
- Encourage new construction built at highest possible standards to reduce energy needs.
- Specific policies and actions to be included in a future OCP review.

Galiano Island Local Trust Area

- Amendments to parking requirements to require alternatives to parking spaces.
- Requiring new development to utilize building technology that minimizes energy use.

Gambier Island Local Trust Area

Gambier Island

- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support protection of forest resources.
- Require water storage with every dwelling unit.

Gambier Associated Islands

- Support actions to minimize GHG emissions.
- Recognize importance of forested lands in removing carbon dioxide from the atmosphere.
- Consider potential impacts on global climate change and GHG reduction targets when considering applications.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Reduce extent of infrastructure (e.g. development of common docks).
- Zoning regulations should support small scale residential solar and wind power generation on residential lots.

Keats Island

- Promote use and development of renewable energy sources.
- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support cluster development appropriate for Keats Island.
- Encourage energy efficient buildings.
- Encourage use of alternative energy.
- Encourage water storage for every dwelling unit

Hornby Island Local Trust Area

- Develop criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.
- Encourage retention of forest cover except for the clearing of land for farming in the ALR.
- Limit size of buildings and opportunities for attached dwelling units and visitor accommodation units.
- Encourage green building techniques and alternative energy systems (solar, wind, geothermal, or water based) into residential housing.
- Encourage safe multi-use trails and bike lanes to facilitate non-motorized forms of travel.
- Encourage “climate wise” actions, including water conservation, storm water retention, the use of alternative energy sources for home use, and the use of alternative transportation methods.
- Support the local provision of services that residents presently travel off-island to access.
- Review LUB to provide for community gardens and community food processing and storage.
- Encourage local food production.

Lasqueti Island Local Trust Area

- Develop criteria for assessing OCP or zoning applications from the perspective of climate change adaptation and mitigation.
- Encourage energy conserving buildings.
- Encourage cycling and walking trails to permit non-automobile based forms of travel.
- Encourage water conservation and rainwater catchment.

Mayne Island Local Trust Area

- Permitting attached dwellings.
- DPA to manage lot layout.
- DPA for energy conservation.
- Amendments to amenity zoning and density transfer policies.

North Pender Island Local Trust Area

North Pender Island

- A review of overall development potential to consider amendments to zoning where changes could limit or reduce emissions.
- Permitting attached dwellings.
- Amending parking requirements.
- DPA to manage subdivision layout (conservation subdivision design project started but later abandoned by LTC).
- Second storey residential over commercial.
- Requiring cisterns or other water conservation measures in new development.
- Permitting community wood chipping or composting.
- Amend existing DPA to include energy conservation provisions.

North Pender Associated Islands

- Specific policies and actions to be included in a future review of the plan.

Salt Spring Island Local Trust Area

Salt Spring Island

- Calculation of carbon budget at time of rezoning or demonstrated conformity with LEED or similar.
- GHG or energy efficiency specific DPA.
- Amend fees bylaw to support energy efficient building design.
- Mapping and analysis to anticipate potential impacts of climate change on land use.
- Height relaxation for solar and wind power generation on residential lots.

Piers Island

- In progress of updating OCP for Climate Change.

Prevost Island

- No policies on climate change – bylaw requires updating

Saturna Island Local Trust Area

- Amending zoning to allow mixed use, including second storey residential in commercial designation.
- Amending parking requirements.
- Include energy conservation measures in DPA.
- Implement DPA for lot layout and tree removal.
- Permitting attached dwellings.
- Limit floor area of dwellings.

South Pender Island Local Trust Area

- Permit community gardens.

Thetis Island Local Trust Area

Thetis Island

- Develop new criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.

- Promote land use that supports local food production to reduce food transportation costs and GHGs.
- Support new forms of housing that include clustering and zero emission housing.
- Encourage local, small-scale generation of alternative non-polluting energy sources.
- Regulate the size, siting and height of wind turbines to minimize environmental impacts and safety risks.

Thetis Associated Islands

- Consider the potential impacts on climate change GHG emissions in bylaw provisions and review of development applications.
- Identify significant un-fragmented forest and wetland ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Through bylaw provisions, support residential renewable energy (e.g. micro hydro, solar, wind, waste heat, etc.) use.
- Promote the conservation of forested lands and wetlands as a cost effective and important climate change mitigation strategy.

Valdes Island

- Establish climate change as a fundamental factor in land use decision-making.
- Policies and actions with respect to climate change mitigation will be considered as part of a future review of the Rural Land Use Bylaw.

To:	Trust Council	For the Meeting of:	September 17, 2019
From:	Executive Committee	Date Prepared:	August 29, 2019
SUBJECT:	Council committee/Conservancy board recommendations for climate actions		

PURPOSE: To provide Trust Council with a summary of climate change discussions held by Trust Programs Committee with Local Planning Committee members, and the Conservancy Board.

BACKGROUND:

In March 2019, the Islands Trust Council declared a climate emergency.

In June 2019, the Islands Trust Council passed the following resolution:

That the reports on the climate emergency received at Trust Council be referred to the Trust Programs Committee, Local Planning Committee, and the Islands Trust Conservancy and that they be requested to make recommendations to Trust Council with regards to developing a climate emergency strategy for inclusion in the Strategic Plan.

On July 17, 2019, Trust Programs Committee held a meeting, that Local Planning Committee members attended ex-officio, to respond to the Trust Council resolution. Trust Programs Committee and ex-officio Local Planning Committee members discussed three questions:

1. What is the nature of the climate change emergency within the Trust Area? What are the key local, regional and global factors that required Trust Council make its climate change emergency declaration?
2. What specific land use planning tools and other organizational climate change tools or actions should be adopted by Islands Trust bodies and incorporated into the Trust Council strategic plan?
3. Which Committee should be responsible for ensuring progress on those climate change options that are recommended for adoption?

The Trust Programs Committee and ex-officio Local Planning Committee members identified concerns and topics of interest (see attached meeting notes) but did not identify any specific recommendations to Trust Council. The group did discuss that next steps could include:

1. Circulating a summary of the ideas discussed,
2. Integrating ideas raised on climate into the strategic plan and/or develop a separate climate crisis plan,
3. work with the budget process to determine actions in the context of the Local Planning Services review,
4. consider climate action within the Policy Statement directives checklist,
5. revise speaking notes and/or as a backgrounder, "Why should I care about climate change" in a way that would support use within Power Point presentations by trustees holding climate change talks,
6. develop a climate emergency communications plan including website presence,

7. consider areas for measurement of emissions to report data on impacts.

On August 7, 2019, the Islands Trust Conservancy Board held a Special Meeting to discuss Trust Council's request. The Board passed the following resolutions and requested that additional information be conveyed to Trust Council (see attached memorandum):

That the Islands Trust Conservancy Board request that Trust Council consider the following as it develops a climate emergency strategy for inclusion in the Strategic Plan:

- ***Increased budget for professional advice and mapping;***
- ***The role of the Islands Trust Conservancy in storage and sequestration of carbon within its Nature Reserves and Covenant Areas and the property management needs associated with this role;***
- ***Education about the benefits of forest cover;***
- ***Increase communications resources to promote voluntary conservation options such as NAPTEP; and,***
- ***Information regarding all current ITC climate change mitigation and adaptation activities.***

That the Islands Trust Conservancy Board ask Trust Council to request that the province amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) tax exemption in order to incentivize the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.

The draft 2018-2022 Islands Trust Council Strategic Plan includes strategies that respond to the ideas raised. At this time, more than half of the strategies in the draft 2018-2022 Strategic Plan are related to climate change. These include:

- Map contiguous tracks of the Coastal Douglas fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems.
- Create of a model development permit for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas fir zones throughout the Trust Area.
- Amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) to act as an incentive for the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.
- Map the extent of eelgrass and kelp beds throughout the Trust Area.
- Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore.
- Develop a regional freshwater management strategy that addresses responsibilities under the Water Sustainability Act, identifies water resources throughout the Trust Area, integrates water resource management into land use decision-making, and accounts for the impacts of climate change on island water resources.
- Map and develop water budgets for groundwater aquifers in the Trust Area.
- Develop Official Community Plan policies and land use regulations using groundwater mapping and water budget data.
- Support and promote water conservation measures such as rainwater catchment and greywater recycling
- Amend the Islands Trust Policy Statement to add climate change mitigation, adaptation and resiliency policies.
- Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater.

- Update and amend the Islands Trust Climate Action Plan to include corporate practises and strategic objectives.
- Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaption efforts.
- Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council.
- Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area.

ATTACHMENT(S):

1. Detailed summary of topics raised at the July 17, 2019 Trust Programs Committee meeting
2. Islands Trust Conservancy memorandum regarding the Trust Council referral for recommendation on responding to climate change emergency declaration.

FOLLOW-UP: Staff will implement climate actions in the adopted 2018-2022 Strategic Plan as well as continuing to undertake routine consideration of climate change in recommendations and decisions.

Prepared By: Clare Frater

Reviewed By/Date: Russ Hotsenpiller/August 30, 2019
Executive Committee/September 4, 2019

Meeting Notes from Trust Programs Committee
Developing a Climate Emergency Strategy for Inclusion in the Strategic Plan
July 17, 2019

Question 1: What is the nature of the climate change emergency within the Trust Area? What are the key local, regional and global factors that required Trust Council make its climate change emergency declaration?

