



Executive Committee Agenda

Date: June 23, 2021
Time: 9:00 am
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Pages

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

None
4. ADOPTION OF MINUTES
 - 4.1. June 7, 2021 meeting 5 - 9
5. FOLLOW UP ACTION LIST AND UPDATES
 - 5.1. Follow Up Action List/Director/CAO Updates 10 - 17
 - 5.2. Local Trust Committee Chair Updates
 - 5.3. Islands Trust Conservancy Liaison Update
 - 5.3.1. Islands Trust Conservancy report dated May 25, 2021 18 - 19
6. BYLAWS FOR APPROVAL CONSIDERATION
 - 6.1. Gabriola Island Local Trust Committee Bylaw No. 309 (LUB amendment) 20 - 33

THAT the Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 309, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021", under Section 27 of the *Islands Trust Act*.
 - 6.2. Galiano Island Local Trust Committee Bylaw No. 278 (LUB amendment) 34 - 57

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 278, cited as Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2021 in accordance with Section 27 of the *Islands Trust Act*.

- 6.3. **Gambier Island Local Trust Committee, Gambier Associated Islands Bylaw No. 145 (OCP amendment)** 58 - 79

THAT the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, in accordance with Section 27 of the *Islands Trust Act*.

- 6.4. **Gambier Island Local Trust Committee - Bowyer and Passage Land Use Bylaw No. 146 (LUB amendment)** 80 - 98

THAT the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 146, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017” in accordance with Section 27 of the *Islands Trust Act*.

- 6.5. **Gambier Island Local Trust Committee - Gambier Associated Islands Bylaw No. 147 (LUB amendment)** 99 - 123

THAT the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 147, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017” in accordance with Section 27 of the *Islands Trust Act*.

7. **DELEGATION REQUEST**

- 7.1. **M. Chandler re: relationship between democracy and environmentalism** 124 - 124

8. **TRUST COUNCIL MEETING PREPARATION**

8.1. **Executive**

- 8.1.1. **June Trust Council Business Decision Highlights** 125 - 125
- 8.1.2. **June 8-10, 2021 draft Trust Council minutes** 126 - 138
- 8.1.3. **Trustee Feedback on June Trust Council** 139 - 154
- 8.1.4. **DRAFT agenda - July 7-8 Special Electronic Trust Council Meeting** 155 - 155

8.2. **Trust Area Services**

- 8.2.1. **New Draft Policy Statement Bylaw No. 183 - RFD** 156 - 250

That Executive Committee approve the draft new Policy Statement Bylaw, No. 183, with amendments as recommended by the Trust Programs Committee resolutions TPC-2021-035 and TPC-2021-036, and forward to Trust Council for First Reading.

8.3. **Local Planning Services**

8.4. **Administrative Services**

9. **EXECUTIVE COMMITTEE PROJECTS**

9.1. **Trust Council Initiated**

9.1.1. **Executive**

- 9.1.1.1. **UBCM Premier & Minister meeting requests deadline June 30, 2021** 251 - 252

9.1.2. **Trust Area Services**

9.1.3. **Local Planning Services**

9.1.4. **Administrative Services**

9.2.	Executive Committee Initiated	
9.2.1.	Executive	
9.2.2.	Trust Area Services	
9.2.3.	Local Planning Services	
9.2.4.	Administrative Services	
10.	NEW BUSINESS	
10.1.	Executive/Trust Council	
10.1.1.	Vice Chair Fast re: Old Growth in Islands Trust Area - RFD	253 - 255
10.1.2.	Vice Chair Rogers re: Islands Trust Act (s.8)(2)(e) re: communicating with Province - Briefing	256 - 257
10.1.3.	Vice Chair Fast re: Trails Strategy what we heard report email dated June 13, 2021	258 - 261
10.1.4.	Vice Chair Fast re: new tools for conduct, public hearing, electeds email dated June 13, 2021	262 - 263
10.1.5.	Vice Chair Rogers re: Local Trust Committee and Advisory Planning Commission meeting protocol - Discussion	
10.2.	Trust Area Services	
10.2.1.	LTC Chairs Report on Local Advocacy Topics	
10.3.	Local Planning Services	
10.4.	Administrative Services	
11.	CORRESPONDENCE (for information unless raised for action)	
11.1.	ADM re: Local Government Meetings update letter dated June 17, 2021	264 - 267
11.2.	Bowen Island Municipal Council Island Plan 2021	268 - 297
11.3.	BC Ombudsperson Quarterly Report: Jan 1 - Mar 31, 2021	298 - 303
11.4.	District of Central Saanich re: Tsawout First Nation Claim to LEL'TOS, James Island letter dated May 19, 2021	304 - 304
11.5.	AVICC resolution endorsed for UBCM, letter dated June 4, 2021	305 - 306
11.6.	J. Balke re: Bat Friendly Communities seeking Trust Council endorsement email dated June 7, 2021	307 - 308
11.7.	BC Gov Seeks Public Input re: climate change survey news release dated June 9, 2021	309 - 312
11.8.	R. Brockley Gabriola Land and Trails Trust re: tree cutting letter dated June 9, 2021	313 - 315
11.9.	Mayne Island Conservancy re: public input for First Reading of proposed revisions to the Islands Trust Council draft bylaw No. 183 / Islands Trust Policy Statement Bylaw 2021 (Stage 5 - June to September 2021)	316 - 316
11.10.	Green Municipal Fund Council approves Mayne Island Housing Society letter dated June 11, 2021	317 - 319
11.11.	City of Pitt Meadows to MP Dalton & MLA Beare re: Truth and Reconciliation Commission's Call to Action #75 letter dated June 14, 2021	320 - 321
11.12.	J. Margison response to Vice Chair Rogers letter dated June 2021	322 - 325
12.	WORK PROGRAM	

13. NEXT MEETING

The next Executive Committee meeting is scheduled for July 14, 2021, starting at 9:00 a.m., to be held electronically.

14. CLOSED MEETING - SCHEDULED

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

15. ADJOURNMENT



Executive Committee Minutes of Regular Meeting

Date: June 7, 2021
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

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

Staff Present Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services
Carmen Thiel, Legislative Services Manager
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Lori Foster, Executive Coordinator/Recorder

1. CALL TO ORDER

At 9:00 a.m., Chair Luckham called the meeting to order and humbly stated gratitude to live and work on Coast Salish First Nations traditional and treaty territory.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

For consideration to add the following items at:

- 7.1.3 Notice of motion
- 9.2.1 Anchorages advocacy

2.2 Approval of Agenda

By general consent, the agenda was approved as amended.

- 2.2.1 Agenda Context Notes – None

3. RISE AND REPORT FROM LAST MEETING

From the May 26, 2021, closed meeting Chair Luckham reported that the in-camera minutes from the May 5th closed meeting were adopted and the Trust Council closed agenda was approved for the June 10th meeting.

4. ADOPTION OF MINUTES

4.1 May 26th draft meeting minutes

By general consent, delete from item 5.2 “It was noted” and all bullets following.

By general consent, the minutes were adopted as amended.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates

Staff gave verbal updates on follow-up action list items.

5.2 Local Trust Committee Chair Updates

Chair of their local trust committees gave verbal updates on recently attended meetings, application updates and other current events.

5.3 Islands Trust Conservancy Liaison Update - None

6. BYLAWS FOR APPROVAL CONSIDERATION - None

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1 Amendments to Trust Council Policy 2.3.1 Council Committee System – RFD

Legislative Services Manager (LSM) Theil spoke to the request for decision and changes to the policy since the May 26th EC meeting.

EC-2021-083

It was Moved and Seconded,

That staff be requested to remove 8.5 from the current draft and add select committees to 8.4 of the current draft.

CARRIED

EC-2021-084

It was Moved and Seconded,

That in item 1.2.3 of the policy, the words “he or she” be replaced with the word “they”.

CARRIED

By general consent, the amendments to 2.3.1 policy be forwarded to Trust Council.

7.1.2 Correspondence

By general consent, forward all correspondence under 7.1.2, by email, to trustees for Trust Council.

7.1.2.1 A. Yardly re: Policy Statement email received May 28, 2021

7.1.2.2 J. Laing re: Trust Policy for 2050 letter received May 31, 2021

7.1.2.3 J. Margison re: Islands Trust Policy Statement Review email received May 31, 2021

7.1.2.4 J. Henshaw re: Trust Policy Statement review email received May 31, 2021

7.1.2.5 L. Ciocea re: do not vote to remove the environment from protected status email dated June 3, 2021

7.1.3 Notice of Motion

Executive Committee discussed the possibility of a notice of motion being brought to June Trust Council.

7.2 Local Planning Services – None

7.3 Administrative Services- None

7.4 Trust Area Services – None

8. EXECUTIVE COMMITTEE PROJECTS

8.1 Trust Council Initiated - None

8.1.1 Executive

8.1.2 Trust Area Services

8.1.3 Local Planning Services

8.1.4 Administrative Services

8.2 Executive Committee Initiated

8.2.1 Executive

8.2.1.1 UBCM Premier & Minister meeting requests deadline June 30, 2021

By general consent, forward 8.2.1.1 to the June 23rd Executive Committee agenda.

8.2.2 Trust Area Services - None

8.2.3 Local Planning Services - None

8.2.4 Administrative Services - None

9. NEW BUSINESS

9.1 Executive/Trust Council - None

9.2 Trust Area Services

9.2.1 LTC Chairs Report on Local Advocacy Topics

EC-2021-085

It was Moved and Seconded,

That a letter of thank-you be sent to the Pacific Pilotage Authority to thank them for writing the Letter to Industry and that it include thanks to Gerald Graham for raising the issue on Twitter and that it be copied to Gerald Graham, the Tyee and, the Gulf Islands Driftwood.

CARRIED

9.3 Local Planning Services - None

9.4 Administrative Services - None

10. CLOSED MEETING - None

11. CORRESPONDENCE (for information unless raised for action)

11.1 From Chief Negotiator Heinz Dyck, MIRR to Chair Luckham received May 25, 2021

Received for information.

11.2 Response to response from Executive Committee re: Lasqueti First Nations Woodland License - G. Scott received May 31, 2021

Received for information.

11.3 MP Manly re: support letter to Minister Alhabra freighter anchorages email received June 1, 2021

EC-2021-086

It was Moved and Seconded,

That Executive Committee refer item 11.3 to the June 8th Trust Council for consideration.

CARRIED

11.4 D. Kelly, Director, FLNRORD re: response to J. Money re: PMFL letter dated June 1, 2021

Received for information.

