Executive Committee
Agenda

Date: Tuesday, March 12, 2024

Time: 9:00 am

Location: Colville Room, Coast Bastion Hotel
11 Bastion Street, Nanaimo 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 - None

3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

Chair Luckham reported on the following from the February 28, 2024 in-camera session:

- the Executive Committee minutes of the in camera meeting of January 17, 2024 were adopted
- the Executive Committee minutes of the in camera meeting of January 31, 2024 were adopted
- the Executive Committee has developed the agenda for the Trust Council in camera meeting
scheduled for March 14, 2024.

4. ADOPTION OF MINUTES

For review and adoption

4.1 Draft February 28, 2024 Executive Committee Meeting Minutes 3 - 18

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates 19 - 24

5.2 Local Trust Committee Chair Updates

5.3 Islands Trust Conservancy Liaison Update

6. BYLAWS FOR APPROVAL CONSIDERATION

6.1 Saturna Island Local Trust Committee Bylaw No. 142 25 - 36

THAT the Islands Trust Executive Committee approve Saturna Island Local Trust Committee Bylaw No. 142, cited as “Saturna Island Local Trust Committee Fees Bylaw, 2023” in accordance with Section 27 of the *Islands Trust Act*.

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1 March Trust Council 3-day Schedule 37 - 37

7.2 Planning Services

7.3 Administrative Services

7.4 Trust Area Services

8. EXECUTIVE COMMITTEE PROJECTS - None

8.1 Trust Council Initiated

8.1.1 Executive

8.1.2 Trust Area Services

8.1.3 Planning Services

8.1.4 Administrative Services

8.2 Executive Committee Initiated

8.2.1 Executive

8.2.2 Trust Area Services

8.2.3 Planning Services

8.2.4 Administrative Services

9. NEW BUSINESS

9.1 Executive/Trust Council

9.2 Trust Area Services

9.2.1 LTC Chairs Report on Local Advocacy Topics

9.3 Planning Services

9.4 Administrative Services

10. CORRESPONDENCE (for information unless raised for action)

10.1 2024-02-23 Bowen Island Municipality - Response to Metro Vancouver re: Application for a new Regional Park 38 - 43

11. WORK PROGRAM

11.1 Review and amendment of current work program 44 - 46

12. NEXT MEETING

The next Executive Committee meeting will take place electronically on March 27, 2024 @ 9:15 am.

13. CLOSED MEETING (if applicable)

No Closed Meeting is scheduled.

14. ADJOURNMENT

Executive Committee
Minutes of Regular Meeting

Date:	**February 28, 2024**
Location:	**Electronic meeting**
Members Present:	Peter Luckham, Chair, Thetis Trustee Tobi Elliott, Vice-Chair, Gabriola Trustee David Maude, Vice-Chair, Mayne Trustee Timothy Peterson, Vice-Chair, Lasqueti Trustee
Staff Present:	Russ Hotsenpiller, Chief Administrative Officer (CAO) Clare Frater, Director, Trust Area Services (DTAS) Julia Mobbs, Director, Administrative Services (DAS) Stefan Cermak, Director, Planning Services (DPS)
Members of the Public:	2 members of the public were present

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

The following were accepted as late items:
- 10.1.10 correspondence dated 2024-02-26 from Tollefson Law re: Salt Spring Proposed Bylaw No. 537
- 7.3.5.4.5.3 additional item: Developing the Islands Trust Water Balance Methodology using Gabriola as a Case Study – Briefing

2.2 Approval of Agenda

By general consent the Committee approved the agenda as amended.

3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

None.

4. ADOPTION OF MINUTES

4.1 Draft Executive Committee minutes of January 17, 2024

By general consent the Committee adopted the minutes as presented.

4.2 Draft Executive Committee minutes of January 31, 2024

The draft minutes will be provided at the next scheduled meeting as they were not available for the Committee to review.

The Committee then provided an opportunity for a member of the public, Maxine Leichter, spokesperson for Keep Salt Spring Sustainable, to speak to the Committee in regards to Salt Spring Island Local Trust Committee Bylaw 537, which she did.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates

The Committee reviewed the Follow-up Action List (FUAL).

5.2 Local Trust Committee Chair Updates

Local Trust Committee Chairs spoke to recently attended and upcoming Local Trust Committee (LTC) meetings.

5.3 Islands Trust Conservancy Liaison Update

Vice Chair Elliott provided an update.

6. BYLAWS FOR APPROVAL CONSIDERATION

6.1 Denman Island Local Trust Committee Bylaw Nos. 228 & 229

EC-2024-022
It was MOVED and SECONDED,
that Islands Trust Executive Committee approve Denman Island Local Trust Committee Bylaw No. 228, cited as “Denman Island Official Community Plan, 2008, Amendment No. 1, 2018” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

EC-2024-023
It was MOVED and SECONDED,
that Islands Trust Executive Committee approve Denman Island Local Trust Committee Bylaw No. 229, cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 1, 2018” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.2 Gambier Island Local Trust Committee Bylaw No. 158

EC-2024-024
It was MOVED and SECONDED,

that Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 158, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.3 North Pender Island Local Trust Committee Bylaw No. 226

EC-2024-025
It was MOVED and SECONDED,
that Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 226, cited as “North Pender Island Local Trust Committee Fees Bylaw, 2021” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.4 North Pender Island Local Trust Committee Bylaw No. 234

EC-2024-026
It was MOVED and SECONDED,
that Islands Trust Executive Committee approve North Pender Island Local Trust Committee Bylaw No. 234, cited as “North Pender Island Land Use Bylaw No. 224, 2022, Amendment No. 1, 2023” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

6.5 Salt Spring Island Local Trust Committee Bylaw No. 537

EC-2024-027
It was MOVED and SECONDED,
that Islands Trust Executive Committee approve Salt Spring Island Local Trust Committee Bylaw No. 537, cited as “ Salt Spring Island Local Trust Committee Land Use Bylaw No. 355, 1999, Amendment Bylaw No. 2, 2023” in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

Committee recessed at 10:25 a.m. and resumed at 10:40 a.m.

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1 March Trust Council 3-day Schedule

EC-2024-028
It was MOVED and SECONDED,
that Islands Trust Executive Committee schedule it’s pre-March Trust Council meeting for 9:00 a.m. Tuesday, March 12, 2024 in person.

CARRIED

The Committee deferred further discussion until later in the meeting.

7.1.2 March Trust Council Draft Agenda

The Committee deferred further discussion until later in the meeting.

7.1.3 December Trust Council Draft Minutes

By general consent the Committee forwarded the item as presented to Trust Council.

7.1.4 Trust Council Resolutions Without Meeting

None.

7.1.5 Chief Administrative Officer - Report

CAO Hotsenpiller indicated that he would provide a written report to the Committee later in the day or on Thursday.

By general consent the Committee forwarded the item to Trust Council in due course.

7.1.6 Trust Council FUAL

CAO Hotsenpiller indicated that he has combined various actions that are similar on this FUAL report, will continue to refine the FUAL for the June Trust Council meeting, and will note that on his report to Trust Council.