- Saltwater intrusion
- Lower availability of water
- How to develop within water limitations?
- How to function with no/limited water? e.g. public tap/well
- Forest fire risk
 - Concern with Fire Smart practices not being appropriate
- Difficulty of reducing transportation options
- General emergency response issues e.g. one access only to some areas
- Tension re tourism operators using too much water
- Extreme weather
 - wind, heavy rain, drought
- Concern for global impacts
- Dieback of trees – cedar, willow, alder, salal
- Opportunity for sequestration
- Overdevelopment
 - reduction of trees
- Marine environment impacts
 - loss of carbon sinks
- Need to advocate for reduction in slash burning
- Could have a tree planting program
- Species migration corridors
 - Lack of corridors
 - Species at risk
- Private Managed Forest Lands
 - Clearcutting
 - Concerns with replanting
 - Dry conditions
- Food production
 - Lack of water
 - Difficulty for farmers
- Biodiversity
 - Evaluation of human activity on habitat
- Carrying capacity concern
- Natural asset protection
- Loss of BC Hydro power in storms
- Fibre cable
 - Supports work from home which reduces travel emissions
- Governance vacuum on climate issues

- Rainwater catchment
- Sea level rise
 - Salt water intrusion
- Septic systems
- Drying out of land due to lack of vegetation
- Ocean acidification
 - Sea star die our (virus)
- Invasive species increase
- Difficulty of responding to constituent concerns/expectations
- Constituents reluctant to make behaviour changes
- Concern that existing zoning no longer appropriate for resource availability/ecosystem stress
- Control of subdivisions
- Forestry
- Local contractors
 - Education
 - Triggers to control activities is lacking

Question 2: What specific land use planning tools and other organizational climate change tools or actions should be adopted by Islands Trust bodies and incorporated into the Trust Council strategic plan

- How can Islands Trust facilitate quick adoption of bylaws that have been successful in other areas (only 3 top priorities)
- Climate emergency justifies strong policy
 - e.g. request no more commercial forestry in Trust Area
 - Strongly regulate development and development practices
- LTC's could work regionally to expedite projects through efficiencies
- Model bylaws are useful so just local tweaking needed
- Need for data re: ferry ridership
- Need to collate and share best practices
- Use existing toolkits locally by LTC/IM
- Limit development
- Clarity of role of Trustees
- Present progress reports via matrix to promote peer pressure or review top priorities matrix at TC and community education & outreach – dedicated staff person.
- Setback from the sea
 - Trust-wide: vertical and horizontal
- Lack of planner resources/staffing hampers implementation
 - Need for efficiencies/regional approach
- Give Trust Council/EC more power via Policy Statement directive policies
- Limit future fragmentation – subdivision limits (10 acre min)
- Community resiliency (funding available)
- Workshop for Trustees
 - role of public comment in decision making
- Enable non-outraged citizens to have a voice in support of preserve and protect
 - Education kits for proposed bylaws
 - Community consultation

- Use grants to get more resources
- LTCs to consider climate and First Nations implication of applications
 - Implement via standing resolution
- Convene Trustee phone calls re learning on current issues
- Incorporate Traditional Ecological Knowledge
- Communications support for Trustees to host climate change talks (e.g. Power points, speaking notes)
- Information on a variety of engagement methods and stakeholder education (e.g. arborists, realtors, trade schools)
 - Trustee Office Hours
 - Include information on individual actions and reasons for hope
- Cooperate with local conservancies – ITC and other non-profits
- Covenant conversation (secretariat function)
 - Combine education/engagement
 - Help Trustees facilitate meetings
 - Workshops/forums
- Highlight community Innovations
- Green Shores – implement and share education materials

Question 3: Which Committee should be responsible for ensuring progress on those climate change options that are recommended for adoption?

- Trustees share information and experiences re climate actions/education strategies for talking in communities
- Measurement of emissions (e.g. PCIS), impacts
 - Water consumption
 - Waste production and type
 - Visitors and population
 - Ferries, float plane, pleasure boats
 - Water budgets
 - Sequestration
 - Transportation emissions
 - Building emissions
 - Fragmentation
 - Species at risk
 - Forestry
 - Agriculture
 - Aquaculture
 - Transitional ecological knowledge indicators
 - Local people's sense of indicators
 - Use of solar energy and heat pumps (money saved)
- Implement CDF toolkit
- Implement RCP
- Work with regional districts for incentives e.g. wood stove
- Educate re building efficiency

Speaking Notes for Trustees

- Plain language
- Action oriented
- Include negative and positive
- Explain jurisdictions (concept map)
- Climate change will hit islands first
- We need to act first
- We don't have all the information – be humble
- Forest cover, CPF and RCP, conservancy lands
- Mapping eelgrass
 - Minimize footprint
 - Lot coverage

Frequently Asked Questions

- What does climate change emergency mean?
- How do we know the climate is changing?
- What can we do as
 - Individuals
 - Organization
 - Governmental
- What is Islands Trust changing in response to the climate emergency?
- Questions for trustees to ask?

Data

- Modelling from PCIS
 - What data do they have?
- Advocate to the Province
- Local indicators

Learning from others

- What initiatives should we join?
- If we don't join, who speaks for the islands?
- Net-zero zoning
 - Highlands
- First Nations
- Operational emissions
- Why declare an emergency?
 - Political statement on climate crisis
 - Draw attention to the seriousness and urgency of situation
 - Moral duty to act
 - Canada's contribution
 - Per capita and percentage of species
 - Local changes
 - Fire risk, sea level rise
 - Loss of shoreline and low lying aquifers

- We don't control global emissions but feel the impacts locally
- Call to action
- Local planning vs land use planning
- nature/place protection planning

Resources

- TC policies on resource allocation
- TPC or EC to review

Measuring Progress

- Next Steps
- Summary – circulate
- Strategic Plan and/or Climate Crisis Action Plan
 - CDF and RCP
 - Compile all reports
 - Costs
 - Resources
 - Measurement
 - What will the Trust do less of?
- Budget process
 - LPS review
- Policy statement – directives
- Speaking notes
 - Q&A
- Communications plan – webpage
- measurement



MEMORANDUM

File No.: 6000-20
Climate Change Emergency

DATE OF MEETING: September 17, 2019
TO: Trust Council
FROM: Islands Trust Conservancy Board
COPY: Islands Trust Executive Committee
Trust Programs Committee
SUBJECT: Climate Change Emergency, Trust Council referral to Islands Trust Conservancy

PURPOSE

To make recommendations to Trust Council regarding developing a climate emergency strategy for inclusion in the Strategic Plan.

BACKGROUND

At its June 2019 meeting, Trust Council passed the following resolution:

That the reports on the climate emergency received at Trust Council be referred to the Trust Programs Committee, Local Planning Committee, and the Islands Trust Conservancy and that they be requested to make recommendations to Trust Council with regards to developing a climate emergency strategy for inclusion in the Strategic Plan.

On August 7, 2019, the Islands Trust Conservancy Board held a Special Meeting to discuss Trust Council's request.

REFERRAL RESPONSE FOR TRUST COUNCIL

At its August 7, 2019 Special Meeting, the Islands Trust Conservancy passed the following resolutions:

ITC-2019-027

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board request that Trust Council consider the following as it develops a climate emergency strategy for inclusion in the Strategic Plan:

- Increased budget for professional advice and mapping;
- The role of the Islands Trust Conservancy in storage and sequestration of carbon within its Nature Reserves and Covenant Areas and the property management needs associated with this role;
- Education about the benefits of forest cover;
- Increase communications resources to promote voluntary conservation options such as NAPTEP; and,
- Information regarding all current ITC climate change mitigation and adaptation activities.

ITC-2019-028

It was **MOVED** and **SECONDED**,

that the Islands Trust Conservancy Board ask Trust Council to request that the province amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) tax exemption in order to incentivize the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.

CURRENT ITC CLIMATE CHANGE ACTIVITIES

The ITC Board requested that staff outline the current activities that the ITC undertakes to address climate change adaptation and mitigation.

Regional Conservation Plan

The [Regional Conservation Plan](#) guides most of the work of the ITC Board. The Regional Conservation Plan includes goals that address the climate change emergency as follows:

Goal 1: Identify, investigate and communicate about important natural areas to generate action on conservation projects.

The ITC undertakes and shares mapping to identify areas of high biodiversity priority including:

- Terrestrial Ecosystem Mapping, including identification of forest type and age and sensitive ecosystems
- Shoreline mapping, including eelgrass mapping
- Carbon sequestration and storage mapping of forests
- Modelling of high biodiversity areas including factors of forest age, connectivity, ecosystem representation, rare and sensitive ecosystems and development risk factors

Goal 2: Strengthen relationships with First Nations to identify and collaborate on shared conservation goals.

The International Union for the Conservation of Nature (IUCN) recognizes that Indigenous Peoples are often the first to feel the effects of climate change. It also recognizes that Indigenous Peoples have evolved with a changing climate over millennia and possess Traditional Ecological Knowledge (TEK) that will be locally and globally valuable. The ITC has recognized a need to strengthen its relationships with First Nations to identify and collaborate on shared conservation goals and has begun to more fully reach out to First Nations in its mapping and research work as well as through its land management program.