11.5 Salish Sea Ecosystem Conference 2022

Forward to Trustees for information.

- 11.6 M. Green re: Presentation of Findings of the Vessel Drift and Response Analysis email dated June 2, 2021**

EC-2021-087

It was Moved and Seconded,

That Executive Committee request staff to write to M. Green thanking them for the report and inviting them to September Trust Council meeting to present the results of the report.

CARRIED

By general consent, forward to Trustees for information.

- 11.7 Minister Conroy re: Modernizing Forest Policy letter dated June 2, 2021**

EC-2021-088

It was Moved and Seconded,

That Executive Committee refer item 11.7 to Trust Council as late correspondence.

CARRIED

12. WORK PROGRAM

12.1 Review and amendment of current work program

Received for information.

13. NEXT MEETING

The next Executive Committee meeting is scheduled June 23, 2021 at 9:00 a.m., to be held electronically.

14. ADJOURNMENT

By general consent, the meeting was adjourned at 10:32 a.m.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder

Follow Up Action Report

Executive Committee

Bylaw Enforcement Manager

Activity	Responsibility	Dates	Status
1 That Executive Committee direct staff to draft amendments to Trust Council policies on how fines and penalties are to be collected, or not collected, under the Bylaw Notice Enforcement system.	David Marlor Warren Dingman	Meeting: 26-May-2021 Target: 04-Aug-2021	In Progress
2 That Executive Committee direct staff to draft amendments to the Trust Council Bylaw Compliance and Enforcement Policy (5.5.1) to include the following: a. offence Act Prosecutions are to be used only for serious land use permit contraventions. b. long-form information may be sworn only after approval by a local trust committee; and c. Executive Committee has approved legal funding for the prosecution; and d. the long-form information has been reviewed and prepared by legal counsel.	David Marlor Warren Dingman	Meeting: 26-May-2021 Target: 04-Aug-2021	In Progress

Chief Administrative Officer

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
1 Discuss with the province and report to Trust Council at the December Trust Council meeting on a process to identify potential governance and/or operational change that could be adopted in order to improve the delivery and integration of all the types of services that are delivered to the Islands Trust Area. By general consent, at its Dec 16, 2020 meeting, Executive Committee put this item on hold pending review by Trust Programs Committee.	Russ Hotsenpiller	Meeting: 12-Sep-2017 Target: 05-Dec-2017	In Progress
2 THAT Executive Committee direct that staff develop draft policy regarding the provision of electronic meetings for application by Trust Council and Committees for when the Provincial State of Emergency is concluded.	Carmen Thiel Russ Hotsenpiller	Meeting: 30-Sep-2020 Target: 24-Feb-2021	In Progress
3 That the report Potential legislative and procedure change by the Islands Trust in relation to forest protection - Briefing be brought to a future Executive Committee meeting for next steps.	Russ Hotsenpiller	Meeting: 18-Nov-2020 Target: 03-Feb-2021	In Progress
4 That Executive Committee ask staff to write a letter to our minister respecting possible follow-up actions regarding the meeting with K'òmoks and Minister Conroy.	Russ Hotsenpiller	Meeting: 26-May-2021 Target: 23-Jun-2021	In Progress
5 Forward all correspondence under 7.1.2, by email, to trustees for Trust Council.	Russ Hotsenpiller	Meeting: 07-Jun-2021 Target: 08-Jun-2021	Completed
6 Forward item 8.2.1.1., UBCM Premier and Minister meeting requests, to the June 23 EC meeting	Russ Hotsenpiller	Meeting: 07-Jun-2021 Target: 23-Jun-2021	Completed



Follow Up Action Report

Executive Committee

Chief Administrative Officer

Activity	Responsibility	Dates	Status
7 Refer correspondence MP Manly re: support letter to Minister Alghabra freighter anchorages email received June 1, 2021, and Minister Conroy letter re: Modernizing Forest Policy letter dated June 2, 2021 to Trust Council as late item.	Russ Hotsenpiller	Meeting: 07-Jun-2021 Target: 08-Jun-2021	Completed
8 Trust Council referred the matter of electronic meetings back to Executive Committee for further consideration including cost/benefits and all comments at Trust Council.	Russ Hotsenpiller	Meeting: 09-Jun-2021 Target: 21-Sep-2021	In Progress

Director, Administrative Services

Activity	Responsibility	Dates	Status
1 Review Islands Trust Policy 6.5.2 as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed "overspends" for any particular budget item.	Carmen Thiel Julia Mobbs	Meeting: 21-Oct-2020	In Progress
2 Staff review the sponsorship policy and report back recommendations on local trust committee approvals, communications, and funding mechanisms.	David Marlor Julia Mobbs	Meeting: 14-Apr-2021 Target: 16-Jun-2021	In Progress



Follow Up Action Report

Executive Committee

Director, Administrative Services

Activity	Responsibility	Dates	Status
3 That more information be brought back regarding the financial implications of Employee & Family Assistance Plan EFAP if the deductible changed to further consider if staff should enrol the new term of trustees in the Union of British Columbia Municipalities (UBCM) enhanced benefits plan with the Employee & Family Assistance Plan add-on.	Julia Mobbs	Meeting: 26-May-2021 Target: 14-Jul-2021	In Progress

Director, Local Planning Services

Activity	Responsibility	Dates	Status
1 That Executive Committee request staff to continue this discussion (Local Planning Services Renewal Status Report - Briefing) to a future Executive Committee meeting and the pros and cons of reducing the projects per local trust committee to one.	David Marlor	Meeting: 03-Feb-2021 Target: 08-Sep-2021	In Progress
2 Staff review the sponsorship policy and report back recommendations on local trust committee approvals, communications, and funding mechanisms.	David Marlor Julia Mobbs	Meeting: 14-Apr-2021 Target: 16-Jun-2021	In Progress
3 That Executive Committee direct staff to draft amendments to Trust Council policies on how fines and penalties are to be collected, or not collected, under the Bylaw Notice Enforcement system.	David Marlor Warren Dingman	Meeting: 26-May-2021 Target: 04-Aug-2021	In Progress

Follow Up Action Report

Executive Committee

Director, Local Planning Services

Activity	Responsibility	Dates	Status
4 That Executive Committee direct staff to draft amendments to the Trust Council Bylaw Compliance and Enforcement Policy (5.5.1) to include the following: a. offence Act Prosecutions are to be used only for serious land use permit contraventions. b. long-form information may be sworn only after approval by a local trust committee; and c. Executive Committee has approved legal funding for the prosecution; and d. the long-form information has been reviewed and prepared by legal counsel.	David Marlor Warren Dingman	Meeting: 26-May-2021 Target: 04-Aug-2021	In Progress

Director, Trust Area Services

Activity	Responsibility	Dates	Status
1 Investigate options for local trust committees with respect to being notified of aquaculture and mariculture license changes including changes in species in its negotiation of protocol agreements with the province.	Clare Frater	Meeting: 30-Jan-2019 Target: 31-Mar-2020	In Progress



Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
2 Authorize a grant of \$4,500 (from History and Heritage Grants) to Drama Camp Productions in support of the application to host screenings of the movie Dust n Bones and reconciliation discussions on Hornby, Denman and Gabriola Islands, subject to support of local trustees and affected local trust committees. Screening on HOLD due to COVID.	Clare Frater	Meeting: 26-Feb-2020 Target: 31-Mar-2021	In Progress
3 That staff redirect funding approved by resolution EC-2020-032 from its February 26th business meeting for Hornby Island under the History and Heritage grant application, be allocated to a Dust n Bones screening event on Salt Spring Island. On HOLD due to COVID.	Clare Frater	Meeting: 10-Mar-2020 Target: 31-Mar-2021	In Progress
4 That Trust Council request that the Executive Committee support Bowen Island Municipality in its efforts to oppose recreational use of motorized vehicles on Mount Gardner Crown land, subject to consultation with First Nations.	Clare Frater	Meeting: 17-Jun-2020 Target: 31-Mar-2021	In Progress
5 The Executive Committee request staff to provide a Learning at Home series on the Murdered and Missing Indigenous Women and Girls Calls for Justice.	Clare Frater	Meeting: 05-Aug-2020 Target: 31-Mar-2021	In Progress
6 That Executive Committee request Director of Trust Area Services Frater invite the Coast Guard to make a presentation at Trust Council or, an education session to be arranged regarding oil spill response planning.	Clare Frater	Meeting: 30-Sep-2020 Target: 09-Jun-2021	In Progress



Follow Up Action Report

Executive Committee

Director, Trust Area Services

Activity	Responsibility	Dates	Status
7 Collaborate with Bowen Island Municipal staff on an insert for the tax notice and a delay for a year would be appropriate.	Clare Frater	Meeting: 14-Apr-2021 Target: 01-Feb-2022	In Progress
8 Staff to investigate the benefits and opportunities for the Islands Trust to cooperate with others in the anticipated Fall 2021 grant intake for the Government of Canada Nature Smart Climate Solutions Fund.	Clare Frater	Meeting: 05-May-2021 Target: 04-Aug-2021	In Progress
9 That a letter of thank-you be sent to the Pacific Pilotage Authority to thank them for writing the Letter to Industry and that it include thanks to Gerald Graham for raising the issue on Twitter and that it be copied to Gerald Graham, the Tyee and, the Gulf Islands Driftwood.	Clare Frater	Meeting: 07-Jun-2021 Target: 23-Jun-2021	In Progress
10 That Executive Committee request staff to write to M. Green thanking them for the report and inviting them to September Trust Council meeting to present the results of the report.	Clare Frater	Meeting: 07-Jun-2021 Target: 23-Jun-2021	In Progress

Legislative Services Manager

Activity	Responsibility	Dates	Status
1 THAT Executive Committee direct that staff develop draft policy regarding the provision of electronic meetings for application by Trust Council and Committees for when the Provincial State of Emergency is concluded.	Carmen Thiel Russ Hotsenpiller	Meeting: 30-Sep-2020 Target: 24-Feb-2021	In Progress

Follow Up Action Report

Executive Committee

Legislative Services Manager

Activity	Responsibility	Dates	Status
2 Review Islands Trust Policy 6.5.2 as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed "overspends" for any particular budget item.	Carmen Thiel Julia Mobbs	Meeting: 21-Oct-2020	In Progress
3 Staff to draft amendments for replacement of those Trust Council policies deemed as top priority for updating, based on policy review analysis, for consideration of approval by Trust Council.	Carmen Thiel	Meeting: 03-Feb-2021 Target: 01-Dec-2021	In Progress
4 That the amendments to 2.3.1 policy be forwarded to Trust Council as amended.	Carmen Thiel	Meeting: 07-Jun-2021 Target: 08-Jun-2021	Completed



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY, CC TO EXECUTIVE May 25, 2021

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY BOARD MEETING (OPEN PORTION)

Islands Trust Conservancy has made changes to the format of this report to make its production and delivery more efficient. For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- Islands Trust Conservancy Manager Kate Emmings introduced the board to Islands Trust Conservancy's newest staff member: Conservation Technician Co-op Student Devin Hentschel. The Conservation Technician role will assist Islands Trust Conservancy Covenant and Outreach Specialist Jemma Green and Property Management Specialist Nuala Murphy with covenant and property monitoring this summer. Devin Hentschel is a fourth-year student at the University of Victoria, majoring in Biology and minoring in Anthropology, has a passion for environmental and wildlife conservation, and is interested in citizen science projects that aim to involve, support, and collaborate with First Nations.