By general consent the Committee forwarded the item as presented to Trust Council.

7.1.7 Strategic Plan Session

The Committee requested some changes to the documents, including clarity about the timing of the session, formatting of the SWOT Analysis document, and addition of the current Strategic Plan and also requested staff to provide some paper copies of all the documents to be made available for trustees at the meeting.

By general consent the Committee forwarded the item as amended to Trust Council.

7.1.8 Committee of the Whole - Meeting Procedures Bylaw Amendment – Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.1.9 Records Management System Bylaw No. 195 – Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.1.10 June Trust Council Draft 3 Day Schedule

By general consent Executive Committee added a new item to the March Trust Council agenda following the budget session to solicit Trust Council's suggestions or interest in regards to the September meeting location.

By general consent the Committee forwarded the item as presented to Trust Council.

7.1.11 Trust Council Top Priorities Active Projects Chart

By general consent the Committee forwarded the item as presented to Trust Council.

7.1.12 Governance Committee Work Plan

By general consent the Committee forwarded the item as presented to Trust Council.

7.2 Planning Services

7.2.1 Director of Planning Services – Report

By general consent the Committee forwarded the item as presented to Trust Council.

7.2.2 Bylaw Compliance & Enforcement Statistical Report – Briefing

By general consent the Committee forwarded the item as presented to Trust Council.

7.2.3 Bylaw Compliance and Enforcement Review Project – Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.2.4 Regional Planning Committee Work Plan

By general consent the Committee forwarded the item as presented to Trust Council.

7.3 Administrative Services

7.3.1 Director of Administrative Services – Report

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.2 Q3 Financial Report – Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.3 Q3 Financial Forecast – Briefing

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.4 Financial Planning Committee Work Plan

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5 Budget Materials

7.3.5.1 Draft Budget Session Outline

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.2 Draft Budget Assumptions and Principles

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.3 Budget Overview – Briefing

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4 Draft Budget Funding Requests

7.3.5.4.1 Business Case Summaries

Director Mobbs noted that there is one business case provided in the agenda that was not reviewed by the Financial Planning Committee, that being 7.3.5.4.3.6 Chief Administrative Officer Hiring Committee.

The Committee discussed the late item “Developing the Islands Trust Water Balance Methodology using Gabriola as a Case Study – Briefing” which was initially identified as an additional item to 7.3.5.4.5.3 Gabriola - OCP and LUB Comprehensive Review. It was noted that this water budget mapping project initially was part of the Strategic Plan; work done on Gabriola and Denman Islands would benefit all Local Trust Committees; and that the Regional Planning Committee had approved it as part of the Freshwater Sustainability Strategy, and therefore could be seen as a trust-wide initiative rather than a Gabriola Island Local Trust Committee initiative.

By general consent the Committee forwarded to Trust Council this item (Business Case Summaries) as amended by the addition of the late item.

7.3.5.4.2 Strategic Plan Projects

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.3 Operational Projects and Staffing

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.4 ITC Board Budget Requests - Briefing

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.5 LTC Projects - Budget Requests and Feasibility

7.3.5.4.5.1 Projects Feasibility Assessment - Briefing

The Committee requested that the references to the Complete Communities grant be clarified.

By general consent the Committee forwarded to Trust Council this item as will be amended by Director Cermak.

7.3.5.4.5.2 Denman OCP and LUB Housing Review

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.5.3 Gabriola OCP and LUB Review Project

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.5.4 Mayne Island Housing Options Project

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.5.5 North Pender LTC Housing Access and Affordability Project

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.5.6 Hornby Island LTC – Relationship Building Actions with K'ómoks First Nation

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.5.7 Major amendment to SS OCP and SS LUB

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.5.8 Ganges (Shiya'hwt/SYOWT) Village Area P

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.6 Funding for Water Sustainability Projects on Salt Spring Island - Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.7 Unfunded Projects:

The Committee requested that the title of the agenda item be renamed as “Proposed Unfunded Projects” or “Recommended Unfunded Projects”

By general consent Executive Committee forward to Trust Council this item as amended by the name change.

7.3.5.4.7.1 Stewardship Education Program

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.4.7.2 Eelgrass Mapping – Phase 2

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.5 Financial Plan Bylaw - Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.3.5.6 Revenue Anticipation Borrowing Bylaw - Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

Executive Committee recessed at 11:59 a.m. and resumed at 12:30 p.m.

7.4 Trust Area Services

7.4.1 Director of Trust Area Services - Report

The Committee suggested that this item needed more than 15 minutes on the schedule.

By general consent the Committee forwarded the item as presented to Trust Council.

7.4.2 Policy Statement Amendment Project Update – Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.4.3 Media/Social Media Session Outline

By general consent the Committee forwarded the item as presented to Trust Council.

7.4.4 Communications Plan - Briefing

The Committee noted that no briefing was provided. Director Frater clarified that if the Committee should approve the Communications Plan Request For Decision at agenda item 8.2.2.2, then a briefing will be generated for Trust Council's information in regards to that Executive Committee decision.

By general consent the Committee will forward to Trust Council a Briefing reviewed by Chair Luckham if the Executive Committee should approve the Communications Plan later in the agenda.

7.4.5 Legislative Monitoring - Report & Briefing

By general consent the Committee forwarded the item as presented to Trust Council.

7.4.6 Climate Change - Briefing

By general consent the Committee forwarded the item as presented to Trust Council.

7.4.7 Islands Trust Conservancy Report

By general consent the Committee forwarded the item as presented to Trust Council.

7.4.8 Trust Programs Committee Work Program

By general consent the Committee forwarded the item as presented to Trust Council.

7.5 New Business

7.5.1 Advice to Trust Council - Improve Trustee Access to Agendas in HTML – Request For Decision

By general consent the Committee forwarded the item as presented to Trust Council.

7.6 Delegation Requests

7.6.1 Maxine Leichter, Friends of the Gulf Islands Society

The Committee noted that Maxine Leichter spoke during the Public Comment Period at the December, 2023 Trust Council meeting in regards to this topic.

7.6.2 Ian Peace, Gulf Islands Alliance

EC-2024-029
It was MOVED and SECONDED,
that the delegation request from Ian Peace of the Gulf Islands Alliance be accepted, and that the delegation request from Maxine Leichter of the Friends of the Gulf Islands Society be declined, as both delegations have similar materials and the Friends of the Gulf Islands Society will be able to speak during the Public Comment Period at the upcoming March Trust Council meeting.

CARRIED

By general consent the Committee forwarded both pieces of correspondence to Trust Council.

7.7 Correspondence

7.7.1 2024-01-19 Regional District of Nanaimo - Legislative Reform Initiative Update

By general consent Executive Committee forwarded item 7.7.1 to trustees advising them to contact the Chief Executive Officer of the Regional District of Nanaimo if they are interested in participating.

7.7.2 2024-02-05 M. Wilde - Trust Mandate

By general consent Executive Committee forwarded to Trust Council this correspondence item.