Goal 3: Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity.

- The ITC uses its high biodiversity mapping to prioritize conservation projects and has introduced information into its requests for decision to identify benefits and risks associated with climate change.
- The ITC manages its lands to maintain biodiversity, including restoring degraded areas through re-establishment of vegetation and management of invasive species.

Goal 4: Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area.

- The ITC is building its capacity to engage in land conservation through establishment of various funds for land acquisition, management and defense.

- The ITC is beginning to incorporate climate change into communications messaging in news releases, communications materials and signage.

NEXT STEPS

The ITC Board, in addition to providing the recommendations to Trust Council noted above, has also passed the following resolution:

ITC-2019-026

It was MOVED and SECONDED,

That the Islands Trust Conservancy Board direct staff to incorporate the climate change actions as discussed at the meeting of August 7, 2019 into staff work programs and develop budgets as required.

ITC staff will work to meet this resolution for the October 1, 2019 ITC Board meeting.

Submitted By:	Kate Emmings, A/Manager, Islands Trust Conservancy	August 8, 2019
Concurrence:	Clare Frater, Director, Trust Area Services	August 16, 2019

ATTACHMENTS

None.

Climate Change and the Islands Trust

Key Messages

- Islands Trust Council joined governments around the world in declaring a Climate Emergency in March 2019, calling for an urgent response to the threats and costs posed by climate change.
- We believe that our response should prioritize those who are most vulnerable to climate impacts and those most in need of support in transitioning to renewable energy systems.
- The island ecosystems and communities of the Trust Area are particularly vulnerable to the cumulative impacts of climate change, including:
 - **Rising sea levels:** flooding of coastal homes, infrastructure and archeological sites;
 - **Warmer oceans:** disruptions to the marine food web, diseases such as sea star die-off;
 - **More acidic Salish Sea:** weakened shells of oysters, scallops and crabs;
 - **Intense rain:** flooding, loss of food crops, and damaged infrastructure;
 - **Strong windstorms:** damaged trees, increased coastal erosion and power outages;
 - **Droughts:** lower groundwater levels, increased risk of saltwater intrusion to groundwater, greater risk of forest fires; and
 - **Temperature changes:** disruptions to the seasonal timing of plant and animal life cycle events, reduced biodiversity and new invasive species.
- The protection of forests in the Trust Area also has the potential to help mitigate climate change through carbon sequestration. Islands Trust Area forests sequester more than 190,000 tonnes of carbon per year. This equates to emissions from more than 40,000 passenger vehicles per year.
- Our 2018-2022 Strategic Plan and proposed 2020/21 Budget both include a strong commitment to action in the areas of climate change mitigation, adaptation and resilience, including initiatives such as:
 - Developing climate change and environmental indicator data for islands in the Trust Area
 - Amending our Policy Statement, Official Community Plans, Land Use Bylaws to include consideration of climate change
 - Developing a regional freshwater strategy
 - Reviewing foreshore policies and bylaws
 - Mapping eelgrass throughout the Trust Area
 - Developing a climate change focused stewardship education program
 - Striving for carbon neutral operations and virtual meetings
- We know we can't do it alone. The Islands Trust is committed to working together with First Nations, local communities, partner agencies, and other levels of government, to pursue an absolute reduction in greenhouse gas emissions in the Trust Area and to ensure that those most vulnerable to the impacts of climate change have the tools and support to adapt and grow resilient.

Backgrounder

Climate Change is Happening

NASA scientists report that the Earth's average surface temperature in 2018 was the fourth highest in nearly 140 years of record-keeping. The United Nations' Intergovernmental Panel on Climate Change (IPCC - <https://www.ipcc.ch/>) has determined that prior projections on climate change were conservative and that the Earth is continuing to heat beyond known levels as a result of human caused (also known as anthropogenic) carbon dioxide emissions and the resulting biological feedbacks that increase other greenhouse gasses such as methane and water vapour.

Become more familiar with anthropogenic climate change by exploring scientifically vetted resource such as:

- Canadian Climate Atlas - <https://climateatlas.ca/climate-change-basics>.
- Callison, C. (2014). *How climate change comes to matter: The communal life of facts*. Duke University Press.
- Climate Communication - <https://www.climatecommunication.org/>

Government Action on Climate Change

The House of Commons of Canada and the Legislature of British Columbia acknowledged the growing crisis of climate breakdown by holding emergency debates following the release of the October 2018 IPCC report. Regional Districts, and the Cities of Vancouver and Victoria have engaged in climate change mitigation and adaptation efforts (See Appendix 1).

Climate Change in the Islands Trust

The Islands Trust is already a signatory to the [BC Climate Action Charter](#), committing itself to:

- Being carbon neutral in its corporate operations;
- Measuring and reporting the Trust Area's greenhouse gas emissions;
- Creating complete, compact, more energy efficient communities.

One of the biggest challenges we have around meeting our commitments to this charter is the measuring of carbon dioxide emissions within the trust (See Appendix 2).

Climate change is already visible within the Trust Area in a number of ways including:

- more extreme winter and summer temperatures;
- more extreme dry spells that increase droughts, wildfire, and water sustainability concerns;
- warmer ocean temperatures resulting in species migration changes and shellfish safety warnings;
- more extreme weather events leading to flooding, wind damage, and erosion; and
- sea level rise causing erosion and damage to archaeological sites, structures, and groundwater aquifers.

In the Islands Trust area we need to consider both how we might mitigate and adapt to the changing climate.

- **Mitigations** deal with how we can *reduce the greenhouse gases that are the root cause* of human caused climate changes
- **Adaptations** are behavioral and physical changes we can make in our use of natural resources to *deal with the results* of changing climate.

Mitigations

Mitigations in climate change can be undertaken by the Islands Trust by either reducing carbon dioxide emissions or increasing carbon sequestration (the amount of atmospheric carbon fixed into plants or other solid materials). Energy use is a key issue around reducing emissions while maintaining forest cover is important for carbon sequestration. Several resources are available to help us with mitigation efforts such as:

- Plug in BC - <https://pluginbc.ca/>

- Climate Action to Go Kits - <https://www.crd.bc.ca/education/climate-action/at-home/climate-action-to-go-kits>
- Efficiency BC - <https://betterhomesbc.ca/>
- Coastal Douglas Fir Protection Toolkit, another key report from last term. Page 11 has a chart showing the levels of carbon sequestration by island, and pages 20 and 21 make recommendations. Here's a link <http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

By becoming a carbon neutral organization, the Islands Trust committed to no net increase in greenhouse gas emissions from its *operations*. Carbon neutrality has been achieved since 2012 through three steps:

- Performing an emissions inventory of our operations;
- Implementing an action plan to reduce emissions; and
- Purchasing carbon offsets to counteract emissions that cannot be readily reduced.

Further work is being done in our operations to reduce carbon dioxide emissions by seeking low carbon catering for events and increasing virtual meetings.

Some Islands within the Trust Area have taken various mitigation efforts to date including:

- Improving transportation networks that are low carbon such as bike paths or other trail networks or installing EV stations.
- All local trust committee official community plans contain targets and policies related to GHG emission reduction (Appendix 1 contains actual targets by local trust committees and includes Bowen Island Municipality).
- All staff reports to the local trust committees address GHG emission reduction and climate impacts of new development.

Local Trust Committees have the following tools available for addressing climate change mitigation efforts:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*. Could cluster development, protect areas for conservation, limit extent of development, establish building size limits, and prohibit uses that contribute the most to GHG production.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*. Can be used to reduce heating and cooling requirements through building siting, systems and landscaping.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.
- **Off-street Parking and Loading Regulations** - Section 525 of the *Local Government Act* – establish parking requirements, electric vehicle and active transportation parking, surfacing and landscaping of parking areas.
- Detailed information on these tools is contained in Appendix 3

Adaptations

In the Islands Trust Area, these impacts of climate change include sea level rise, possible salt water intrusion into groundwater aquifer, warmer winters and summers, dryer summers, more intense storm events, and wildfire potential. Adaptations to changes resulting from climate warming include a wide variety of options. Such adaptations could be behavioural (eg. Educating people to reduce food waste and drive less) or structural (eg. Requiring water storage for household and fire suppression use). The Province of B.C. has developed a Climate Change Secretariat to address climate change adaptations and has begun to produce numerous resources for communities to deal with climate change adaptations. These include:

- The overall site of climate change resources - <https://www2.gov.bc.ca/gov/content/environment/climate-change>
- The climate action toolkit - <https://www.toolkit.bc.ca/taking-action/community-wide>

Local Trust Committees are being supported in understanding potential adaptations through staff reports. In addition,

the islands of North Pender, South Pender, Galiano, Mayne and Saturna are collaboratively working on a project to assess groundwater and establish water budgets. Tools to support Local Trust Committees in understanding possible adaptations include:

- **Zoning Authority** - Section 479 of the *Local Government Act*. Require setback from the sea and water bodies, building location and size, appropriate uses and density.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*. Regulations to address increased rain events.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*. Flood plain regulations along foreshore, rivers and lakes. Tree and vegetation retention in areas prone to land slip.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*. Siting, landscaping and features for new development.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*. Water collection and storage, landscaping.
- **Flood Plain Regulations** – Section 425 of the *Local Government Act* – protect development in areas subject to flooding.
- Detailed information on these tools is contained in Attachment 4.