2. STRATEGIC PLANNING/ADMINISTRATION

- Islands Trust Senior Policy Advisor Dilani Hippola presented information on the Islands Trust Policy Statement Amendment Project, confirming that the board would be able to provide a written response after first reading by Trust Council, and emphasizing that it is a living document that will continue to change and evolve over time, with more frequent (e.g., annual) reviews. The board suggested that the project and document re-write focus more on the importance of *island* biodiversity and ecology (as opposed to biodiversity, in general). It was noted that Ecosystem Protection Specialist Kathryn Martell contributed substantively to the current draft, as did Islands Trust Conservancy Manager Kate Emmings. It was also noted that Islands Trust Conservancy is not subject to the Policy Statement as it operates under a separate Five-year Plan. While there are some references to the Conservancy in the current draft, it is not included in the policy directives.

3. COVENANT AND PROPERTY ACQUISITIONS

- Islands Trust Conservancy approved a Morrison-Waxler Biodiversity Protection Legacy Fund Grant of \$5,500 for survey and baseline report costs for a NAPTEP covenant on lands owned by Lisa Baile and Peter Paré, of North Pender Island. The Morrison-Waxler Biodiversity Protection Legacy Fund Grant Program is only available on North and South Pender and is available to landholders who wish to place conservation covenants on their lands.



**ISLANDS TRUST CONSERVANCY
REPORT TO LOCAL TRUST
COMMITTEES AND BOWEN ISLAND
MUNICIPALITY, CC TO EXECUTIVE
May 25, 2021**

4. COVENANT AND PROPERTY MANAGEMENT

- The Islands Trust Conservancy Board reviewed a number of updates to the Crystal Mountain Society proposal to create a new nature reserve on Galiano Island as part of a rezoning process with the Galiano Island Local Trust Committee. The board passed several resolutions and forwarded them to the applicant.¹
- The Islands Trust Conservancy Manager and Covenant and Outreach Specialist outlined the Sidney Island Ecological Restoration Plan to the board, who noted that the plan was compatible with the Islands Trust mandate and actions around First Nations reconciliation and climate change. They also noted their appreciation towards the plan's emphasis on ecosystem restoration and animal welfare.

5. COMMUNICATIONS AND OUTREACH

- Acting Islands Trust Conservancy Fundraising Specialist Carla Funk gave a presentation to board members on how to cultivate a culture of philanthropy, explaining why people give and describing how to inspire others through storytelling.
- The Islands Trust Conservancy Board approved a draft for the 2020/2021 Annual Report after calling for a number of slight rewording amendments, and also asked that the contents of the Annual Report be repurposed or otherwise made available to a wider audience – to which staff replied that a donor-oriented “Impact Report” version of this material was planned for publication in the near term.

6. FUNDRAISING AND CONSERVANCY SUPPORT

- Islands Trust Conservancy approved two Opportunity Fund Grants: one of \$4,000 to be awarded to the Denman Conservancy Association, and one of \$2,500 to be awarded to the Salt Spring Island Water Preservation Society.

¹ Islands Trust Conservancy Manager Kate Emmings left the meeting for the Crystal Mountain Society application due to a previously declared conflict of interest.



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: GB-RZ-2021.1
Page's Resort & Marina
(Hatfield & Reeve)

DATE OF MEETING: June 23, 2021
TO: Islands Trust Executive Committee
FROM: Teresa Mahikwa, Island Planner
SUBJECT: Gabriola Island Local Trust Committee – Bylaw No. 309

RECOMMENDATION

1. **THAT the Executive Committee approve Gabriola Island Local Trust Committee Bylaw No. 309, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021”, under Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Gabriola Island Local Trust Committee has referred Bylaw No. 309 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None.

Financial

None.

Policy

None.

Implementation/Communications

Communication to the Gabriola Island Local Trust Committee regarding the Executive Committee decision by June 24, 2021, as the Gabriola Island Local Trust Committee wishes to consider final adoption of Bylaw No. 309 by Resolution Without Meeting (RWM) in order to expedite the bylaw amendment process for the applicant.

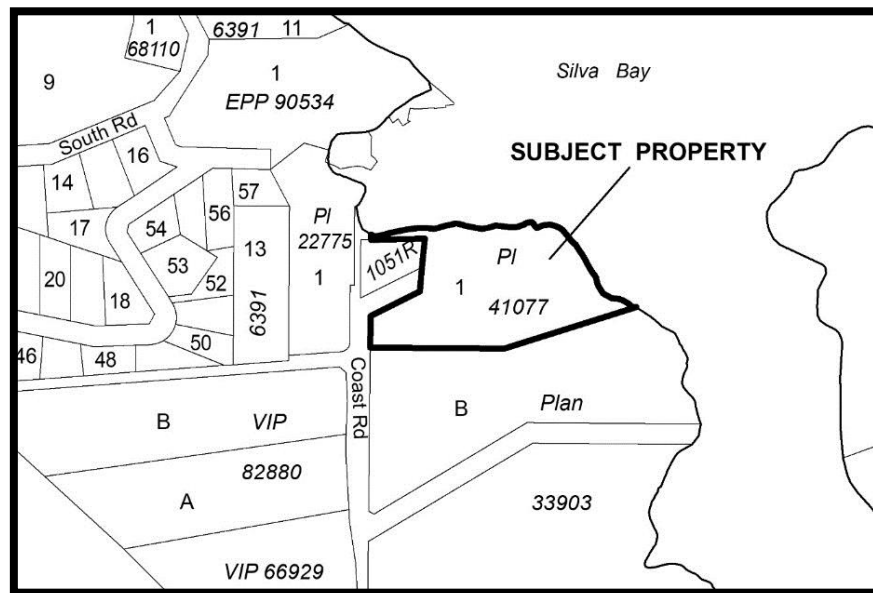
Other

None.

PURPOSE

Gabriola Island Local Trust Committee Bylaw No. 309, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021” (Attachment 5) is a Land Use Bylaw amendment which adds a new use to a specific Gabriola Island property (i.e. “Page’s Resort & Marina”, shown in Figure 1 below), namely, to permit the “retail sale of liquor and other alcoholic goods” on the subject property.

Figure 1 – Subject Property Map Location



BACKGROUND

Gabriola Island Local Trust Committee Bylaw No. 309

Staff brought forward a preliminary staff report for this application to the Gabriola Island Local Trust Committee (LTC), during their April 15, 2021 regular business meeting. At that meeting, the Gabriola Island LTC passed the following resolution:

GB-2021-028

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to prepare draft amendments to the Gabriola Island Land Use Bylaw that will permit the retail sale of liquor and other alcoholic goods on the subject property (3350 Coast Road, PID 000-462-357), on an expedited basis.

CARRIED

Therefore, staff prepared a draft bylaw amendment (Bylaw No. 309, Attachment 5)). At the May 13, 2021 regular business meeting, the Gabriola Island LTC passed the following four resolutions:

GB-2021-039

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 309 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2021-040**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee Bylaw No. 309 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021” be read a first time.

CARRIED

GB-2021-041**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee Bylaw No. 309 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021” be read a second time.

CARRIED

GB-2021-042**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee waive the requirement for a public hearing on Bylaw No. 309 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021” as the Bylaw is consistent with the Gabriola Island Official Community Plan No. 166, 1997, and request staff to proceed with public notification as per Section 467 of the *Local Government Act*.

CARRIED

Following the May LTC meeting, staff sent out public notification to waive the public hearing requirement for Bylaw No. 309, as it was consistent with the OCP and the ITPS. Given that proposed Bylaw No. 309 received first and second reading, was not sent out for referrals, and had the requirement for PH waived, the Gabriola Island LTC passed the following two [draft] resolutions at their June 17, 2021 LTC meeting:

1. That the Gabriola Island Local Trust Committee Bylaw No. 309 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021” be read a third time.
2. That the Gabriola Island Local Trust Committee Bylaw No. 309 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

Issues Relating To Provincial Interest and First Nation Interest

Planning staff consulted internally with the Islands Trust Senior Intergovernmental Policy Advisor regarding an application-specific approach to First Nations engagement for this file. Given that this application and proposed Bylaw No. 309 (Attachment 5) have no proposed or anticipated impacts to land or waters, and that the bylaw change is a change of business use only (i.e. to add a permitted business use: the retail sale of liquor and other alcoholic goods) on the subject property, the Gabriola Island LTC decided not to refer proposed Bylaw No. 309 to First Nations nor any other agencies for review and comment.

Issues Relating To Resources and Enforcement

None.

Public Comments

No public comments to the Executive Committee on this bylaw have been received.

Staff Comments

Given that the Gabriola Island LTC gave proposed Bylaw No. 309 third reading, staff recommends, as per page 1 of this RFD, that EC approve proposed Bylaw No. 309.