7.7.3 2024-02-06 E. Kelly - Gabriola

By general consent Executive Committee forwarded to Trust Council this correspondence item.

7.7.4 2024-02-08 V. Poster - Protect the Gulf Islands. It's your job!

By general consent Executive Committee forwarded to Trust Council this correspondence item.

7.7.5 2024-02-15 G. Bywater - Secret Change to the Trust Act

By general consent Executive Committee forwarded to Trust Council this correspondence item.

The Committee then returned to agenda item 7.1.1.

7.1.1 March Trust Council 3-day Schedule

The Committee identified a need to rename the Media and Social Media Training Session on Wednesday, March 13, as “Trust Area Services” which will include the training session and to indicate the start time of 1:45 p.m., immediately after Delegations and the Public Comment Period. Other items for Trust Area Services can be continued and completed on the Thursday, March 14 at 10:15 a.m.

The Committee also discussed the need to change the end time of the Trustee Roundtable to end at 11:30 a.m. rather than at 11:00 a.m.

By general consent the Committee forwarded the item as amended to Trust Council.

8. EXECUTIVE COMMITTEE PROJECTS

8.1 Trust Council Initiated

8.1.1 Executive - None

8.1.2 Trust Area Services

8.1.2.1 Islands Trust 50th Anniversary Logo – Briefing

Received for information.

8.1.3 Planning Services - None

8.1.4 Administrative Services - None

The Committee then addressed a request from Trustee Morrison to attend a meeting on April 12, 2024, of the Association of Vancouver Island and Coastal Communities.

EC-2024-030
It was MOVED and SECONDED,
that Executive Committee approve Trustee Morrison’s attendance at Association of Vancouver Island and Coastal Communities with funding coming from the Executive Committee budget.

CARRIED

8.2 Executive Committee Initiated

8.2.1 Executive - None

8.2.2 Trust Area Services

8.2.2.1 Advocacy re: guidance for heritage protection - Briefing

Received for information.

8.2.2.2 Islands Trust Communications Strategy - Request For Decision

EC-2024-031
It was MOVED and SECONDED,
that Islands Trust Executive Committee approve the Islands Trust Communications Strategy and forward to Trust Council for information.

CARRIED

8.2.3 Planning Services

8.2.3.1 Withdraw Complete Communities Grant Application – Request For Decision

EC-2024-032
It was MOVED and SECONDED,
that Islands Trust Executive Committee request staff to withdraw the application for the Union of British Columbia Municipalities Complete Communities Grant to advance data gathering and mapping work supporting Official Community Plan reviews and Housing Projects.

CARRIED

8.2.4 Administrative Services - None

9. NEW BUSINESS

9.1 Executive/Trust Council

9.1.1 Potential next steps with MOTI re: the establishment of an Interagency Task Force per agreements - Verbal

CAO Hotsenpiller indicated that next steps would need to be developed.

9.2 Trust Area Services

9.2.1 LTC Chairs Report on Local Advocacy Topics - None

9.3 Planning Services - None

9.4 Administrative Services

9.4.1 Forecasted Areas of Overspending - Briefing

Director Mobbs noted that the Briefing has been provided to Financial Planning Committee.

10. CORRESPONDENCE

10.1 Salt Spring Bylaw No. 537

10.1.1 2024-01-28 D Campbell - Please don't pass Bylaw 537
10.1.2 2024-01-28 E Poole - Bylaw 537
10.1.3 2024-01-28 M Leichter - Regarding bylaw 537 for Executive Committee decision
10.1.4 2024-01-28 R Wright - Salt Spring proposed Bylaw 537
10.1.5 2024-01-28 P Lockie - BL 537
10.1.6 2024-01-28 F Attorp - SSI Bylaw 537
10.1.7 2024-01-30 L Bulman - Bylaw 537 Salt Spring Island
10.1.8 2024-01-30 B Henderson - Do not pass bill 537
10.1.9 2024-02-02 Tsawout - Objection to Proposed Salt Spring Bylaw 537
10.1.10 2024-02-26 Tollefson Law - Salt Spring Proposed Bylaw No. 537

EC-2024-033
It was MOVED and SECONDED,
that Islands Trust Executive Committee request the Chair respond to the letter writers of Bylaw 537 thanking them for their letter and that their issues were considered in light of the Policy Statement.

CARRIED

The Committee noted that the response to 10.1.9 from the Tsawout First Nation will need to be customized.

10.2 2024-01-04 F Weller - Sue Big Oil Initiative

EC-2024-034
It was MOVED and SECONDED,
that Islands Trust Executive Committee add the January 4, 2024 letter to the Gabriola Local Trust Committee from Fay Weller et al. to the material that Trust Council will be considering regarding the Sue Big Oil initiative.

CARRIED

By general consent Executive Committee received for information all the following items:

10.3 2024-01-25 K Ross - HO DE Ferry Advisory Committee
10.4 2024-02-01 A Medeiros - Sidney Island Deer Cull
10.5 2024-02-02 UBCM - Transit-oriented development - Engagement about proposed Land Act changes
10.6 2024-02-05 K Langereis - Friends of the Gulf Islands - Questions submitted
10.7 2024-02-08 Statistics Canada - 2026 Census of Population Dissemination Consultation
10.8 2024-02-09 AVICC - 2024 AVICC AGM & Convention: Registration is now open!

10.9 2024-02-13 UBCM - Housing Summit Day 1
10.10 2024-02-13 ITC - Ministerial approval of ITC acquisition, North Pender
10.11 2024-02-13 ITC - Ministerial approval of ITC acquisition, Gabriola
10.12 2024-02-14 ITC - Highlights of meetings November 21, 2023 and January 23, 2024
10.13 2024-02-21 HO LTC - Support for STVR licensing feasibility study

11. WORK PROGRAM

11.1 Executive Committee Work Program

By general consent the Committee forwarded the Executive Committee Work Program as presented to Trust Council.

12. NEXT MEETING

The next Executive Committee meeting will be held in person at the Coast Bastion Hotel in Nanaimo on March 12, 2024 starting at 9:00 a.m.

13. CLOSED MEETING

EC-2024-035
It was MOVED and SECONDED,
that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, subject to Sections 90(1),(g) litigation or potential litigation affecting the municipality; and that the recorder and staff attend the meeting.

CARRIED

The Committee closed the meeting at 2:19 p.m. and reconvened in open meeting at 3:22 p.m.

Chair Luckham reported on the following:

- the Executive Committee minutes of the in camera meeting of January 17, 2024 were adopted
- the Executive Committee minutes of the in camera meeting of January 31, 2024 were adopted
- the Executive Committee has developed the agenda for the Trust Council in camera meeting scheduled for March 14, 2024.

14. ADJOURNMENT

By general consent the meeting adjourned at 3.25 p.m.

____
Peter Luckham, Chair

Certified Correct:

____

Robert Barlow, Legislative Services Clerk/Recorder

Minutes are not official until adopted at a subsequent meeting.