Issues and Opportunities

- **Limited data on changes in island-based carbon contributions.** Generally, the Islands of the Trust Area lack accurate community energy and emissions Inventory information which limits our ability to accurately measure how emissions programming is reducing carbon levels. However, in the absence of accurate data to measure change we can use logic to make decisions. The field of research has provided enough data now on effective solutions that we can feel confident that adopting some of these options leads to solid change.
- **Trust Policy versus Local Trust Committee activity.** There are discrepancies between what the whole Trust Council agrees to within the Policy Statement, what individual LTCs have said in their Official Community Plans, what is actually seen in the current Land Use Bylaws around issues of climate change, and what variances are being allowed from the OCPs. As leaders in our communities we need to understand the issues deeply so that we make consistent decisions across these scales of work. We should consider what model bylaws might be beneficial for *all* LTCs to adopt and work to do so in a timely fashion.
- **Climate action engagement strategy.** In our own communities, how might we work with organizations to enact changes and foster new ideas. Education around key aspects within the Trust's mandate are critical to ensuring climate action is undertaken in the Trust Area. This could be guided with short briefs that could be collaboratively drafted by Trustees and staff to inform the Trustees and be passed on to community members in appropriate venues. For example, it would be good to have a brief on why not to cut mature trees or why protection of eel grass is critical. This could be work that the climate action working group could engage in.

Appendix 1: Lessons from Others in our Region

Vancouver

The city of Vancouver has done a number of things around climate change which are detailed in their report:

- Summary (<https://vancouver.ca/green-vancouver/climate-emergency-response.aspx>)
- Full report (<https://council.vancouver.ca/20190424/documents/cfsc1.pdf>)

Their 6 big moves are:

1. Walkable complete communities - By 2030, 90% of people live within an easy walk and roll of their daily needs.
2. Safe and convenient active transportation and transit - By 2030, two thirds of trips in Vancouver will be by active transportation and transit.
3. Pollution free cars, trucks and buses - By 2030, 50% of the kilometres driven on Vancouver's roads will be by zero emissions vehicles.
4. Zero emission space and water heating - By 2025, all new and replacement heating and hot water systems will be zero emissions.
5. Lower carbon construction - By 2030, the embodied emissions from new buildings and construction projects will be reduced by 40% compared to a 2018 baseline.
6. Restored forests and coast - By fall 2020, to develop "negative emission" targets that can be achieved by restoring forest and coastal ecosystems.

Examples from the 53 accelerated actions listed in the full report

(<https://council.vancouver.ca/20190424/documents/cfsc1.pdf>) which might be helpful examples for the Islands Trust context include:

- Item 5: Zero Emissions Building Standards Accelerate the implementation of the Zero Emissions Building Plan.
 - Reducing concrete in buildings and shifting to low carbon concrete
- Item 7: Active Transportation and Transit Infrastructure Accelerate the development of infrastructure to make it easier to choose walking, cycling and transit.
 - Trail networks for alternative transportation
- Item 8: Transportation Demand Management Enhanced transportation demand management to support walking, cycling and transit.
 - EV parking requirements, charging stations as part of new development
- Item 12: Solid Waste Reduce solid waste and use it to reduce fossil fuel use.
 - Composting to reduce food waste in local areas
- Item 14: City Leadership Updating the City's Green Operations Plan to reflect the urgency of the climate emergency.
 - Virtual meetings
 - Providing digital ways for public to "visit" with staff
- Item 15: Intergovernmental Relations and Community Engagement
 - Community and partner engagement

Other **key structural changes** suggested in Vancouver that might be helpful in the Islands Trust context are:

- Climate action engagement strategy – work with organizations in community to enact changes and foster new ideas, also allows for community education work
- Climate action working group – to be more flexible, and nimble with this work

Victoria

<https://www.victoria.ca/EN/main/residents/climate-change/climate-action.html>

Capital Regional District

<https://www.crd.bc.ca/project/climate-action>

Regional District of Nanaimo

<https://www.rdn.bc.ca/action-on-climate-change>

Sunshine Coast Regional District

<https://www.scrd.ca/Climate--Energy>

Cowichan Valley Regional District

<https://www.cvrld.bc.ca/2101/Climate-Change>

Appendix 2: Greenhouse Gas Emission targets for Local Trust Committee and Bowen Island Municipality - from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.

For its 2008-2011 term, Council adopted a Strategic Plan that includes Green House Gas reduction as a major objective. Through 2009 local trust committees and Bowen Island Municipality received advice on policy options from planners, undertook community and stakeholder consultation and engagement, and undertook formal bylaw process, including information meetings, referrals, readings, and public hearings.

Every Official Community Plan in the Islands Trust Area (except Piers Island) includes targets to reduce greenhouse gas emissions and policies and actions to achieve these targets. The targets and objectives are generally to be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.

- Additional background information is available on the Islands Trust climate change page: <http://www.islandstrust.bc.ca/trust-council/projects/climate-change/>
- The Trust's carbon neutral reports are posted to: <http://www.islandstrust.bc.ca/trust-council/projects/climate-change/carbon-neutral-operations/>

Local Trust Committee/ Island Municipality	Reduction By 2015	Reduction By 2020	Reduction By 2050	Notes
Bowen Island Municipality	-	33%	80%	Reduction over 2007 emissions
Ballenas-Winchelsea	-	50%	50%	Below per Canadian per capita for 2020/2050
Gabriola	-	33%	85%	Reduction over 2007 emissions
Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
Associated	-	20%	85%	Reduction over 2007 emissions
Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

Appendix 3: Mitigation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.

Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to

require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

4. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

Appendix 4: Adaptation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.

A. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. Sea Level Rise Adaptation Tools

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. Longer Periods of Drought Adaptation Tools

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of

aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting,

form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** September 13, 2023

From: Kim Stockdill, Island Planner **Date Prepared:** August 24, 2023

SUBJECT: Request for Executive Committee Sponsorship of Development Application Fee for GL-DP-2023.2.

RECOMMENDATION: THAT the Executive Committee approve financial sponsorship of \$1000.00 for Development Permit application GL-DP-2023.2.

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

1 PURPOSE:

The purpose of the Request for Decision (RFD) is to request the Executive Committee to consider the Development Permit application fee sponsorship application from the Gulf Islands Galisle Affordable Rental Housing Society

2 BACKGROUND:

The Gulf Islands Galisle Affordable Rental Housing Society is a registered non-profit society, with a purpose to relieve poverty by building and managing affordable rental housing for low and moderate income residents of Galiano Island. The Galiano Island Local Trust Committee (LTC) approved a rezoning on December 15, 2022 for a portion of the subject property to permit up to 12 dwelling units for affordable housing and related infrastructure. A Development Permit is now required for the subdivision as the subject property is located within four different Development Permit Areas (DPA): DPA 1 – Riparian Areas, DPA 2 – Shoreline and Marine, DPA 5 – Sensitive Ecosystems, and DPA 7 – Moderate Hazard Slope.

The applicant paid a fee of \$1000.00 on March 14, 2023 and the Development Permit was issued on May 3, 2023. Please see the attached permit and receipt for the application fee.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

None.

FINANCIAL:

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

POLICY:

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

IMPLEMENTATION/COMMUNICATIONS:

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

FIRST NATIONS:

None.

OTHER:

None.

4 RELEVANT POLICY(S):

Islands Trust Policy 4.1.xiii

5 ATTACHMENT(S):

1. Development Application Fee Sponsorship Application Form
2. Receipt for payment of the Development Permit fee
3. Galiano Island Local Trust Committee Development Permit GL-DP-2023.2

RESPONSE OPTIONS**Recommendation:**

THAT the Executive Committee approve financial sponsorship of \$1000.00 for Development Permit application GL-DP-2023.2

Alternative:

THAT the Executive Committee not approve financial sponsorship of \$1000.00 for Development Permit application GL-DP-2023.2

Prepared By: Emily Bryant, Planning Team Assistant

Reviewed By/Date: Kim Stockdill, Island Planner, September 5, 2023

Development Application Fee Sponsorship Application Form

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

To be eligible for Executive Committee Sponsorship:

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

The following are NOT eligible for Executive Committee Sponsorship:

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

SECTION 1: APPLICANT INFORMATION

(Please print or type all sections)

Organization Name: Gulf Islands Galisle Affordable Rental Housing Society

Primary Contact: Colleen Doty

Address: [REDACTED]

Telephone: [REDACTED]

E-mail: gigarhs@gmail.com

Charitable Status Number (If applicable): n/a

Organization Mandate (Attach bylaws, constitution or cite organization website): GIGARHS is a registered non-profit, society, (No. S006997), with a purpose/constitution to relieve poverty by building and managing affordable rental housing for low and moderate income residents of Galiano Island. Our website may be accessed at www.gigarhs.org.

Board Members (Name, Position): Christian Adler (President), George Harris (Vice President), Joanne Randle (Secretary)
Aslan Mackay (Treasurer), Lauren Magner (Director at large), Elizabeth May (Director at large)
Gale Stewart (Director at large), Colleen Doty (Executive Director)

SECTION 2: DEVELOPMENT APPLICATION INFORMATION

Check development application where fee refund is requested:

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

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

Development Application Submitted? ☒ Yes ☐ No

Application #: GL-DP.2023.2

Development Application Fees Paid (Amount): \$1000.00

Receipt #: (e-transferred Mar. 14, 2023)

SECTION 3

Objective of Development Application: Development permit for DPAs 1, 2, 5, and 7 for the development of 12 units of affordable rental housing on Proposed Lot B which will be subdivided from the larger lot.