RELEVANT POLICIES

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Gabriola Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 309, cited as cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021”, is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Gabriola Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Teresa Mahikwa, MCIP, RPP Island Planner	June 17, 2021
Concurrence:	David Marlor, MCIP, RPP Director, Local Planning Services	June 18, 2021

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Islands Trust Policy Statement Directives Only Checklist
4. EC Policy Checklist
5. Bylaw No. 309



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gabriola Island Local Trust Committee

Bylaw No.: GB-309

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 17-Jun-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: GB-309

Trust Area: Gabriola Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: GB-309

Application No.: GB-RZ-2021.1

Trust Initiated: No

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 13-May-2021

Bylaw Sent to Referrals: No

Date Proposed Bylaw to Web: 13-May-2021

Resolutions:

Resolution Waiving Public Hearing: Yes

Resolution Authorizing Public Hearing: No

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 04-Jun-2021

File complete and ready for Public review: Yes

Public Hearings:

Location: Gabriola Island

Proofread By: Mahikwa, Teresa

Legal Paper: Gabriola Sounder

First Publish Date: 02-Jun-2021

Second Publish Date: 09-Jun-2021

Alternate Paper:

First Publish Date:

Second Publish Date:

Mailout Date: 27-May-2021

Delivery Notices:

Date Public Hearing Held:

Second Reading Date: 13-May-2021

Third Reading Date: 17-Jun-2021



PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

n/a	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

n/a	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
n/a	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY
	5.5	Recreation
n/a	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
n/a	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
n/a	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
n/a	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
n/a	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 17-Jun-2021

Reading:

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 309

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2021”.

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

READ A FIRST TIME THIS 13TH DAY OF MAY, 2021

READ A SECOND TIME THIS 13TH DAY OF MAY, 2021

PUBLIC HEARING WAIVED THIS 17TH DAY OF JUNE, 2021

READ A THIRD TIME THIS 17TH DAY OF JUNE, 2021

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____, 202x

ADOPTED THIS _____ DAY OF _____, 202x

Chair

Secretary

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 309**

Schedule “1”

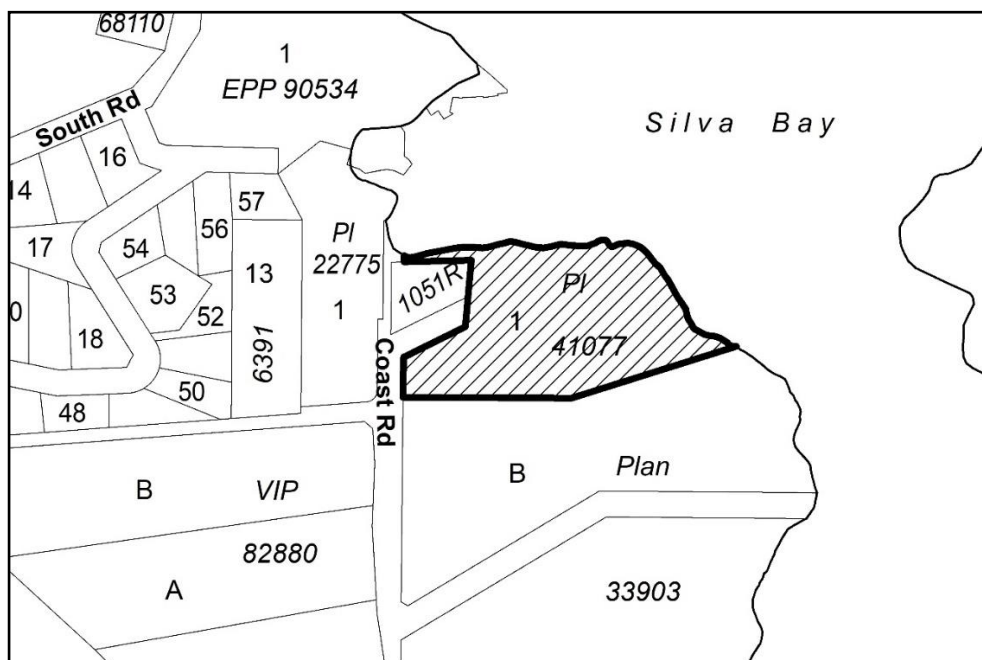
1. **Schedule “A”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:
 - 1.1 **Part D – ZONES**, Section **D.3 COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.8 Tourist Commercial 1 (TC1)**, Article **D.3.8.1 Permitted Uses**, Clause **D.3.8.1.a Permitted Principal Uses**, Item **D.3.8.1.a.v**, is amended by deleting the text in its entirety and replacing with:

“v general store, excluding the sale of liquor and other alcoholic goods (however, general store, including the sale of liquor and other alcoholic goods, is a permitted *principal* use on lands shown on Schedule C, Map 17)”
 - 1.2 **Part D – ZONES**, Section **D.3 COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.8 Tourist Commercial 1 (TC1)**, Article **D.3.8.1 Permitted Uses**, Clause **D.3.8.1.a Permitted Principal Uses**, Item **D.3.8.1.a.viii**, is amended by deleting the text in its entirety and replacing with:

“viii retail sale of liquor and other alcoholic goods, on lands shown on Schedule C, Map 10 and Map 17”
2. **Schedule “C”** of Gabriola Island Land Use Bylaw, 1999 is amended by inserting the following Map, after Map 16:

Schedule C – Map 17

Lands referred to in Items D.3.8.1.a.v and D.3.8.1.a.viii of Schedule A
(Lot 1, Plan VIP41077, Section 5, Land District 32, Gabriola Island; PID 000-462-357)





REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: GL-6500-20 (LUB Technical Review)
3900-04-04

DATE OF MEETING: June 23, 2021
TO: Islands Trust Executive Committee
FROM: Brad Smith, Island Planner
SUBJECT: Galiano Island Local Trust Committee – Bylaw No. 278

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 278, cited as Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2021 in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

The Galiano Island Local Trust Committee (LTC) has referred Bylaw No. 278 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 (ITPS).

IMPLICATIONS OF RECOMMENDATION

Organizational

None

Financial

None

Policy

None

Implementation/Communications

Communication to the LTC regarding the Executive Committee decision by June 25, 2021.

Other

None.

PURPOSE

The purpose of proposed Bylaw No. 278 is to amend the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) by making technical revisions to improve clarity and consistency of bylaw application. The proposed amendments include spelling, cross-referencing and formatting corrections, minor revisions to improve wording.

BACKGROUND

Galiano Island Local Trust Committee Bylaw No. 278

A technical review of the Galiano Island Land Use Bylaw No. 127, 1999 (LUB) has been on the list of LTC projects since 2014. In April 2020, LTC established the LUB technical review as a priority project, and a project charter was subsequently endorsed by LTC at the June 1, 2020 LTC meeting. At the November 2, 2020 LTC meeting, LTC reviewed a list of proposed technical amendments and then directed staff to draft an amending bylaw in consideration of those recommendations.

LTC gave 1st reading of Bylaw No. 278 on March 1, 2021 (Attachment 8). LTC also reviewed the ITPS on March 1, 2021 and passed the following resolution:

GL-2021-014

It was Moved and Seconded,

that the Galiano Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directive Policies Checklist and determined that proposed Bylaw No. 278 is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

A Public Hearing was held on June 1, 2021. LTC gave 2nd and 3rd reading of Bylaw No. 278 on June 1, 2021 following the Public Hearing.

Issues Relating To Provincial Interest

None.

Issues Relating To First Nation Interest

Proposed Bylaw No. 278 was referred to the following First Nations:

- Stz'uminus First Nation
- Lake Cowichan First Nation
- Halalt First Nation
- Lyackson First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Pauquachin First Nation
- Tsartlip First Nation
- Tseycum First Nation
- Cowichan Tribes
- Tsawwassen First Nation
- Tsawout First Nation
- Musqueam Indian Band

No responses were received.

Issues Relating To Resources and Enforcement

None.

Public Comments

No public comments were received.

Staff Comments

Executive Committee is being requested to consider approval of proposed Bylaw No. 278. The recommendations above are supported as:

- The proposed amendments are technical in nature and have no material impact on the intent or application of the LUB;
- The proposed amendments improve the consistency of application and clarity of the LUB;
- There were no response or concerns raised in referrals to First Nations or agencies; and,
- There were no public responses or concerns raised.

KEY ISSUES/CONCEPTS

Technical updates to the Galiano Island Land Use Bylaw.

No issues raised.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Galiano Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 278, cited as Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2021 is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Galiano Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Brad Smith, Island Planner	June 14, 2021
Concurrence:	David Marlor, Director of Local Planning Services	June 18, 2021

ATTACHMENTS

1. EC Submission Cover

2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 278
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Galiano Island Local Trust Committee

Bylaw No.: GL-278

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 01-Jun-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Trust Area: Galiano Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: GL-278

Application No.:

Trust Initiated: No

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 01-Mar-2021

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web: 11-Mar-2021

Resolutions:

Resolution Waiving Public Hearing: No

Resolution Authorizing Public Hearing: Yes

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: Chonk, Jas

Date: 18-May-2021

File complete and ready for Public review: Yes

Public Hearings:

Location: Electronic Meeting

Proofread By: Chonk, Jas

Legal Paper: Gulf Island Driftwood

First Publish Date: 19-May-2021

Second Publish Date: 26-May-2021

Alternate Paper: The Active Page

First Publish Date: 01-May-2021

Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held: 01-Jun-2021

Second Reading Date: 01-Jun-2021

Third Reading Date: 01-Jun-2021

Referrals: Bylaw GL-278

Agency	Sent	Received
Capital Regional District - All Referrals Christine Condon 625 Fisgard Street: Christine Condon <i>Comment:</i> No Comment Received	12-Mar-2021	
Cowichan Tribes 5760 Allenby Rd: Tracey Flemming <i>Comment:</i> No Comment Received	12-Mar-2021	
Gambier Island Local Trust Committee 700 North Road: Sue Ellen Fast <i>Comment:</i> Interests unaffected by bylaw.	12-Mar-2021	27-May-2021
Halalt First Nation 7973 Chemainus Rd: Raven August <i>Comment:</i> No Comment Received	12-Mar-2021	
Lake Cowichan First Nation 313B Deer Road: Carole Livingstone <i>Comment:</i> No Comment Received	12-Mar-2021	
Lyackson First Nation 7973A Chemainus Road: Linda Aidnell <i>Comment:</i> For administrative reasons, we will not be providing additional comment on these referrals at this time. To be clear, Lyackson First Nation has interests in these areas and in no way surrenders its current Rights and Title claims.	12-Mar-2021	06-Apr-2021
Malahat First Nation 110 Thunder Road, RR4: Heather Adams <i>Comment:</i> Malahat Nation has no comments on the proposed bylaw at this time.	12-Mar-2021	19-Apr-2021
Mayne Island Local Trust Committee Islands Trust: Jas Chonk <i>Comment:</i> Interests unaffected.	12-Mar-2021	29-Mar-2021
Musqueam Nation 6735 Salish Dr.: Referrals Coordinator <i>Comment:</i> No Comment Received	12-Mar-2021	
Pauquachin First Nation 9010 West Saanich Road: Darlene Henry <i>Comment:</i> No Comment Received	12-Mar-2021	
Penelakut Tribe Box 360: Denise James <i>Comment:</i> No Comment Received	12-Mar-2021	
Salt Spring Island Local Trust Committee	12-Mar-2021	26-May-2021