IslandsTrust

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 Explore future education/workshop sessions on decision-making to benefit trustees.	Russ Hotsenpiller	Meeting: 24-May-2023 Target: 26-Sep-2023	In Progress

Director Legislative Services

Activity	Responsibility	Dates	Status
1 Staff to report back on recording of meetings by members of the public re clarity on recording and report on recording of electronic meetings. 2023-10-11 EC meeting update: Create a one liner statement in the chair opening notes, for the Chair to read out regarding recording of the meeting by members of the public.	David Marlor	Meeting: 22-Mar-2023 Target: 22-Jun-2024	In Progress
2 Staff to provide a briefing with respect to options for better understanding of the policy regarding Code of Conduct for vice-chairs, trustees and the public. 2023-10-11 EC update: review against Provincial guidelines and provide recommendation for any amendments.	David Marlor	Meeting: 12-Apr-2023 Target: 26-Jul-2024	In Progress
3 Staff to discuss, with interested trustees, requirements and options and report back on possibilities and effort required to improve Trustee access to key documents. On hold pending administrative staffing availability.	David Marlor	Meeting: 29-Jun-2023 Target: 26-Jul-2024	In Progress

Follow Up Action Report

Executive Committee

Director Legislative Services

Activity	Responsibility	Dates	Status
4 Staff consider options and report back on possibilities and effort required to provide Trustee view access to integrated calendar of Trust Meetings. On hold pending IT staffing availability.	David Marlor	Meeting: 29-Jun-2023 Target: 26-Jul-2024	In Progress

Director of Planning Services

Activity	Responsibility	Dates	Status
1 Develop a communications strategy and materials to support awareness of the housing affordability advocacy request and rationale. OCT 11: Referred to Regional Planning Committee	Stefan Cermak	Meeting: 22-Sep-2022 Target: 27-Jun-2023	In Progress
2 Coordinate a round table on housing, to include BC Housing, key ministers, housing leaders from island communities, and others, within the first six months of the new term and a panel session about housing challenges and solutions in the Islands Trust Area as part of trustee education OCT 11: Referred to Regional Planning Committee	Stefan Cermak	Meeting: 22-Sep-2022 Target: 06-Dec-2023	In Progress

Follow Up Action Report

Executive Committee

Director of Planning Services

Activity	Responsibility	Dates	Status
3 Staff to: a) evaluate the implications of a longer referral response window, and; b) consider how Trust Council and local trust committees (LTC's) might consult with First Nations to better understand what changes to the current referral process should be made to both improve communication and to further reconciliation, and report back to Trust Council.	Clare Frater Stefan Cermak	Meeting: 29-Jun-2023 Target: 31-Mar-2024	In Progress
4 Staff to follow up with Ministry staff regarding the letter from Minister Fleming of November 29, 2023.	Clare Frater Stefan Cermak	Meeting: 20-Dec-2023 Target: 15-Feb-2024	In Progress

Director, Administrative Services

Activity	Responsibility	Dates	Status
1 Review Islands Trust Policy 6.5.2 as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed 'overspends' for any particular budget item.	Julia Mobbs	Meeting: 21-Oct-2020 Target: 18-Sep-2024	In Progress
2 Staff to research the possibility of self-insurance for the organization.	Julia Mobbs	Meeting: 29-Jun-2023 Target: 11-Dec-2024	In Progress

Director, Trust Area Services

Activity	Responsibility	Dates	Status

Islands Trust

Print Date: March 6, 2024

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 Staff to work with trustees to organize two film screenings of the movie Dust n Bones and reconciliation discussions subject to support of affected local trust committees. (A grant in aid of 4,500 (from History and Heritage Grants in Aid program was provided in 2020 to host screenings on three islands but due to Covid-19 restrictions only one screening occurred.) EC previously indicated interest from Gabriola and Salt Spring Islands. As SSI LTC and Gabriola LTC initially expressed an interest in hosting a screening, Vice Chairs Peterson and Elliott will assess if the interest remains and will be involved in outreach and organizing those screenings.	Clare Frater	Meeting: 26-Feb-2020 Target: 31-Mar-2024	In Progress
2 Investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.	Clare Frater	Meeting: 07-Oct-2021 Target: 31-Mar-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
3 Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act. This request responded to changes to the Islands Trust Act to give Trust Council new discretionary powers relating to supporting and give financial assistance to others to (iii)engage in activities to gain knowledge about the unique amenities and environment of the trust area and to increase public awareness, understanding and appreciation of the unique amenities and environment; (iv)preserve and protect the unique amenities and environment of the trust area. Executive Committee has discussed there may be an opportunity to concurrently review the secretariat services, and grants in aid policies with the intention of identifying administrative efficiencies.	Clare Frater	Meeting: 12-Apr-2022 Target: 30-Jun-2024	In Progress
4 Staff to: a) evaluate the implications of a longer referral response window, and; b) consider how Trust Council and local trust committees (LTC's) might consult with First Nations to better understand what changes to the current referral process should be made to both improve communication and to further reconciliation, and report back to Trust Council.	Clare Frater Stefan Cermak	Meeting: 29-Jun-2023 Target: 31-Mar-2024	In Progress
5 Staff to add to a future EC agenda: Honoraria for Indigenous elders providing welcomes or presentations at local trust committee meetings.	Clare Frater	Meeting: 20-Dec-2023 Target: 08-Mar-2024	In Progress

Print Date: March 6, 2024

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
6 The Committee request this Advocacy for provincial assistance re: heritage protection BRF be brought back to the joint meeting on January 31, 2024. JAN 26: On the Chair's (Luckham and Smith) request this item has been deferred until the next joint meeting.	Clare Frater	Meeting: 20-Dec-2023 Target: 31-Jan-2024	In Progress
7 Staff to develop a project charter for a webinar in 2024 on the role of Islands Trust.	Clare Frater	Meeting: 20-Dec-2023 Target: 31-Mar-2024	In Progress
8 Staff to follow up with Ministry staff regarding the letter from Minister Fleming of November 29, 2023.	Clare Frater Stefan Cermak	Meeting: 20-Dec-2023 Target: 15-Feb-2024	In Progress
9 Discussion on a coordinated approach by Islands Trust Conservancy and EC to advance the request to the Province to review the funding model and governance structure of the Islands Trust, highlighting the successes of the Conservancy in protecting and preserving valuable ecological areas for the benefit of the Province and residents of BC, be added to the agenda for the Jan 31 EC/ITCB joint meeting.	Clare Frater	Meeting: 17-Jan-2024 Target: 31-Jan-2024	In Progress
10 Staff to send an invitation to San Juan County to attend Trust Council in June or Sept and indicate their preference.	Clare Frater	Meeting: 31-Jan-2024 Target: 12-Mar-2024	In Progress

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 3900-03: LPS Admin Bylaw (Fees Bylaw)

DATE OF MEETING:	March 12, 2024
TO:	Islands Trust Executive Committee
FROM:	Robert Kojima, Regional Planning Manager
SUBJECT:	Saturna Island Local Trust Committee – Proposed Bylaw No. 142 (Fees Bylaw)

RECOMMENDATION

THAT the Islands Trust Executive Committee approve Saturna Island Local Trust Committee Bylaw No. 142, cited as "Saturna Island Local Trust Committee Fees Bylaw, 2023" in accordance with Section 27 of the *Islands Trust Act*.