Describe how the Development Application furthers official community plan goals: Galiano Island OCP Bylaw 276 designates Proposed Lot B as CH2 for 12 units of affordable rental housing.
designates Proposed Lot B as CH2 for 12 units of affordable rental housing.

SECTION 4

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

Printed Name: Colleen Doty

Signature: _____

Date: August 21, 2023

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

INFORMATION TO BE COMPLETED BY ISLANDS TRUST

Date of Executive Committee Consideration: _____ Decision: _____

Financial Details: _____

Fee Refunded: _____

Organization Charitable Status Number: _____

LTC Notified (Date): _____

Applicant Notified (Date): _____



Incoming Payments

Generated on: Tue Mar 14 13:53:02 EDT 2023

Reference Number: [REDACTED]		Customer ID:	
Sender	Email	Amount	Deposit Account
GULF ISLANDS GALISLE AFFORDABLE RENTAL HOUSING SOCIETY		\$1000.00	
Deposit Date		Status	
2023-03-14 13:52:59.0		CONFIRMED	
Message From Sender			



Islands Trust

**GALIANO ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT
GL-DP-2023.2**

To: The Galiano Club Inc. No. S-0001400
c/o Eleni Gibson

1. This Development Permit (the “Permit”) applies to the land described below:

Lot 1 District Lots 30 And 31 Galiano Island Cowichan District Plan VIP76996
Except That Part In Plan VIP76997
(PID: 025-936-107)

2. This Development Permit GL-DP-2023.2 authorizes the layout of a two lot conventional subdivision within Development Permit Area 1 (DPA 1) – Riparian Areas, Development Permit Area 2 (DPA 2) – Shoreline and Marine, and Development Permit Area 5 (DPA 5) – Sensitive Ecosystems subject to the following requirements and conditions:
- a) The layout of the two lot conventional subdivision shall be substantially consistent with Schedule ‘A’ attached to and forming part of this permit.
3. Any further development within designated Development Permit Areas will require a new Development Permit, or a Development Permit Amendment.
4. The area described herein shall be developed in accordance with the terms, conditions and provisions of this Permit, and any plans and specifications attached to this Permit, which shall form a part thereof.
5. This permit does not relieve the applicant from complying with the provisions of the Galiano Island Land Use Bylaw unless varied by this Permit.

This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Galiano Island Land Use Bylaw No. 127, 1999 and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZED FOR ISSUANCE BY THE DIRECTOR OF PLANNING SERVICES, THIS 26TH DAY OF APRIL 2023.

Deputy Secretary, Islands Trust

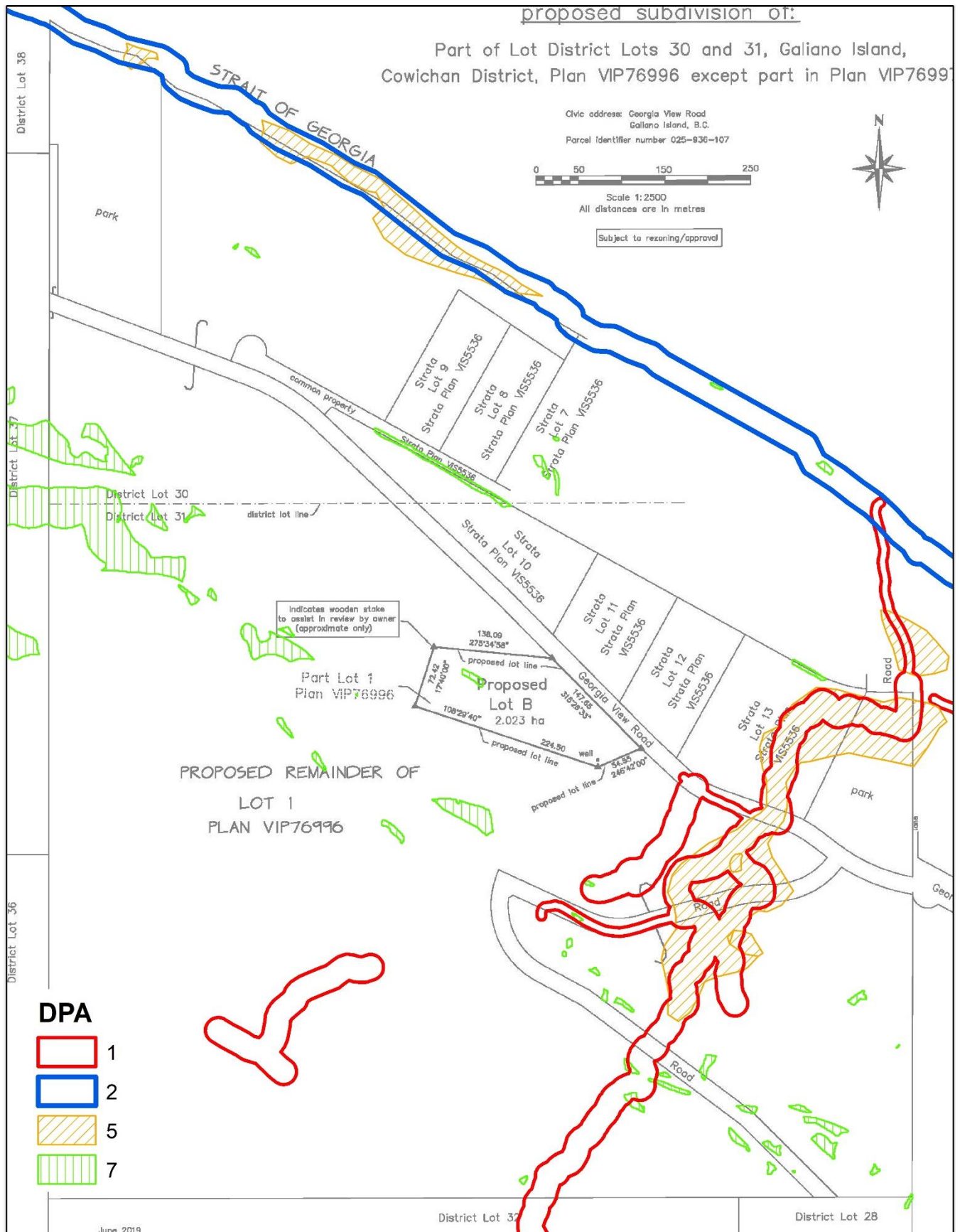
May 3, 2023
Date of Issuance

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE 3RD DAY OF MAY, 2025 THIS PERMIT AUTOMATICALLY LAPSES.

GALIANO ISLAND LOCAL TRUST COMMITTEE

GL-DP-2023.2

SCHEDULE 'A'



BRIEFING

To: Executive Committee **For the Meeting of:** September 13, 2023
From: CAO **Date Prepared:** September 8, 2023
SUBJECT: Executive Committee FY 2024/25 Budget Overview

PURPOSE: To provide Executive Committee with a general summary of initial budget and operational costs for the 2025 budget process.

BACKGROUND: Trust Council Committee are in the process of developing funding requests and business cases for the October 18 FPC meeting which will substantially inform the December first draft of the 2025 budget. The budget cases for these items will be presented to EC at a special meeting on October 4, focused solely upon budget submissions.

In the meantime the following items are for early consideration of Executive Committee:

1. \$10,000 for History and Heritage Grants in Aid
2. \$15,000 for Application Sponsorship
3. \$30,000 for Reconciliation Action Plan
4. \$50,000 for Communications
5. \$1,000 for NAPTEP application sponsorship
6. \$10,000 Building footprint GIS data layer
7. \$35,000 for Policy Statement Amendment Project
8. \$90,000 for Bylaw Portal Licensing and Implementation Project
9. \$3,000 for File Transfer Service Subscription
10. \$108,000 GIS Coordinator
11. \$210,000 Salt Spring Island Office relocation

In order to support the work anticipated in the next fiscal year, the following items are recommended for consideration in the upcoming budget cycle.

Potential funding request	2024/25 Amount proposed	2023/24 funding	Notes
History and Heritage Grants in Aid	\$10,000	\$4,000	Trust Council put this program on hold for 2023/24. In 2022/23 Executive Committee overspent the \$4,000 budget by \$2,000.
Application Sponsorship	\$15,000	\$5,000	In 2022/23 EC spent \$7,150. In 2021/22 EC spent \$13,485. The recently increased LTC fees bylaw have resulted in increased application fees.