Referrals: Bylaw GL-278

Agency	Sent	Received
1 - 500 Lower Ganges Road: Peter Luckham <i>Comment: Interests unaffected by Bylaw.</i>		
Semiahmoo First Nation 16049 Beach Rd: Chief & Council <i>Comment: No Comment Received</i>	12-Mar-2021	
Stz'uminus First Nation 12611A Trans Canada Hwy: Chenoa Akey <i>Comment: No Comment Received</i>	12-Mar-2021	
Thetis Island Local Trust Committee Northern Office: Laura Patrick <i>Comment: Interests unaffected by bylaw.</i>	12-Mar-2021	01-Jun-2021
Tsartlip First Nation PO Box 70: Karen Harry <i>Comment: No Comment Received</i>	12-Mar-2021	
Tsawout First Nation Box 121: Cathy Webster <i>Comment: Tsawout does not have any concerns with the amendment at this time based on the information provided in your referral package.</i>	12-Mar-2021	14-May-2021
Tsawwassen First Nation 1926 Tsawwassen Drive: Victoria Williams <i>Comment: No Comment Received</i>	12-Mar-2021	
Tseycum First Nation 1210 Totem Lane: Chief Tanya Jimmy <i>Comment: No Comment Received</i>	12-Mar-2021	
WSANEC WSANEC Leadership Council Society: Justin Fritz <i>Comment: No Comment Received</i>	12-Mar-2021	



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: 278 (LUB)
SA-6500-20 LUB Technical Amendments
LTC Endorsement:

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1 3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.

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

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 01-Jun-2021

Reading:

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 278

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW, 127, 1999

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

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2021”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw 127, 1999,” is amended as follows:

2.1. Part 2 (General Regulations) is amended by the insertion of a new Section 2.13 as follows:

“2.13 Unless a building or structure on a lot is attached to a principal building on the lot by a completely enclosed structure having walls, roof and floor, it is for the purposes of this Bylaw deemed not to be part of the principal building, but is deemed to be an accessory building or structure.”

2.2. Part 2 (General Regulations) Section 2.14 is amended by inserting “and for stairway structures located in the Park Zone” such that it reads “Buildings and structures must be sited at least 7.5 metres from the natural boundary of the sea, and at least 15 metres from any lake, a swamp and any other natural watercourse. This setback from the sea does not apply to structures located on a highway and for stairway structures located in the Park Zone.”

2.3. Part 2 (General Regulations) Section 2.1.9 is amended by renumbering Section 2.1.9 to 2.19.

2.4. Part 2 (General Regulations) Section 2.25 is amended by inserting “to the closest point of the building or structure” such that it reads “If this bylaw requires buildings, structures and uses to be sited a stated distance from another building, a watercourse or well or the sea, or a zone boundary or lot line, the distance must be measured horizontally to the closest point of the building or structure as illustrated in the following sketch:”

2.5. Part 3 (Home Occupation Regulations) is amended by renumbering the second instance of Section 3.7 that reads “No restaurant, cafe, commercial water bottling enterprise, boarding kennel, fur farm, feed lot or manure-based mushroom growing enterprise is permitted as a home occupation” to Section 3.8.

2.6. Section 5.4 (Rural Residential Zone) Subsection 5.4.6 is amended by:

- i) renumbering Article 5.4.3.1 to 5.4.6.1
- ii) renumbering Article 5.4.3.2 to 5.4.6.2
- iii) renumbering Article 5.4.3.3 to 5.4.6.3.

- 2.7. Section 5.4 (Rural Residential Zone) Subsection 5.4.7 is amended by:
- i) renumbering Article 5.4.3.1 to 5.4.7.1
 - ii) renumbering Article 5.4.3.2 to 5.4.7.2
 - iii) renumbering Article 5.4.3.3 to 5.4.7.3.
- 2.8. Section 5.5 (Rural 2 Zone) Subsection 5.5.6 is amended by:
- i) renumbering Article 5.5.3.1 to 5.5.6.1
 - ii) renumbering Article 5.5.3.2 to 5.5.6.2
 - iii) renumbering Article 5.5.3.3 to 5.5.6.3
- 2.9. Section 6.1 (Agriculture Zone) Subsection 6.1.5 is amended by deleting “use for timber production and harvesting must not exceed a height of 9 metres” and replacing it with “used for timber production and harvesting must not exceed a height of 9 metres and agricultural buildings and structures must not exceed two storeys” such that it reads “Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those used for timber production and harvesting must not exceed a height of 9 metres and agricultural buildings and structures must not exceed two storeys.”
- 2.10. Section 6.1 (Agriculture Zone) Subsection 6.1.6 is amended by
- i) renumbering Article 6.1.5.1 to Article 6.1.6.1
 - ii) renumbering Article 6.1.5.2 to Article 6.1.6.2.
- 2.11. Section 6.1 (Agriculture Zone) Subsection 6.1.11 is amended by deleting “AG (Agricultural)” and replacing it with “AG (Agriculture)”.
- 2.12. Section 6.1 (Agriculture Zone) Subsection 6.1.13 is amended by:
- i) deleting “my” and replacing it with “may”
 - ii) deleting “AG (Agricultural)” and replacing it with “AG (Agriculture)”.
- 2.13. Section 7.1 (Forest 1 Zone) Subsection 7.1.2 is amended by deleting the first instance of “in” and replacing it with “on” such that it reads “7.1.2 A single non-residential unenclosed building or structure with a floor area not exceeding 93 square metres is permitted on each lot and every such building or structure must be screened by a landscape screen not less than 9 metres in height and complying with the requirements of subsection 15.1.1 of this bylaw.”
- 2.14. Section 7.2 (Forest 2 Zone) Subsection 7.2.2 is amended by deleting “Section 2.8 - 2.13” and replacing it with “Section 2.9 - 2.13”.
- 2.15. Section 7.3 (Forest 3 Zone) Subsection 7.3.1 Article 7.3.1.2 is amended by deleting “as defined in subsection 17.1.16” such that it reads “7.3.1.2 dwellings accessory to timber production and harvesting uses and home occupations, on lots having an area of 20 hectares and more and highway access”.

- 2.16. Section 7.3 (Forest 3 Zone) Subsection 7.3.4 is amended by deleting in its entirety “No building or structure for a forestry use permitted by this section and no dwelling or accessory building may exceed 9 metres in height” and replacing it with “No building or structure for a use permitted by this section may exceed 9 metres in height. Accessory buildings and structures must not exceed one storey and a height of 5 metres, except that agricultural buildings and structures and those uses for timber production and harvesting must not exceed a height of 9 metres.”
- 2.17. Section 7.4 (Forest 3 Zone) Subsection 7.4.7 is amended by deleting “unless the lot is being created subsequent to the rezoning of a F1 zoned parcel pursuant to Forest policy d) iii) of the Galiano Island Official Community Plan Bylaw No. 108, 1995” such that it reads “7.4.7 No lot having an area less than 65 hectares may be created by subdivision.”
- 2.18. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.1 Article 7.5.1.2 is amended by deleting “subsection 17.1.16” and replacing it with “section 17.1”.
- 2.19. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.3 is amended by
- i) deleting “subsection 17.1.16” and replacing it with “section 17.1”
 - ii) deleting “Section 2.8 - 2.13” and replacing it with “Section 2.9 - 2.13”.
- 2.20. Section 7.5 (Forest Land Reserve Zone) Subsection 7.5.5 is amended by renumbering Article 7.5.5.4 to Article 7.5.5.2.
- 2.21. Section 8.5 (Environmental Education and Nature Protection Zone) Subsection 8.5.5 Article 8.5.5.1 is amended by deleting “(5 ft.)”.
- 2.22. Section 8.5 (Forest Land Reserve Zone) Subsection 8.5.5 Article 8.5.5.2 is amended by deleting the first instance of “at least” such that it reads “8.5.5.2 Buildings and structures used for human habitation or occupancy and not located within the Agriculture (AG) zone must be sited at least 15 metres from the boundary of the Agriculture (AG) zone”.
- 2.23. Section 12.2 (Marine Zone) Subsection 12.2.1 Article 12.2.1.1 is amended by inserting “associated” such that it reads “12.2.1.1 docks, private floats, wharves, piers and associated walkways accessory to the residential use of an abutting upland lot and providing access to that lot”.
- 2.24. Part 13 (Subdivision and Development Regulations) Section 13.1 is amended by inserting “and may exempt a boundary adjustment from minimum average lot size requirements” such that it reads “13.1 Subdivision applications must comply with the minimum and average lot size regulations set out in Parts 5 through 12 of this bylaw except that the approving officer may approve a subdivision creating a single parcel not complying with those regulations for park use only and may exempt a boundary adjustment from minimum average lot size requirements.”
- 2.25. Part 13 (Subdivision and Development Regulations) Section 13.2, Subsection 13.2.1 is amended by
- i) deleting both instances of “s.941(1)” and replacing them with “s.510(1)
 - ii) deleting “s.941(5)” and replacing it with “s.510(3)