DIRECTORS COMMENTS

Saturna Island Local Trust Committee has referred Proposed Bylaw No. 142 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. This referral completes all Local Trust Committees updating their fees bylaws.

IMPLICATIONS OF RECOMMENDATION

Organizational: Trust Council has recommended that all local trust committees amend their fee bylaws to be in agreement with the model fee bylaw. Most LTC bylaws were adopted prior to the start of the 2022/23 fiscal period. The Saturna Island Local Trust Committee deferred consideration several times; however Bylaw No. 142 would be consistent with the fees for all other LTCs as of April 1, 2024.

Financial: The proposed amendments will increase the revenue derived from development applications submitted to the Local Trust Committee.

Policy: The proposed bylaw amendments are consistent with Islands Trust Policy 5.6.1 Applications Processing Services.

Implementation/Communications: New application fees will be updated on relevant websites and will be communicated to applicants and enquirers.

First Nations: None.

Other: None.

PURPOSE

Saturna Island Local Trust Committee Fees Bylaw No. 142, cited as "Saturna Island Local Trust Committee Fees Bylaw, 2023" is intended to update the Local Trust Committee Fees Bylaw to be concurrent with Islands Trust Policy 5.6.1 Applications Processing Services.

BACKGROUND

At its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. At the same meeting, Trust Council requested all local trust committees to adopt the new fees bylaw. The Saturna Island Local Trust Committee received the request at their October 2021 regular business meeting and deferred consideration until October 2023. At the October 2023 meeting the LTC requested staff to draft a new fees bylaw based on the new model fees bylaw. At their February 2024 regular meeting, the LTC considered the draft bylaw and gave first, second and third readings and forwarded it to the Executive Committee for approval.

Issues Relating To Provincial Interest

None.

Issues Relating To First Nation Interest

None.

Issues Relating To Resources and Enforcement

None.

Public Comments

None.

Staff Comments

Staff recommend that the Executive Committee approve the bylaw as it is consistent with Islands Trust Council Policies and Procedures.

KEY ISSUES/CONCEPTS

At its regular business meeting in June 2021, Trust Council adopted a new Application Processing Services Policy that includes a model Fee Bylaw. At the same meeting, Trust Council requested all local trust committees to adopt the new fees bylaw. The Saturna LTC has given three readings to a new Fee Bylaw based on the model fee bylaw. Bylaw No. 142 is attached.

RELEVANT POLICY

- Section 27 of the *Islands Trust Act*
- Islands Trust Policy 5.6.1 Applications Processing Services

ALTERNATIVE

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

   THAT the Executive Committee request that staff advise Saturna Island Local Trust Committee in writing that the Executive Committee considers that Saturna Island Local Trust Committee Fees Bylaw No. 142, cited as "Saturna Island Local Trust Committee Fees Bylaw, 2023" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Saturna Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Robert Kojima, Regional Planning Manager	March 4, 2024
Concurrence:	Stefan Cermak, Director, Local Planning Services	March 5, 2024

ATTACHMENTS

1. EC Submission Cover
2. EC Policy Checklist
3. Proposed Bylaw No. 142

Islands Trust

Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Saturna Island Local Trust Committee

Bylaw No.: SA-142

Bylaw Type: Fees Bylaw

Date of resolution referring bylaw to Executive Committee: 15-Feb-2024

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

Recieved by Islands Trust Secretary:

Signature: ______________________ Date: ______________
Secretary

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 numberically 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 ______________

Islands Trust

Print Date: February 21, 2024

Bylaw: SA-142

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Jas Chonk

Status

Date Resolution Referred to Exective Committee:	15-Feb-2024
Reading:	15-Feb-2024
	Third Reading

PROPOSED

SATURNA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 142

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

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

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

Citation

1.1 This bylaw may be cited as the "Saturna Island Local Trust Committee Fees Bylaw, 2023".

Interpretation

2.1 In this bylaw:

"Applicant" means:

2.1.1 the person authorized under the Saturna Island Local Trust Committee Development Procedures Bylaw No. 43, 1992 to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;

2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;

2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;

2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;

2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;

2.1.6 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or

2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

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

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

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

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

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

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

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

Application Fees

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

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw	
Column 1: Type of Application	**Column 2: Fee**
Major (e.g. change to density or OCP)	$8,112
Minor (e.g. regulation change without changing density or OCP amendment)	$4,784

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	**Column 2: Fee**
1. Protection of Natural Environment, Ecosystems and Biological Diversity	$1,040
2. Protection of Development from Hazardous Conditions	$1,040
3. Protection of Farming	$1,040
4. Objectives for Form and Character	$1,768
5. Objectives to Promote Energy Conservation	$1,040
6. Objectives to Promote Water Conservation	$1,040
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	$1,040
8. Development Permit Amendment	$1,040
Type of Development Variance Permit	
9. Development variance permit (commercial, industrial or institutional development)	$1,976
10. Development variance permit (residential development)	$1,976
Type of Temporary Use Permit	
11. Temporary Use Permit (residential/commercial/industrial)	$2,236
12. Temporary Use Permit Renewal	$728
Other Permits	
13. Heritage Alteration Permit	$1,768
Combination Applications	
14. Development Permit in respect of a protection area or water and energy conservation in combination with a companion application for a Development Variance Permit	$2,600
15. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	$3,120

TABLE 3 – Subdivision Referrals		
Column 1		**Column 2: Fee**
1.	Application for Subdivision Review – base fee	$1,040
2.	Application for Subdivision Review – per additional lot created	$104
3.	Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	$520

TABLE 4 – Other Applications		
Column 1: Type of Application		**Column 2: Fee**
1.	Board of Variance	$2,288
2.	Land Use Contract amendment	$2,080
3.	Liquor & Cannabis Regulation Branch – Retail License Application and Process and referrals requiring local government consultation	$1,560
4.	Liquor & Cannabis Regulation Branch – Temporary License Change	$520
5.	Strata Conversions	$1,560

4. Fee for After-the-Fact Application

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

5. Collection and Refund of Application Processing Fee Amounts

5.1 The total application processing fee must be received before the processing of the application can begin.

5.2 An applicant may withdraw their application at any time through written notice to the Planning Team Assistant and/or the Planner responsible for processing the application.

5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less $100.

5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned by the regional planning manager to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.

5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been assigned to the planner; no refund will be provided if the first staff report has been submitted to the LTC, Board of Variance, or formal referral response submitted to the relevant agency.

6. Extraordinary Service Costs (ESC)

6.1 Extraordinary Services Costs will be paid by the Applicant through a cost recovery agreement, entered into with Islands Trust, in addition to the application processing fee.