Reconciliation	\$30,000	\$30,000	Staff recommend sustaining the reconciliation budget to respond to an anticipated increase in program activities and continued implementation of the Reconciliation Action Plan , and to support improvement of associated administrative practices. The budgeted funds will be used towards contract advisors; trustee and staff travel, food, venues and speaker honoraria/contract trainers for the Reconciliation Learning Group; and costs associated with the Snaw-naw-as/Islands Trust working group and any other working groups initiated under protocol agreements. The budget will also support travel costs for leadership to leadership meetings with First Nations. There is also a need to have contingency reconciliation program funds available to be responsive to emerging issues.
Communications	\$50,000	\$50,000	Staff recommend sustaining the communications budget to respond to an increasing demand for communications about Islands Trust and its projects. This budget supports use of contract communications/engagement support as needed as issues arise. Staff are preparing a detailed communications strategy that will underpin this request. Staff anticipate that communications initiatives driven by policy (e.g. annual report, consultation on budget) will proceed) and that routine support for LTC and Strategic Plan projects and initiatives will proceed, which at times require contracted graphic design (~\$8,000 in 2022/23). Staff also anticipate that a suite of new initiatives will be approved (e.g. website improvements, boosting of social media posts, island profile updates/redesign). There is also a need to have contingency communication funds available to be responsive to emerging issues. Historical spending is not a helpful guide for budgeting as the Communications Specialist role has not had a permanent employee in recent years until this year.
NAPTEP application sponsorship	\$1,000	N/A	In 2022 Trust Council approved a policy regarding sponsorship of NAPTEP

			applications. This budget supports implementation of that policy.
Building Footprint GIS Data Layer Update	\$10,000	N/A	Business Case pending Would update this level. The acquisition involve photo interpretation of 2016 orthophotos, meaning our current reference dataset is now over six years out of date.
Policy Statement Amendment Project	\$35,000	\$30,000	Business Case pending The budget for FY 2021/22 was \$130,000 (*Delivery of the Policy Statement Amendment Project in 2021/22 and early 2022/23 depended on a significant amount of overtime from Trust Area Services team resulting in a significant impact on staff.)
Bylaw Portal Licensing and Implementation Project	\$96,595		Business Case pending This proposal would fund the transition of Bylaw enforcement information over to CityView which will increase public transparency by offering the public new features such as the ability to track a bylaw compliance and enforcement file from submission to resolution. It will also offer staff improved software features and information tracking which will lead to better reporting.
File Transfer Service Subscription	\$3,000 (and then same amount annually)	N/A	A new file transfer service subscription will enhance data security, streamline collaboration, and reduce risk of data breaches.
Salt Spring office relocation	\$210,000	N/A	Only 1 quote received at this time, this is an approximation. Business case pending.
Microsoft 360	\$34,000	N/A	Spending report complete, will be provided for Oct 4.
Staffing Requests	\$103,000		Business Case pending 1. GIS Coordinator
TOTAL	\$XXX.000	\$XXX.000	\$XXX.000 of new funding

ATTACHMENT(S): N/A

FOLLOW-UP:

1. A special meeting of Executive Committee will be scheduled for October 4 focused upon the 2025 budget review.
 2. Related business cases will be developed for the meeting and attached to the agenda.
-

Prepared By: R Hotsenpiller/C Frater

Reviewed By/Date: September 7, 2023

From: Timothy Peterson
Sent: August 30, 2023 2:20:11 PM
To: EC
Subject: Agenda Item request – Advocacy for the Growing Communities Fund Allocation

Hi everyone,

I would like to add an agenda item for EC's consideration.

A topic of discussion at the Southern Gulf Islands Forum this summer was the following:

"The Growing Communities Fund is a welcome Provincial program for local governments intended to accelerate the development of housing options in BC. However, its application in rural communities severely undermines the intent of the program due to its unfair apportionment and rules regarding use, where it is possible that the rural electoral areas will see no benefit."

I would like for Executive Committee to consider advocacy about the Growing Community Fund's allocation to rural communities. EC may want Trust Council to direct the advocacy as there isn't precedent in place.

CRD Director Brent has produced a short document on this subject, and I have asked his permission to include it in our agenda. I will forward it to you all when I have heard back from him, if he agrees.

Regards,

Tim

From: Timothy Peterson <tpeterson@islandstrust.bc.ca>
Sent: Thursday, August 31, 2023 12:17 PM
To: EC <ec@islandstrust.bc.ca>
Subject: Re: Agenda Item request

Hi all,

I have received permission from Director Brent to share the attached document with you. In addition, he has no problems with the document appearing on a public agenda.

Growing Community Fund Allocation to Rural Communities. A CRD Electoral Area Perspective

The Growing Communities Fund is a welcome Provincial program for local governments intended to accelerate the development of housing options in BC. However, its application in rural communities severely undermines the intent of the program due to its unfair apportionment and rules regarding use, where it is possible that the rural electoral areas will see no benefit.

On apportionment the GCF detailed calculations website states:

“For the Growing Communities Fund, 85% of the total funds are allocated to municipalities and 15% go to regional districts. The allocation generally follows the population split between incorporated (urban/suburban) and unincorporated (rural) areas of the province and provides a slight **boost** to address the increased costs of servicing rural growth areas as they are constrained in their population base to raise servicing costs.”

Provincial guidance states “The GCF was intended to assist the board in addressing **regional priorities** for actual infrastructure and other eligible costs. It is not meant to be reallocated back to electoral areas based on the Ministry allocation formula.”

It does not say outright that the funding should not be directed to electoral areas, but this has been the interpretation and there is no guidance on what formula could be used for electoral area allocation, if any. Regional priorities and regional infrastructure serve the more densely populated urban regions. This approach within the GCF further disadvantages rural areas not served by regional infrastructure.

The CRD received \$100 million in Growing Communities funding, \$88.5 million directly to the municipalities and \$11.5 million to the Regional District. About 7% of the CRD’s population is classified as rural, the majority of which is in three Electoral Areas, and is growing at double the rate over the 2016-21 period (16.7%) than for the CRD regional district (8.4%). The affordable housing crisis and related infrastructure gaps in rural areas are just as acute as in municipalities, and as acknowledged by the Province, are exacerbated by higher transportation and other costs. **Therefore, we urge the Minister to clarify that regional district Boards should allocate GCF funding in a way that address the affordable housing and infrastructure needs of electoral areas.**

The GCF guidelines also have restrictions on funding use that significantly impede the creation of new housing in rural areas. Most affordable housing developments in rural areas don’t attract Regional District ownership due to their nature – low density projects, without the economies of scale associated with urban environments, and where the servicing is often on-site (wells and septic), or run by an improvement district, and not owned by the regional district. These projects are almost exclusively community driven, and so don’t qualify for GCF funds as they are not Regional District owned assets.

As stated in the Regional District GCF guidelines: “Can local governments provide contributions to third parties from GCF? **No**, with the exceptions of *municipal* contributions to housing projects and infrastructure owned by a regional district when the *municipality* is a participant in that service.” Within electoral areas, the non-profit sector is an essential partner for regional district success. **We urge the Province to adjust the GCF guidelines to better reflect the key role of non-profits in delivering more affordable and accessible housing in EAs**

The CRD Electoral Areas have multiple shovel-ready housing and supportive projects that would benefit from the GCF which would attract funds for completion. These projects fail in the traditional Provincial and Federal ranking for grant funding due to the economics of low density, rural infrastructure and non-existent or limited transit. The GCF could be the kick starter to get rural housing adequately funded and built. Without these changes, our rural populations will continue to endure the housing crisis the GCF was meant to help solve.

Appendix 1: Detailed Comparisons

The CRD Electoral Areas, in particular the Southern Gulf Islands experienced very high growth according to Statistics Canada Data as per the table below while the entire CRD population grew at just over 8%

Table 1 CRD Electoral Area Population Growth 2016 to 2021.

Electoral Area Growth Data Statistics Canada Census				
Year	SGL's	Juan de Fuca	Salt Spring	CRD Electoral
2021	6101	5,531	11,635	23,267
2016	4732	4,860	10,557	19,938
change	1369	671	1078	3329
% change	27.7%	19.0%	10.2%	16.7%

Were the Electoral Areas viewed as municipalities, their GCF apportionment would equal almost the entire \$11.5 million amount allocated to the Regional District as demonstrated in Table 2 below.

Table 2 CRD Electoral Area GCF Amount based on Application of the GCF Municipal Formula

Growing Communities Fund MUNICIPAL Provincial Adjusted Population Formula (Stats Can Data)					
	Ratio	SGL's	Juan de Fuca	Salt Spring	
1st 2000	100%	2,000	2,000	2,000	
Next 3000	80%	2,400	2,400	2,400	
Next 5000 or portion	60%	661	319	3,981	
Next 5000 or portion	40%	-	-	654	
		SGL's	Juan de Fuca	Salt Spring	
Adjusted populations		5061	4719	9035	
base \$ amount		\$ 500,000	\$ 500,000	\$ 500,000	
\$'s per adjusted pp	\$ 365.00	\$ 1,847,119	\$ 1,722,289	\$ 3,297,775	
\$ for pop. Growth	\$ 1,000	\$ 1,369,000	\$ 671,000	\$ 1,078,000	Total EA \$'s
Total \$'s if EA's were munis =		\$ 3,716,119	\$ 2,893,289	\$ 4,875,775	\$ 11,485,183

As example, Metchosin, a semi-rural CRD municipality with similar population as the Juan de Fuca Electoral area received a \$2.4 million GCF allocation, with an under 2% growth rate. The Juan de Fuca Electoral area had a 19% growth rate and could potentially receive nothing if CRD's Regional Priorities focus on its core area.