- 2.26. Part 13 (Subdivision and Development Regulations) Section 13.3 is amended by deleting “s.946” and replacing it with “s.514”.
- 2.27. Part 13 (Subdivision and Development Regulations) Section 13.5 (Lot Width) is amended by:
- iii) renumbering Section 13.5 to Section 13.6
 - iv) inserting “exclusive of any panhandle access strip” such that it reads “13.6 No lot may have a width less than one quarter of its depth exclusive of any panhandle access strip”
 - v) renumbering subsequent Part 13 (Subdivision and Development Regulations) sections and subsections accordingly.
- 2.28. Part 13 (Subdivision and Development Regulations) Section 13.9 is amended by deleting “The creation of a lot lying within two or more zones must be is prohibited” and replacing it with “The creation of a lot by subdivision that is lying within two or more zones is prohibited.”
- 2.29. Part 13 (Subdivision and Development Regulations) Section 13.12 is amended by deleting “section 13.12” and replacing it with “section 13.11”.
- 2.30. Part 13 (Subdivision and Development Regulations) is amended by
- i) deleting the section header above Section 13.22 that reads “Standards for Potable Water Supply” and reinserting it above Section 13.23
 - ii) inserting a new section header above Section 13.22 that reads “Water Management Area”.
- 2.31. Part 13 (Subdivision and Development Regulations) Section 13.29 is amended by deleting “Vancouver Island Health Authority” and replacing it with “Island Health”.
- 2.32. Part 14 (Parking Regulations) Section 14.1 is amended by renumbering the second instance of Subsection 14.1.16 that reads “Dwellings for the provision of affordable housing in the SH1 zone” to Subsection 14.1.17.
- 2.33. Part 14 (Parking Regulations) Section 14.6 is amended by deleting “3.5 metres” and replacing it with “5.5 metres”.
- 2.34. Part 16 (Sign Regulations) Section 16, Subsection 16.5 is amended by deleting “section 3.4” and replacing it with “section 3.5.”
- 2.35. Part 16 (Sign Regulations) Section 16.6 is amended by
- iv) renumbering subsection 16.3.1 to subsection 16.6.1
 - v) renumbering subsection 16.3.2 to subsection 16.6.2
 - vi) renumbering subsection 16.3.3 to subsection 16.6.3
 - vii) renumbering subsection 16.3.4 to subsection 16.6.4
 - viii) renumbering subsection 16.3.5 to subsection 16.6.5

- 2.36. Part 17 (Interpretations) Section 17, Subsection 17.1, Article 17.1.21 is amended by deleting “the 6th edition of the Guidelines for Canadian Drinking Water Quality published by Health and Welfare Canada in 1996” and replacing it with “the Health Canada 2020 Guidelines for Canadian Drinking Water Quality - Summary Table.”
- 2.37. Part 17 (Interpretations) Section 17, Subsection 17.1 is amended by
- i) Deleting Article 17.1.4 “average finished grade” in its entirety
 - ii) Replacing 17.1.22 in its entirety with: ““Height” means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls.”
 - iii) Inserting Figure 1-1 directly below the updated definition within Article 17.1.22 and above Article 17.1.23

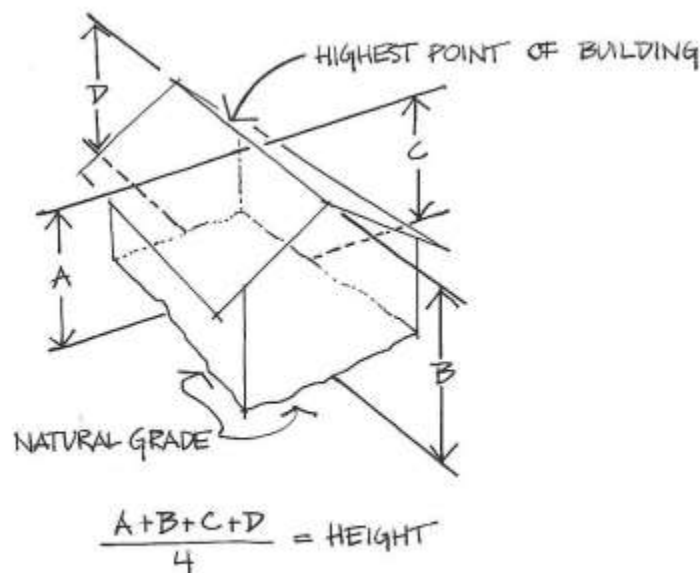


Figure 1-1 Illustration of calculation of height

- 2.38. Part 17 (Interpretations) Section 17, Subsection 17.1, Article 17.1.35 is amended by deleting “Liquor Control Act” and replacing it with “Liquor Control and Licensing Act.”
- 2.39. Part 17 (Interpretations) Section 17, Subsection 17.1 is amended by deleting Article reference numbers in their entirety.

3. SEVERABILITY

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

READ A FIRST TIME THIS 1ST DAY OF MARCH 2021.

PUBLIC HEARING HELD THIS 1ST DAY OF JUNE 2021.

READ A SECOND TIME THIS 1ST DAY OF JUNE 2021.

READ A THIRD TIME THIS 1ST DAY OF JUNE 2021.

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

ADOPTED THIS _____ DAY OF _____ 20__

 CHAIR

 SECRETARY

First Nation Engagement

Referral of: Galiano Bylaw No. 278

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: Halalt

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: Lake Cowichan

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Checked portal and left a detailed message as well.	JC

First Nation: Lyackson

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 6, 2021	For administrative reasons, we will not be providing additional comment on these referrals at this time. To be clear, Lyackson First Nation has interests in these areas and in no way surrenders its current Rights and Title claims.	

First Nation: Malahat

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
April 19, 2021	Malahat Nation has no comments on the proposed bylaw at this time.	JC

First Nation: Musqueam Indian Band

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Sent email again, reception to forward email to appropriate person to respond.	JC

First Nation: Pauquachin

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: Semiahmoo

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: Stzuminus

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: Tsartlip

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: Tsawout

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Tsawout does not have any concerns with the amendment at this time based on the information provided in your referral package.	JC

First Nation: Tsawwassen

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Coordinator noted that a response will be sent today.	JC

First Nation: Tseycum

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC

First Nation: WSANEC Leadership Council

Date	Comment/Action	Initial
March 12, 2021	Sent Referral	JC
April 16, 2021	Sent Follow-up Email	JC
May 14, 2021	Left a detailed message.	JC



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20
(Associated Islands Streamside
Protection & Riparian Areas
Development Permit Area
Project)

DATE OF MEETING: June 23, 2021
TO: Islands Trust Executive Committee
FROM: Marnie Eggen, Island Planner
SUBJECT: Gambier Island Local Trust Committee – Gambier Associated Islands Bylaw No. 145 – (OCP amendment- RAPR)

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Gambier Island Local Trust Committee refers Bylaw No. 145 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None

Financial

None

Policy

Bylaw No. 145 is consistent with the Islands Trust Policy Statement.

Implementation/Communications

Communication to Gambier Island Local Trust Committee (LTC) regarding the Executive Committee decision by July 22, 2021.

Other

None

PURPOSE

Gambier Island Local Trust Committee Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017” (Attachment 6) is intended to designate *Development Permit Area 1: Riparian Areas* (provincial *Riparian Areas Protection Regulation* (RAPR) applicable) (DPA 1) on Orchid Creek, Bowyer Island and to establish a new *Development Permit Area 2: Streamside Protection* (non-RAPR) (DPA 2) on an un-named creek on Anvil Island. The proposed bylaw also intends to update the language in DPA 1 to align with the newly revised provincial RAPR (2019) and be based on the recent amendments to *Development Permit Area 3: Riparian Areas* on Gambier Island. These language updates will also apply to existing DPA 1 designations: Champside Creek on Anvil Island and an un-named creek on S. Thormanby Island.

BACKGROUND

In 2016, the LTC adopted bylaw amendments to enact a new DPA 1 on Champside Creek, Anvil Island and an un-named creek on S. Thormanby Island, but they deferred bylaw amendments regarding Orchid Creek on Bowyer Island after receipt of unsupportive public hearing submissions from affected property owners regarding the designation of the stream as RAPR-applicable.

In 2017, the LTC followed up by advancing an independent review of Orchid creek which concluded the creek was not a RAPR designated stream. The LTC then proposed to designate DPA 2, a non-RAPR development permit area, on Orchid Creek (proposed Bylaw Nos. 145 and 146) and on an un-named creek on Anvil Island (non-RAPR stream) (proposed Bylaw Nos. 145 and 147) and referred the bylaws to the Ministry of Forests, Lands, Natural Resources Operations and Rural Development. This project was then put on hold until 2020, while Gambier Island riparian DPA bylaws were prioritized.

In 2020, the Ministry confirmed that the independent review of Orchid Creek was unsubstantiated under the RAPR and the creek’s status as a RAPR-applicable stream still remained. The Ministry also confirmed that proposed DPA 2 for Orchid Creek was not consistent with RAPR, and that given the creek’s RAPR designation, that the imposed DPA must include RAPR requirements. The LTC then amended proposed Bylaw Nos. 145, 146, and 147 by designating Orchid creek within DPA 1, continued on with designating the un-named Anvil Island creek within DPA 2, and updated the RAPR applicable portions of the bylaws to align with the newly updated provincial RAPR and to reflect recent updates to *Development Permit Area 3: Riparian Areas* (RAPR) on Gambier Island.

Gambier Island Local Trust Committee Bylaw No. 145

Proposed Bylaw No. 145 was given first reading at the October 1, 2020 LTC meeting. It was read for a second time at the April 1, 2021 LTC meeting and read a third time at the May 27, 2021 LTC meeting. The LTC considered and determined that the bylaw is not contrary to or at variance with the Islands Trust Policy Statement (Attachment 4).

Issues Relating To Provincial Interest

This bylaw complies with RAPR and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development was a key referral agency during the course of the project and during bylaw development.

Issues Relating To First Nation Interest

The proposed bylaw was referred to the following First Nations with no issues raised:

- Squamish Nation – supportive of the bylaw.
- Tsleil Waututh First Nation
- Musqueam Indian Band
- shíshálh Nation

Issues Relating To Resources and Enforcement

None.

Public Comments

The LTC received one public submission against the proposed bylaw (re: Orchid Creek RAPR designation), which was considered at the public hearing held on May 27, 2021.

Staff Comments

The proposed bylaw is intended to designate Orchid Creek, Bowyer Island as a DPA 1 (RAPR) and create a new DPA 2 (non-RAPR), designating an un-named stream on Anvil Island within it. The proposed bylaw also includes updates so as to align with the newly revised provincial RAPR and to reflect recent updates to *Development Permit Area 3: Riparian Areas* on Gambier Island. Staff recommend that the Executive Committee approve Proposed Bylaw No. 145.