6.2 Where legal work is required for the preparation of covenants, registration of covenants at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.

6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.

6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide the Applicant with an estimate of costs. The Applicant will pay a deposit of 150% of this estimate.

6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.

6.6 If the amount paid by Islands Trust in respect of Extraordinary Service Costs is more than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the applicant shall pay the amount upon receipt. The local trust committee may withhold the consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.

6.7 Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

7. Annual Fee Increases

7.1 Fees in section 3.1 increase by 2% on April 1st of each year following the date of adoption of the bylaw.

7.2 The Saturna Island Local Trust Committee will maintain a record of annual 2% increases and make that record available for public inspection.

PROPOSED

8. Application Fee Sponsorship

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

9. Severability

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

10. Repeal

10.1 "Saturna Island Local Trust Committee Fees Bylaw No. 90, 2007" is repealed upon adoption of this bylaw.

10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME THIS	15TH	DAY OF	FEBRUARY	, 2024.
READ A SECOND TIME THIS	15TH	DAY OF	FEBRUARY	, 2024.
READ A THIRD TIME THIS	15TH	DAY OF	FEBRUARY	, 2024.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	______	DAY OF	_______________	, 202X
ADOPTED THIS	______	DAY OF	_______________	, 202X

___________________________________ ____________________________

CHAIR SECRETARY

Islands Trust Council Schedule

March 12-14, 2024

Coast Bastion Hotel

Tuesday, March 12	Wednesday, March 13	Thursday, March 14
9:00 **Executive Committee Meeting** **(Colvile Room)** **10:15 Break** 10:30 **Trust Council Start** (Chemainus / Port Room) **Land Acknowledgement** **Call to Order and Approval of Agenda** **General Business Arising** Consent Agenda Item(s) Adoption of Minutes Resolution Without Meeting Trust Council Follow-up Action List 10:45 **Trustee Roundtable** Emerging issues and island updates 11:30 **Executive** Council Work Program Executive Committee Work Program Governance Committee Report	8:30 **Administrative Services** Consent Agenda Items Decision/Discussion Items Financial Planning Commitee Work Program 9:00 **Budget** **10:30 Break** 10:45 **Budget (Continued)**	8:30 **Closed Meeting** Public are welcome to attend all sessions excluding the Closed Meeting **Rise and Report** **9:30 Break** 9:45 **Financial Bylaws Approval** 10:15 **Trust Area Services** Consent Agenda Items Decision/Discussion Items Trust Programs Committee Work Program Islands Trust Conservancy Work Program 10:30 **New Business** Trustee-Initiated Requests for Decision 11:15 **Trustee Updates about Working in Cooperation with Others** Atl'ka7tsem/Howe Sound Biosphere Region Baynes Sound/Lambert Channel Ecosystem Forum Southern Gulf Islands Forum Salt Spring Island Watershed Protection Alliance (SSIWPA) VICC Climate Leadership Steering Committee Snaw-naw-as Nation/ Islands Trust Joint Working Group First Nations Relations Shellfish Aquaculture Management Advisory Committee Freighter Anchorages/Oceans Protection Plan Update BC Ferries Advisory Committees **Priorities Chart** **June Trust Council Draft Schedule** **Disposition of Delegations** **Correspondence**
12:00 Lunch	**12:00 Lunch**	
1:00 **Local Planning Services** Consent Agenda Item(s) Decision/Discussion Items Local Planning Services Work Program 2:00 **Strategic Plan - Goals and Priorities Session**	1:00 **Delegations/Public Comment** 1:45 **Trust Area Services** 2:00 **Media & Social Media Training Session** Welcome and Introductions	
3:00 Break	**3:00 Break**	12:00 **Adjournment (approx.)**
3:15 **Strategic Plan - Goals and Priorities Session (Continued)**	3:15 **Media & Social Media Training Session (Continued)**	**Visit the meeting webpage:** https://islandstrust.bc.ca/event/trust-council-quarterly-meeting/ **~ to view the agenda package** **~ to join the meeting electronically, view livestream or attend by phone-in**
5:30 Adjourn for the Day (approx.)	**5:30 Adjourn for the Day (approx.)**	

*times are provided for information and may vary

February 23, 2024

Bowen Island Municipality
File: RZ/OCP 2023-0018

Jeff Fitzpatrick
Metro Vancouver Regional Parks
VIA EMAIL: Jeffrey.fitzpatrick@metrovancouver.org

Dear Jeff,

Response to Metro Vancouver

I am writing in response to your letter dated December 1, 2023 regarding your application for a new Regional Park at Cape Roger Curtis.

Your letter sought out additional information on the specific areas of concerns and the material on which those concerns are based, in accordance with, the Islands Trust Policy Statement. Below I provide an overview of the referral process to date, and BIM's staff's assessment on concerns identified by the Islands Trust which could be addressed by action from Metro Vancouver

Rezoning and OCP Amendment Application – Islands Trust Referral

Your letter seeks confirmation on the referral process of your application to the Islands Trust, and confirmation that all technical reports and studies were included in the referral. Most of this documentation is available on publicly available agendas and reports, which I summarize below.

The initial referral of the Metro Vancouver application was referred to the Islands Trust by BIM Council at their February 27th, 2023, meeting. Staff sent the initial referral to Islands Trust staff on March 2, 2023, and included the complete application submitted at that time. BIM staff did not receive any concerns from IT staff from this initial referral.

The referral of Bylaw 608 and 609 was made at the July 10th, 2023 BIM Council Meeting, and was considered by the Islands Trust (IT) Executive Committee meeting of August 2, 2023. The agenda package may be viewed electronically at: https://islandstrust.bc.ca/document/executive-committee-regular-meeting-agenda-47/. An agenda addendum was also published electronically and can be viewed at: https://islandstrust.bc.ca/document/executive-committee-regular-meeting-addendum-18/. IT Planning staff provided a report on that agenda, which contains an overview of the referral and include links to all the various technical reports which had been submitted by Metro Vancouver by that time. The IT Executive Committee adopted the following motion:

EC-2023-085

It was Moved and Seconded,

That Executive Committee request Islands Trust staff request Bowen Island Municipality staff respond to the following questions on 5.5.6 (re: how were the high impact recreational activities addressed and the number of potential persons camping) and 5.2.3, specifically the social impacts of development addressed, regarding Islands Trust Policy Statement checklist and return to this item the August 25th Executive Committee meeting.

CARRIED

Following that meeting Islands Trust staff reached out to BIM, and to me directly, seeking additional clarity on the two policies named above, and I responded by email amplifying my analysis of those two policies. The IT Executive Committee again considered the referral at their August 25th, 2023, meeting. The agenda for that meeting can be viewed electronically at: https://islandstrust.bc.ca/document/executive-committee-regular-meeting-agenda-48/. The agenda for the August 25 meeting contained an additional IT staff report on the referral. The agenda also included the correspondence between IT staff and me addressing the two policies identified in the minutes of the August 2, 2023 meeting.