The Southern Gulf Islands with 15% larger population than Metchosin and over a 27% growth rate again has no assurance of any funding but were it a municipality it's GCF amount would exceed \$3.7 million.

A comparison of Salt Spring Electoral area, population 11,635 with 10.9% growth compares to North Saanich, population 12,670 and 6.6% growth rate is instructive. North Saanich received over \$4.4 million in Growing Community funds. Like the other two CRD electoral areas, Salt Spring has no guarantee that its small (2.5% of the CRD) and distant population would attract any GCF funding for Regional Priorities.

Note: Some of the calculations pertaining to Electoral Areas use Statistics Canada census data as the BC Provincial Statistics were not made available to the Capital Regional District.

BRIEFING

To:	Executive Committee	For the Meeting of:	September 13, 2023
From:	Trust Area Services	Date Prepared:	September 5, 2023
SUBJECT:	Islands Trust 50 th Anniversary Activities		

PURPOSE: To seek Executive Committee input on potential options for marking Islands Trust's 50th anniversary in 2024.

BACKGROUND: June 5, 2024 marks the 50th anniversary of the Islands Trust Act and the designation of the Islands Trust Area as a region of the province marked for special protection.

The last time Islands Trust recognized an anniversary date was in 2014 for the 35th anniversary. The occasion was marked by an event showcasing local foods from the islands with culinary creations prepared by island chefs. The evening featured a gourmet dinner, followed by an island-themed desserts bar, then a live auction of unique island offerings hosted by raconteur extraordinaire Arthur Black. Proceeds from the auction were donated to the Islands Trust Conservancy's Opportunity Fund.

As far as staff are aware, the Trust did not mark the 40th anniversary in any particular way.

Celebrating the 50th anniversary of Islands Trust is a significant milestone and activities must reflect the values of Islands Trust and Trust Area communities. When undertaking activities, staff would work to minimize the environmental impact of the event(s) and focus on sustainability to align with the organization's mandate.

Staff continue to work on a draft communication strategy for Executive Committee review in Fall 2024 but, in the interim, would like Executive Committee input on preliminary options for marking Islands Trust's 50th anniversary in 2024.

Preliminary options for discussion include:

Historical Exhibition: Create a historical exhibition featuring Coast Salish history and heritage in the region and showcases the journey and accomplishments of residents within the Trust Area over the past 50 years. Include photographs, documents, interviews, and artifacts to illustrate the evolution of the Trust Area and the communities within the area. This could include a stand-alone website or a page on the Islands Trust website, linked through the homepage, a showcase in public libraries or other public spaces, a social media campaign, and a news release. The idea here is to celebrate the Trust Area and its communities, and how those communities are working to preserve and protect the Trust Area.

Cost to collect historical items and photographs of the Trust Area, create an exhibition in a public place on each local trust area/Bowen Island, web-presence, social media content and advertising: ~\$25,000.

Community Awards: Feature past stewardship award recipients and other organizations, and businesses that have made significant contributions to Islands Trust's mission or received stewardship awards over the years. This could also be a good build up to the next Stewardship awards, currently scheduled for 2026. Feature stories on the webpage, in the community exhibitions, and on social media: ~\$2,500.

Anniversary Nature Walks and Tours: Organize guided nature walks and tours on some islands, highlighting the unique natural beauty and biodiversity that Islands Trust and island communities are working to protect.

Travel for staff and volunteers to nature reserves, promotion of the events, staff time: ~\$5,000

Art and Photography Contest: Encourage residents and visitors to express their love for the Trust Area through an art and photography contests. Display the winning entries at a public exhibition, on the cover page of the 2023-24 Islands Trust annual report, and on social media. Staff could explore outreach to teachers to encourage youth participation.

Social media campaign, news release, and honorarium for an expert to judge the contest: ~\$2,500

Legacy Project: A long-term legacy project, such as the creation of a community garden, a public art installation, or a sustainable infrastructure project, to commemorate the anniversary. \$?

Year-long promotion: All Islands Trust events, including the Stewardship webinars, will include a short introduction by the emcee discussing the 50th anniversary and thanking communities for all they do to help preserve and protect the Trust Area. An additional tagline in email signatures of Islands Trust staff for the 2024 year.

Virtual Component: Given the potential for increased participation, consider incorporating a virtual component.

OTHER: None.

FOLLOW-UP: Staff will continue to investigate communication strategies, themes, venues, and media contacts in preparation for the anniversary in 2024.

Prepared By: Morgana van Niekerk, Trust Area Services, September 5, 2023

Reviewed By/Date: Clare Frater, Director, Trust Area Services, September 7, 2023
Russ Hotsenpiller, CAO/September 7, 2023

From: Michelle Taylor <[REDACTED]>
Sent: Monday, August 28, 2023 3:29 PM
To: Tobi Elliott; Peter Luckham; David Maude; Timothy Peterson; Lori Foster; Stefan Cermak; Clare Frater; Executive Admin; Julie
Subject: August 25th Bowen Island Municipal Bylaws 608 and 609 decision

Hello executive committee,

I wanted thank you all for your time and thoughtful consideration regarding these proposed bylaw changes. It is a complicated situation and many on Bowen feel they have been heard and understood for the first time in months.

I just wanted to make a clarification regarding the visitor numbers you were discussing. The number of campers, at maximum 460, is simply the campground component. On top of this Metro Vancouver's own estimates for the regional park are for an annual daily average of 200 day-use visitors, with peak summer weekdays at 285 per day and peak summer weekends at 358 per day. They want to attribute some of this traffic to locals visiting the park but realistically few locals are going to visit this new park during the peak times and additionally the adjacent, currently well used, existing trails and beach at CRC will be overwhelmed by tourists and likely unusable to locals at peak times as well. It's absurd to think these numbers will not have negative impact on both our community and the ecology, but here we are. Even without the campground component the park itself will be a huge visitor draw and, in that location, will be a burden to the Island without strict mitigation measures put in place. Even without the campground component Metro still needs rezoning. I hope that the decision you sent to our council will encourage them, and Metro, to look at this situation as seriously and thoughtfully as your committee did. Our community is strongly against the camping component but also deeply worried about the proposed day use park as well.

Thank you,

Michelle Taylor

Tony Law, 2 [REDACTED], Hornby Island BC V0R1Z0 [REDACTED] [REDACTED]

To: Executive Committee, Islands Trust

29 August 2023

Dear Peter, Toby, David and Timothy:

I have been a strong supporter of the object of the Islands Trust for 34 years and during that time have tried to provide constructive input, both as a member of the public and during the twenty years I was an elected trustee.

The last few years, however, I have been finding it increasingly challenging to engage. I have given up more than once, only to try again, and then given up again!

For those of us on islands with limited internet service and without the latest gadgets, large agenda packages are impossible to download. Agenda packages contain the meat of what Islands Trust bodies do. After sitting at my computer through multiple time-outs – and even getting up in the night to give it another try – I have frequently abandoned hope, and thus the opportunity to provide informed comments on issues like the budget, the policy statement and local projects. The Chair of our Island's APC and other residents experience similar frustrations.

How about breaking agenda packages into smaller documents that are more readily downloadable?

For those of us wanting to provide input into meetings by applying to be a delegate or by submitting correspondence, there is no readily available information about deadlines. Yesterday, one of the local trustees was encouraging me to come to the next LTC meeting as a delegate while the other was discouraging me because the deadline had passed. If the trustees aren't clear about this, how are members of the public supposed to be? The website mentions "time-frame requirements" but provides no information about when these are. Because I was once a trustee, it eventually occurred to me to find and read the meetings procedure bylaw, but I doubt if other members of the public will be aware of this.

How about on the website, underneath the date of upcoming meetings, including the date by which delegation requests and correspondence must be received?

For those of us who managed to find our way around the old website easily, because it was simple, logical and straightforward, the current website is frustrating and confusing. I have even heard trustees characterize it this way. I have searched and searched without success for information I know is there somewhere. In some cases, I have then managed to somehow hit upon it by Googling. Another frustration, among others is that it is not possible to open, say, the Land Use Bylaw and the LUB map at the same time so that I can refer from one to the other.

I am not sure what you can do to improve the website, but I think you should be aware that some of us experience it as a barrier to being informed rather than as an easy-to-navigate resource.

I do want to be able to provide constructive input into IT business and just wish it was not so challenging to do so.

Thanks for considering this and for all you do. Sincerely, Tony Law

From: Trevor Hodge [REDACTED]
Sent: Friday, September 1, 2023 7:34 AM
To: Executive Admin; Tobi Elliott; Peter Luckham; David Maude; Timothy Peterson; Lori Foster; Stefan Cermak; Clare Frater
Subject: Cape Roger Curtis Park/Campground

Follow Up Flag: Follow up
Flag Status: Flagged

To Island Trust Executive

As a Bowen Island resident, I would like to say a big thank you for your recent decision regarding the approval of the Bowen Island Bylaws for the Cape Roger Curtis Park/Campground. It was very reassuring to see how well the Executive Committee had informed itself about Bowen Island and the issues surrounding the CRC Park/Campground and the Island more broadly. This is especially true given that none of you live in this community.