KEY ISSUES/CONCEPTS

- Consistency with the Islands Trust Policy Statement Directive Policies

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise the Gambier Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No 145, cited as cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017” 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:	Marnie Eggen, RPP, MCIP Island Planner	May 31, 2021
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Concurrence:	David Marlor Director, Local Planning Services	June 17, 2021
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ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 145
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gambier Island Local Trust Committee

Bylaw No.: GM-145

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 27-May-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: GM-145

Trust Area: Gambier Island Local Trust Committee
Type: Official Community Plan Bylaw
Bylaw No.: GM-145
Application No.:
Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 27-Jul-2017

Bylaw Sent to Referrals: Yes
Date Proposed Bylaw to Web: 10-Aug-2017

Resolutions:

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

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 14-May-2021

File complete and ready for Public review: No

Public Hearings:

Location: Electronic Meeting via Zoom
Proofread By: Eggen, Marnie

Legal Paper: Coast Reporter
First Publish Date: 14-May-2021

Second Publish Date: 21-May-2021

Alternate Paper:
First Publish Date:

Second Publish Date:

Mailout Date: 21-May-2021
Second Reading Date: 01-Apr-2021

Delivery Notices:
Date Public Hearing Held: 27-May-2021
Third Reading Date: 27-May-2021

Referrals: Bylaw GM-145

Agency	Sent	Received
Metro Vancouver - Regional Services <i>Metrotower III: Planning Dept.</i>	11-Dec-2020	
Ministry of Forests, Lands, Natural Resource Operations & Rural Develop - Resource Management & Obj <i>South Coast Natural Resource Region: Andrew Appleton</i> <i>Comment: The Ministry recommended changes to Bylaw Nos. 145, 146, and 147 in order to come into compliance with the Riparian Areas Protection Regulation (RAPR).</i>	30-Nov-2017 11-Dec-2020	14-May-2020
Ministry of Forests, Lands, Natural Resource Operations & Rur-Sunshine Coast Natural Resources Dist. <i>Sunshine Coast Forest District: Referrals Referrals</i>	11-Dec-2020	
Ministry of Municipal Affairs and Housing <i>Planning and Land Use Management: Kris Nichols</i> <i>Comment:</i>	30-Nov-2017	
Ministry of Transportation and Infrastructure <i>Sechelt Area Office: Colin Midgley</i> <i>Comment: Leah Catton - no comments - interests unaffected</i>	11-Dec-2020	14-Dec-2020
Ministry of Transportation and Infrastructure <i>Sechelt Area Office: Don Legault</i> <i>Comment: The Ministry has no comment at this time as our interests are unaffected. Preliminary Approval is granted for the rezoning for one year pursuant to section 52(3)(a) of the Transportation Act</i>	30-Nov-2017	14-Dec-2017
Musqueam Nation <i>6735 Salish Dr.: Chief & Council</i> <i>Comment: also sent to referrals coordinator</i>	10-Aug-2017 11-Dec-2020	
shishalh (Sechelt) First Nation <i>PO Box 740: Chief & Council</i>	11-Dec-2020	
Squamish Nation <i>PO Box 86131: Aaron Marchant</i> <i>Comment: 2017 - sent to L. Wilcox 2021 - sent Kathleen - SquamishConnect response - Support bylaws and have no further comment</i>	30-Nov-2017 11-Dec-2020	08-Apr-2021
Sunshine Coast Regional District <i>1975 Field Road: Dave Pady</i> <i>Comment: 2017 - Sent to Steve Olmstead</i>	30-Nov-2017 11-Dec-2020	
Tsleil-Waututh Nation <i>3075 Takaya Drive: Amanda King</i>	10-Aug-2017	06-Oct-2017

Referrals: Bylaw GM-145

Agency	Sent	Received
<i>Comment:</i> 2017 - A King - Have no concerns with the proposed change to designate lands as a Development Permit Area for the purpose of protecting the natural environment, ecosystems and biodiversity, provided that locally-affected First Nations are agreeable		
Tsleil-Waututh Nation	11-Dec-2020	
3075 Takaya Drive: Referrals Referrals		

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 - Bylaw No. 145 (OCP)
File Name: Gambier Riparian Areas
Protection

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

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

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

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 27-May-2021

Reading:

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 145

A BYLAW TO AMEND GAMBIER ASSOCIATED ISLANDS

OFFICIAL COMMUNITY PLAN, 2009

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

1. Bylaw No. 109, cited as “Gambier Associated Islands Official Community Plan, 2009” is amended as shown on Schedule 1.
2. This bylaw may be cited for all purposes as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”.

READ A FIRST TIME THIS 1ST DAY OF OCTOBER , 2020

READ A SECOND TIME THIS 2ND DAY OF APRIL , 2021

PUBLIC HEARING HELD THIS 27TH DAY OF MAY , 2021

READ A THIRD TIME THIS 27TH DAY OF MAY , 2021

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING

THIS _____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 145

SCHEDULE 1

Gambier Island Local Trust Committee Bylaw No. 109, cited as “Gambier Associated Islands Official Community Plan, 2009” is amended as follows:

2.1 SCHEDULE A – Policy Document, Part 6 DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION, Section 6.1 DEVELOPMENT PERMIT AREAS, **Background** is amended by replacing the reference “Section 919.1(1)” with “Section 488”.

2.2 SCHEDULE A – Policy Document, Part 6 DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION, Section 6.1 DEVELOPMENT PERMIT AREAS, **Development Permit Area 1: Riparian Areas** is amended as follows:

- a) By replacing the reference “Section 919.1(1)(a)” with “488(1)”.
- b) By replacing the reference “Section 920.01” with “485(1)”.
- c) By replacing the reference “*Riparian Areas Regulation*” with “*Riparian Areas Protection Regulation*”.
- d) By replacing the reference “(RAR)” with “(RAPR)”.

2.3 SCHEDULE A – Policy Document, Part 6 DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION, Section 6.1 DEVELOPMENT PERMIT AREAS, **Development Permit Area 1: Riparian Areas, Location** is amended by removing the following text:

“The Riparian Areas Development Permit Area, DP-1, includes all land designated on Schedule E of this plan, and any of the following that provides fish habitat:

- (a) watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook; or
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

For a stream that is not located in a ravine, the development permit area is a 30 metre (98.42 feet) strip on both sides of the stream measured from the high water mark;

For a stream located within a ravine that is less than 60 metres (196.8 feet) wide, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 30 metres (98.42 feet) beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres (196.8 feet) wide or greater, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 10 metres (32.8 feet) beyond the top of the ravine bank;

For a lake, wetland or other water body, the development permit area is 30 metres (98.42) around the water body measured from the high water mark of the water body;”

And replacing it with:

“The Riparian Areas Development Permit Area, DP-1, includes all land designated on Schedule E of this plan, and any of the following that provides fish habitat, as defined as a stream in accordance with *RAPR*:

- a) a watercourse or body of water, whether or not usually containing water; and
- b) any of the following that is connected by surface flow to a watercourse or body of water referred to in (a):
 - (i) a ditch, whether or not usually containing water;
 - (ii) a spring, whether or not usually containing water;
 - (iii) wetland.

For a stream that is not located in a ravine, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary.

For a stream located within a ravine less than 60 metres wide, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary to a point that is 30 metres beyond the top of the ravine bank.

For a stream located within a ravine that is 60 or more metres wide, the development permit area is a 10 metre strip on each side of the stream, measured from the stream boundary to a point that is 10 metres beyond the top of the ravine bank.”

2.4 SCHEDULE A – Policy Document, Part 6 DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION, Section 6.1 DEVELOPMENT PERMIT AREAS, **Development Permit Area 1: Riparian Areas, Development Approval Information** is amended by replacing the reference “920.01” with “485(1)”

2.5 SCHEDULE A – Policy Document, Part 6 DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION, Section 6.1 DEVELOPMENT PERMIT AREAS, **Development Permit Area 1: Riparian Areas** is amended by removing the following text:

“Information Note: Development Permit Area Guidelines for DP-1 Riparian Areas are in the Gambier Associated Islands Land Use Bylaw.”

And replacing with:

“Information Note: Development Permit Area Guidelines for DP-1 Riparian Areas are in the Gambier Associated Islands Land Use Bylaw, 2013 and the Bowyer and Passage Islands Land Use Bylaw, 2011.”

2.6 SCHEDULE A – Policy Document, Part 6 DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION, Section 6.1 DEVELOPMENT PERMIT AREAS, is amended as follows:

- a) The following text is inserted after **Development Permit Area 1: Riparian Areas** and prior to Section 6.2 TEMPORARY USE PERMITS:

Development Permit Area 2: Streamside Protection

GM-BL-145

This Development Permit Area (DPA) is established, pursuant to Section 488(1) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

Location

The Streamside Protection Development Permit Area, DP-2, includes all land designated on Schedule E of this plan. The development permit area is 30 metres (98.4 feet) measured from the natural boundary of the stream.

Justification

Streamside areas support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support aquatic life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, its ecosystems and biological diversity.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Objectives:

The objectives of this development permit area are as follows:

- 6.2.1 To protect biological diversity and habitat values of streamside and aquatic ecosystems;
- 6.2.2 To minimize adverse impacts of land use practices on wildlife habitats and plant habitats in riparian areas.

Development Approval Information

Development Permit Area 2 is designated as an area for which development approval information may be required as authorized by Section 485(1) of the *Local Government Act*. Development approval information in the form of a report from a Qualified Environmental Professional (QEP) or another professional may be required due to the special conditions and objectives described above.