BIM staff cannot speak to how the Executive Committee reviewed the documents contained in the referral, including staff reports and technical submissions, but reviewing the meeting recording shows Executive Committee members with knowledge of the contents of the technical reports prepared by Metro Vancouver, as references were made to specific points in the reports throughout the meeting. At the meeting the IT Executive Committee adopted the following motions:

EC-2023-093

It was Moved and Seconded,

THAT the Executive Committee request that staff advise Bowen Island Municipality in writing that the Executive Committee considers that Bylaw No. 608 cited as “Bowen Island Municipality Official Community Plan Amendment Bylaw No. 608, 2023” is contrary to or at variance with the Islands Trust Policy Statement policies 4.4.2, 5.2.3, 5.2.4, 5.2.5, 5.5.4, 5.5.6, 5.5.7, 5.6.2, 5.6.3 and 5.7.2, triggering a meeting between Bowen Island Municipality and the Islands Trust Executive Committee and, that staff provide a summary of the Executive Committee’s consideration.

CARRIED

EC-2023-094

It was Moved and Seconded,

THAT the Executive Committee request that staff advise Bowen Island Municipality in writing that the Executive Committee considers that Bylaw No. 609 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 609, 2023” is contrary to or at variance with the Islands Trust Policy Statement for those items identified in the motion EC-2023-093 concerning Policy Statement Directives as listed, 4.4.2, 5.2.3, 5.2.4, 5.2.5, 5.5.4, 5.5.6, 5.5.7, 5.6.2, 5.6.3, 5.7.2, triggering notification of the Minister and that staff provide a summary of the Executive Committee's consideration.

CARRIED

Notice of that decision was relayed to BIM by way of a letter dated August 25, 2023 from Stefan Cernak, Director of Planning Services for the Islands Trust. That letter was sent to Metro Vancouver Staff and may also be viewed at: https://www.bowenisland.civicweb.net/document/295061. Regardless of BIM and IT staff's recommendation regarding the bylaw's compliance with the Islands Trust Policy Statement, the IT Executive Committee's role is to determine for themselves if a bylaw is contrary to or at variance with the Islands Trust Policy Statement, and not simply to affirm a recommendation made by staff.

BIM Council met with the IT Executive Committee at a Special Council Meeting on October 16, 2023. The agenda for that meeting may be viewed electronically at: https://bowenisland.civicweb.net/filepro/document/295075/Special%20Council%20with%20Islands%20Trust%20Executive%20Committee%20-%2016%20Oct%202023%20Agenda.pdf.

At that meeting BIM staff and Council sought additional information from the Islands Trust Executive Committee regarding what specific changes were being sought from the Executive Committee to Bylaws 608 & 609, and some responses were verbally provided by members of the Executive Committee during the meeting.

The video of the meeting may be reviewed at https://bowenisland.civicweb.net/filepro/document/295076/Special%20Council%20with%20Islands%20Trust%20Executive%20Committee%20-%2016%20Oct%202023.html.

At that meeting, as you are aware, at the meeting Council adopted the following motion:

RES#23-338	**It was Moved and Seconded** That Council direct staff to request the applicant, Metro Vancouver, amend their application to comply with the Islands Trust Policy Statement Directive Policies prior to consideration of second reading and to report back to Council. CARRIED UNANIMOUSLY

Finally, your letter requests confirmation that notification was provided to the Minister of Municipal Affairs, pursuant to Section 15.1 of the BIM Letters Patent. The Ministry was included in the August 25th letter, and BIM staff subsequently additionally contacted the Minister to inform them of the Islands Trust decision. The final communication with the Ministry was following the October 25th Special Council Meeting. At that time the Ministry was satisfied that BIM Council had identified a way forward as described in Resolution#23-33.

Islands Trust Executive Committee Concerns

Your letter requests that BIM "provide clarity on the Islands Trust determination process and next steps to advance the Application, with reference to the applicable policies, requirements, guidance and procedures outlined in the Islands Trust Policy Statement and the BIM – Islands Trust Protocol Agreement."

While BIM staff are not able to provide specific amendments required to address the concerns raised by the IT Executive Committee, BIM staff provide the following comments on four categories of concerns raised by the Islands Trust.

1. **Transportation**
   The Islands Trust expressed concerns that your application is inconsistent with several policies that relate to off-site impacts of the proposed development, in particular, the impact of arrivals in Snug Cove and the travel across Bowen Island to access the campground. Metro Vancouver's *Visitor Use Management Plan,* dated June 8, 2023 identifies concerns with the Island's Transportation Infrastructure. Likewise, Bowen Island's current [Transportation Plan] identifies concerns with existing cycle facilities on Bowen, as many Bowen roads lack safe, accessible infrastructure. In January of this year staff presented BIM's [Active Transportation Plan] which showed that the current route across Bowen Island is not an acceptable route for the majority of bicycle riders on Bowen Island.

   Initial submissions from Metro Vancouver acknowledged the challenge of transportation across Bowen Island and sought to take steps to mitigate these challenges. For example, Metro's *"Implementation, Visitation, Operations and Access Report",* dated March 2023, identified BIM's proposed Multi-Use Path route to traverse the Island from Snug Cove to Tunstall Bay. This report stated that:

   > *Metro Vancouver will prioritize alternatives to private vehicular access to the park. Sustainable access will be a guiding principle, from the park's physical planning and design to managing capacity, access and communication-related to day and overnight use. Access strategies will include:*
   > - *Provision of a park shuttle;*
   > - *Improved multi-use pathway or greenway connections; and*
   > - *Limited vehicular access to support accessibility and day use.*

   The Preliminary Phasing Summary included in that report outlined that Phase 1 of the "park development phases" would include "Investment Cross-island MUP."

   In May 2023 Metro Vancouver submitted a "*Visitor Use Management Plan.*" This plan also recognized the potential impact that access to the park will cause to existing residents. This plan stated that "Metro Vancouver will work with Bowen Island Municipality to fund key phases of the cross-island multi-use part (MUP)." The updated Phasing Summary submitted at the same time again identified a Phase 1 action of "Investment in cross-island MUP." Metro's submitted Transportation Impact Assessment (TIA), prepared by Bunt and Associates, identifies that potential TDM strategies to be undertaken by the Site Developer include "Provide Cycling facilities leading to, adjacent to and on the site." Based on these submissions, and ongoing conversations with Metro Staff, BIM staff had understood Metro Vancouver proposing improved non-vehicular access to the park, including construction of portions of the Multi-use path, to be done through a cost-sharing agreement, similar to the improved vehicle access route proposed in the development of Widgeon Marsh Regional Park.

Thank you for the submission of the January 24, 2024, Bunt memo provided in response to BIM staff concerns. The TIA and additional memo still contain many assumptions that would rely heavily on improvements to the active transportation network to bring visitors to the park. For example, the January 24, 2024 memo estimates a modal split for transportation to the park such that 25% of daily visitors will come on foot or by bicycle (the memo also estimated 38% will arrive by transit/shuttle). Absent improvements to park access, staff foresee visitors instead accessing the park by motor vehicle, with increased impacts on access routes into the park. BIM staff are awaiting a third party peer review of the TIA, which we understand you have commissioned.