The Island Trust Executive Committee's request to determine "social impact" and "impact on community character" raises an important question about how BIM/MV will fulfill that need. There are examples in BC and other jurisdictions of a "Social Impact Assessment" being conducted (examples include parks and campgrounds), in addition to the usual Environmental Impact Assessment. In part, a Social Impact Assessment has to assess the views of the local population through a scientific survey, referendum, or other means. Ideally, a Social Impact Assessment should be the requirement of the Island Trust and BIM for MV to provide prior to a BIM Second Reading and a Public Hearing. That said, the paid consulting studies (e.g. Bunt Transportation Reports) provided by MV to date have not passed the accuracy/integrity test and as such are of questionable value. Hopefully, this can be rectified by IT/BIM going forward.

Again. many thanks

Kind regards

Trevor Hodge
Bowen Island

From: David Hocking <[REDACTED]>
Sent: Wednesday, September 6, 2023 9:24 AM
To: Executive Admin
Cc: mayorandcouncil@bimbc.ca
Subject: Islands Trust Executive Committee response to proposed Cape Roger Curtis Park

To: Islands Trust Executive Committee

We are Bowen Islanders who, like you, are committed to the preservation and protection of the fragile ecosystems on the islands in the Salish Sea.

We believe your decision to oppose the park rezoning at Cape Roger Curtis, as proposed to date, has been made without full information or consideration of its consequences.

We know that you received coordinated letters protesting camping at the Cape, and understand that you want to reflect certain constituents' concerns. Those writers are genuinely worried about the future of the island. But at the same time some have promoted fears as facts, and without recognizing the actual facts of the proposal from Metro Vancouver.

Take for example, this erroneous claim: "...pristine forests of Douglas Fir, Western Hemlock and Arbutus would be logged, developed and human-made structures (platforms, parking lots, etc.) would be erected." In fact, the sites would be exclusively on areas that were cleared by the previous owners for building sites. MetroVan is not proposing any kind of logging. The project as a whole expands sensitive area protections, adds buffers and barriers, introduces ongoing monitoring of the flora and fauna of the area, and would re-wild about half of the existing clearings. Indeed, this would preserve, protect and improve the integrity of the environment. Camping is just one component, as outlined in MetroVan's proposal. Twenty-four private estates, which the property is zoned for, on the other hand, would not offer any of those advantages.

Conversely, rejecting out of hand a rezoning for the proposed park brings back the strong possibility that the land would be sold off to private developers. This would leave it unprotected and inaccessible to anyone other than the 24 owners and friends, once houses are built there. Future subdivision would be likely.

Reading the park proposal in detail changes everything. When you have the opportunity to review MetroVancouver's full proposal and the accompanying technical reports, you'll find that many concerns raised in your August 25th letter are already fully taken into account. If approved, camping would be phased in gradually so that its effects could be monitored - on and off site. Certainly, there are outstanding challenges to address, and we look for Islands Trust's help in finding solutions that keep alive the decades-long dream of a park at Cape Roger Curtis. But we think turning down the heat a bit and looking for answers is the wisest approach.

Instead of 24 multi-million dollar estates with many potential outbuildings fragmenting the natural environment and excluding the public, the proposed park would preserve a large area of ecologically important and sensitive ecosystems and provide opportunities for Bowen Islanders and other residents of the region, regardless of wealth, to enjoy this precious natural area.

We strongly support the mission of the Islands Trust to preserve and protect the unique habitat of the islands within the Trust. The park on Bowen Island as proposed will do exactly that: create a framework of cooperation between Bowen, MetroVancouver and the Islands Trust to credibly protect the rare ecological richness of the Cape.

We hope that you will reconsider your recent decision, and look forward to engaging in further dialogue.

Sincerely yours,

Nicholas Belluk, John Dowler, Jennifer Hall, David Hocking, Charles McNeill, Michelle Pentz, Shari Ulrich



Report to Trust Council
by Dana Lepofsky, Sean Markey, Peter Johnston

The Xwe'etay/Lasqueti Archaeology Project

The Xwe'etay/Lasqueti Archaeology Project (XLAP) team has been super busy since our last update to the Trust. When we last wrote, we had just had a huge cultural burning ceremony and started intertidal excavations of some clam gardens. Those activities were the start of a very full and multi-faceted field season – which really just wound down in mid August.

The burning ceremony had a deep impact on the Xwe'etay/Lasqueti community as well as on our First Nations neighbours who attended. On the island, this is evident in many small comments and conversations in person and on social media, and that connecting to the ancestors was a theme that ran through the very powerful writers' readings at the Arts Fest in July. Recently, Snuneymuxw Sulalewh/Elder, who facilitated the burning to happen in a good way, wrote a very moving prayer and article for the community to further the cultural work <https://www.lasquetilocal.ca/elder-bill-white>. This is an extraordinary gift as it is, to our knowledge, the first time a burning has been written about in this way.

Soon after the burning ceremony, the team was notified in confidence that a burial was eroding out of one of the coastal shell middens here. Dana Lepofsky contacted the Nations, the landowner, the RCMP, and the Archaeology Branch. The Nations instructed her to rebury with a ceremony. The project supported Bill White, Willie Pierre and Kim Recalma-Clutesi to come back to the island to perform the ritual in a good way. This was done with the permission and support of the landowner.

Our Intensive archaeology field season continued in the low-low tide week at the beginning of June and all of July. Two SFU archaeology students and one SFU policy/planning students were living on island all of July. During that time, we finished surveying and mapping all the coastal archaeological sites that we know about – either through the records from the 1970's survey or through what we saw in our survey below the high tide line. These surveys allowed us to spot shell middens on land that we did not have permission to access as well as to fully record the intertidal sites. We recorded a total of 59 new sites. This adds to the 69 that were already in the Provincial database, making for a total of 128 archaeological sites on the island. A total of 75 sites are on private land and the remainder are on Crown or are below the intertidal. We had permission to work on approximately 30 of the sites on private land, 13 of which were newly recorded. For sites that we did not have permission to access, we partially recorded them based on their shoreline visibility while walking below the high tide line. We will have radiocarbon dates from the bottom of about 40 sites in total that will help us understand when the site was first occupied. We also will have multiple radiocarbon dates from a few sites to track their internal growth over time and hopefully get date of final occupation. Our analysis of site size and location relative to age is on-going and will tell us much about the Indigenous history of Xwe'etay.

Over time, our project has continued to broaden, to encompass the history of all people of

Xwe'etay/Lasqueti. This broadening is encompassed within a sister project we call, "Layered Histories". Our vision is to honor both the Indigenous and settler history of the island by creating a relational database with our archival and archaeological research and interviews, and then to produce a public-facing digital atlas of the island that will tell this layered history. To that end, we made a detailed map of the local cemetery so that in the atlas we can attach stories and places to each person. This map has been turned into a dazzling mural for the cemetery which again, honors the recent and deeper history of our island. We are also analyzing historic air photos (1932 and 1946) and conducting interviews with island "long-timers" to document ecological change so that we can better understand the lands and seas that the First Nations lived with –before settler changes. All this will go in the database and the atlas. We have received funds from Heritage Legacy Fund and qRD Regional Grants to support this work. The database structure is now in place and we are populating it with the historic and archaeological information.

In the midst of all this, we held another intertidal inter-community event. Folks from Tla'amin, K'omoks, Qualicum, and Halalt came to share food and stories. It was a beautiful day of being together, learning and playing. As one of the Tla'amin Elders who has now visited a few times said, "It feels like visiting with family". We could ask for nothing more than that.

Finally, we are actively working on an exhibit on the project with Ingenium -- Canada's Museum of Science and Innovation in Ottawa. Videographer Michelle Munkittrick followed the archaeology team around all summer, getting beautiful images of the landscape and our archaeological work. The exhibit will be displayed in the Agriculture and Fisheries Museum, starting in the new year.

On the policy and planning end of things, we have also been busy. SFU's Resource and Environmental Management Masters in Resource Management (REM MRM) student Mary Kelly completed her thesis, *Indigenous Cultural Heritage Policies and Local Planning: A Case Study in the Land of Plenty*. We will be producing a community report from the work, in addition to sharing through a community report-back session. The abstract for the thesis is as follows: Indigenous cultural heritage (ICH) is rapidly diminishing worldwide, driven by factors like development, private property rights, and colonial planning. This study centers on the Comox Valley within the Land of Plenty, the Territory of K'omoks First Nation, serving as a case study that examines the interplay between Indigenous cultural heritage policies and local planning. Through 40 semi-structured interviews with local planners and knowledge holders, I identify pathways of ICH protection through local government implementation of K'omoks First Nation's Cultural Heritage Policy. The purpose of this research paper is to explore how First Nations exert self-determination over their ICH, how ICH interacts with local planning, and how local governments can respond to strengthen ICH protection at the local level. The findings reveal that local level implementation of Indigenous cultural heritage policies help ensure that ICH protection strategies are place-based, effective, and appropriate. This implementation simultaneously fosters relationships, enhances cross-cultural knowledge and respect.

In July, REM MRM student Owen Wilson conducted field research on Xwe'etay/Lasqueti for his thesis on landowner attitudes toward Indigenous heritage protection. The landowner engagement theme figured prominently in our earlier research phases (supported by insights from the Trust and other agencies). Owen conducted 30 key informant interviews on the island and will begin analysis and writing in the Fall. Outputs from the project will include a community summary report, academic articles, and a report-back session. We look forward to sharing the results of both Mary and Owen's work.

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