The "*Visitor Use Management Plan*" submitted in June 2023 likewise acknowledged challenges with access to the site and a desire to reduce car access to the site. This plan, however, removed commitments to improve access to this site. This report instead stated, *"Metro Vancouver will work with Bowen Island Municipality to fund key phases of the cross-island multi-use path (MUP) within the park."*

Finally, your letter dated December 1, 2023 stated firmly that Metro Vancouver will not fund construction of the Multi-use path, or a connection between the planned Multi-use path and the proposed park.

The challenges of access to the proposed Regional Park are a key concern raised by BIM Council and staff and Bowen residents. The IT Executive Committee likewise expressed concerns with compliance with Policy 5.5.7. Metro Vancouver's initial application provided assurance of funding to address these off-site challenges with access, which could be used to support compliance with Policy 5.5.7. The updated Management Plan in June 2023, and confirmed in your letter dated December 1, indicate that the previous offer to address off-site challenges of transportation has been removed.

Given the revisions to your application to remove commitments to improve cycling access to the proposed Regional Park, please outline how Metro Vancouver will work to improve cycling access to the Proposed Regional Park, including meeting the recommendation in the Bunt and Associates TIA to provide Cycling facilities leading to the site.

2. **Adaptive Management**

   Metro Vancouver's submissions have indicated that Park management will utilize "adaptive management," but no details have been provided as to how that will be implemented. While your letter states that Metro Vancouver would be willing to enter into a Section 219 Covenant in relation to the proposed phasing plan" Metro Vancouver staff have been clear to BIM staff that, under no circumstances, would Metro Vancouver agree to a Section 219 Covenant and phasing plan that would result in a total number of campsites below that proposed in your application. As such, please provide specific additional information regarding the nature of adaptive management proposed and what steps Metro Vancouver would be willing to commit to taking if the proposed park has greater impacts than those projected in the submitted Transportation Impact Assessment and Visitor Use Management Plan.

3. **Water Demand**
   The IT expressed concern that "water is an issue in that area based on public feedback and reports indicating issues with water in that area". Your response noted the submission of a technical memorandum *Water Study Analysis Results* by Water Street Engineering dated June 23, 2023. That memorandum concludes, based on an analysis of the well certification records, that there is sufficient quality of water to meet the estimated peek demands of the proposed campground. The memorandum recommends additional well testing be conducted "to confirm the well supply quantity and quality." BIM staff would recommend that completion of this recommendation be conducted to address concerns raised by the Islands Trust.

4. **First Nation Engagement**
   BIM has referred Bylaws 608 & 608 to the Squamish First Nation, and to date has not received a response from the referral. I understand from your letter, and other conversations with Metro staff, that you have worked closely with the Squamish Frist Nation, and other Indigenous groups, in your planning for the proposed Regional Park. To address the concern from the Islands Trust, Metro Vancouver may wish to provide information on the state of their engagement, and, if possible, encourage the Squamish First Nation to provide any comment on the proposal.

Next Steps
At their July 10, 2023, Council Meeting, BIM Council referred Bylaws 608 and 609 to the Islands Trust for comment, and to a number of internal advisory committees and external agencies BIM began the referral process, and Metro Vancouver staff were present at those initial committee referral meetings. However, staff paused referral meetings to allow Metro Vancouver to address concerns raised by the Islands Trust. Upon receiving a response from Metro Vancouver, addressing the concerns raised by the Islands Trust, BIM Staff will return your response to BIM Council and seek a referral to any response to the Islands Trust to ascertain if, given additional information, the Islands Trust finds that the revised application is not contrary to or at variance with the Islands Trust Policy Statement. Upon receiving this statement from the Islands Trust, BIM staff will complete the remaining committee referrals before returning all comment received to date to BIM Council.

Sincerely,

Daniel Martin

Daniel Martin
Manager of Planning and Development

cc: Liam Edwards, Bowen Island Municipality CAO
Hope Dallas, Bowen Island Municipality Corporate Officer
Lydia Mynott, Landscape Architect, Regional Parks, Metro Vancouver
Mike Redpath, Director, Regional Parks, Metro Vancouver
Stefan Cermak, Director, Planning Services, Islands Trust

Active Projects Report

Executive Committee

1. *Update Islands Trust Policy Statement*	Responsible	Dates
With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Policy Statement including a First Nations and public engagement process. Updated Project charter approved March 2023. (Strategic Plan 3.1, 4.4 , 5.6, 5.7)	Clare Frater Russ Hotsenpiller	Rec'd: 26-Feb-2020 Target: 26-Sep-2023

2. *First Nations Reconciliation*	Responsible	Dates
Develop Islands Trust First Nations Reconciliation and engagement planning (Strategic Plan Items 4.5 & 4.6)	Russ Hotsenpiller	Rec'd: 02-Sep-2020

3. *Provincial Funding Strategy*	Responsible	Dates
Develop a strategy to request additional funding from the Province, including revisiting the provincial grant funding formula to the Islands Trust.	Russ Hotsenpiller	Rec'd: 07-Mar-2023

3. *Request for Provincial Review*	Responsible	Dates
Per Trust Council request respond to Minister Kang to the effect that Trust Council will revisit the request for a review of Islands Trust mandate, governance and structure and provide the minister with an update.	Russ Hotsenpiller	Rec'd: 08-Mar-2023 Target: 06-Dec-2023

Active Projects Report

Executive Committee

4. *Strategic Planning*	Responsible	Dates
Guide the development and implementation of the Islands Trust Strategic Plan.	Russ Hotsenpiller	Rec'd: 03-May-2023

5. *Communications*	Responsible	Dates
Development of an Islands Trust Communications Strategy.	Clare Frater Russ Hotsenpiller	Rec'd: 03-May-2023

Islands Trust

Print Date: March 6, 2024

Follow Up Action List

Future Projects Report

Executive Committee

1. *Marine Ecosystems*	Responsible	Date Received
Advance the preservation and protection of marine ecosystems.		03-May-2023

2. *MOTI MOU's*	Responsible	Date Received
To engage with the Ministry of Transportation on a updated Memorandum of Understanding.		03-May-2023

3. *Climate Change Emergency*	Responsible	Date Received
Programming associated with the Climate Change declaration of the Islands Trust.		03-May-2023

4. *Request to Minister for Review of Islands Trust*	Responsible	Date Received
To follow up on the request by Trust Council for a review of the Islands Trust by the Minister of Municipal Affairs.		01-Nov-2023

5. *Summary of requests by Trust Council to approach the Province to provide ongoing funding to the Islands Trust*	Responsible	Date Received
This work item is the combination of a number of requests by Trust Council (March 2023), (July 2023) and previous terms to develop a strategy to request further funding from the Province.		