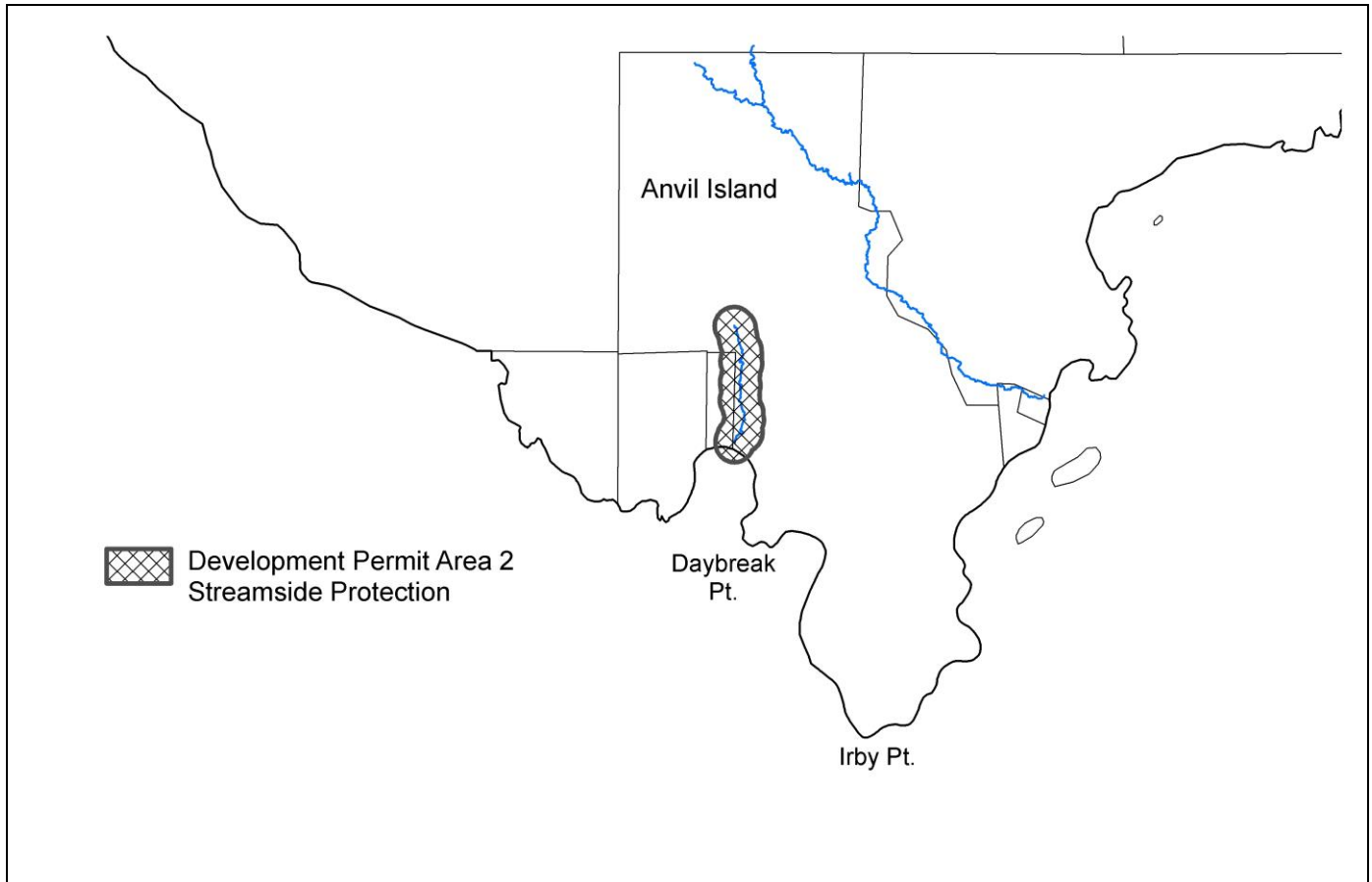
"Information Note: Development Permit Area Guidelines for DP-2 Streamside Protection is in the Gambier Associated Islands Land Use Bylaw, 2013."

- 2.2 **SCHEDULE E – DEVELOPMENT PERMIT AREAS** is amended by adding Plans 1 and 2, which are attached to and form part of this bylaw.

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.145

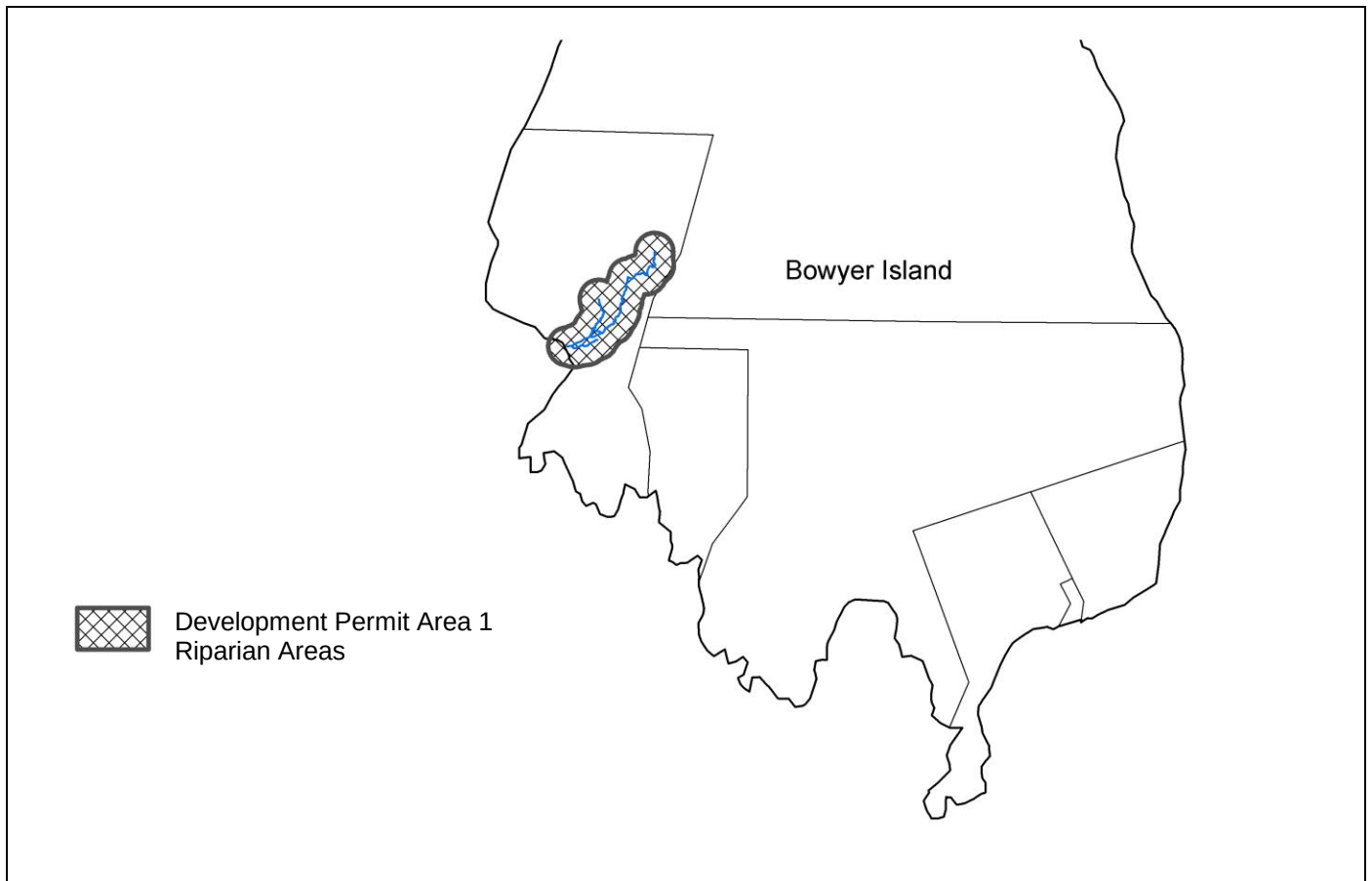
PLAN NO. 1



GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.145

PLAN NO. 2



First Nation Engagement

Referral of: GM BL 145 (OCP amendment)

First Nation: Squamish First Nation

Date	Comment/Action	Initial
August 10, 2017	Sent out Referral Package via email and hard copy mailed	AK/BM
December 11, 2020	Sent updated package via email	BM/ME
March 15, 2021	Sent reminder regarding Public Hearing date and added to SquamishConnect database.	BM
April 8, 2021	Response received from Kathleen – no further comment, file closed	

First Nation: Tsleil-Waututh Nation

Date	Comment/Action	Initial
August 10, 2017	Sent out Referral Package via email and hard copy mailed	AK/BM
October 6, 2017	Have no concerns with the proposed change to designate lands as a Development Permit Area for the purpose of protecting the natural environment, ecosystems and biodiversity, provided that locally-affected First Nations are agreeable	BM
December 11, 2020	Sent updated package via email	BM/ME
March 15, 2021	Sent reminder regarding Public Hearing date, left message	BM

First Nation: Musqueam First Nation

Date	Comment/Action	Initial
August 10, 2017	Sent out Referral Package via email and hard copy mailed	AK/BM
December 11, 2020	Sent updated package via email	BM/ME
March 15, 2021	Sent reminder regarding Public Hearing date, left message	BM

First Nation: shíshálh First Nation

Date	Comment/Action	Initial
December 11, 2020	Sent package via email	BM/ME
March 15, 2021	Sent reminder regarding Public Hearing date, left message	BM

AK = Ann Kjerulf, Regional Planning Manager (no longer at Islands Trust)

ME = Marnie Eggen, Planner

BM = Becky McErlean, Legislative Clerk



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20
(Associated Islands Streamside
Protection & Riparian Areas
Development Permit Area
Project)

DATE OF MEETING: June 23, 2021
TO: Islands Trust Executive Committee
FROM: Marnie Eggen, Island Planner
SUBJECT: Gambier Island Local Trust Committee – Bowyer and Passage Land Use Bylaw No. 146 – (LUB amendment- RAPR)

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 146, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Gambier Island Local Trust Committee refers Bylaw No. 146 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None

Financial

None

Policy

Bylaw No. 146 is consistent with the Islands Trust Policy Statement.

Implementation/Communications

Communication to Gambier Island Local Trust Committee (LTC) regarding the Executive Committee decision by July 22, 2021.

Other

None

PURPOSE

Gambier Island Local Trust Committee Bylaw No. 146, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017” (Attachment 6) is intended to provide the accompanying regulatory measures (applicability, exemptions and guidelines) for *Development Permit Area 1: Riparian Areas* (DPA 1) for Orchid Creek, Bowyer Island. The proposed bylaw is consistent with the newly revised provincial *Riparian Areas Protection Regulation* (RAPR) (2019) and is based on the recent amendments to *Development Permit Area 3: Riparian Areas* on Gambier Island.

BACKGROUND

In 2016, the LTC adopted bylaw amendments to enact a new DPA 1 on Champside Creek, Anvil Island and an unnamed creek on S. Thormanby Island, but they deferred bylaw amendments regarding Orchid Creek on Bowyer Island after receipt of unsupportive public hearing submissions from affected property owners regarding the designation of the stream as RAPR-applicable.

In 2017, the LTC followed up by advancing an independent review of Orchid creek which concluded the creek was not a RAPR designated stream. The LTC then proposed to designate DPA 2, a non-RAPR development permit area, on Orchid Creek (proposed Bylaw Nos. 145 and 146) and on an un-named creek on Anvil Island (non-RAPR stream) (proposed Bylaw Nos. 145 and 147) and referred the bylaws to the Ministry of Forests, Lands, Natural Resources Operations and Rural Development. This project was then put on hold until 2020, while Gambier Island riparian DPA bylaws were prioritized.

In 2020, the Ministry confirmed that the independent review of Orchid Creek was unsubstantiated under the RAPR and the creek’s status as a RAPR-applicable stream still remained. The Ministry also confirmed that proposed DPA 2 for Orchid Creek was not consistent with RAPR, and that given the creek’s RAPR designation, that the imposed DPA must include RAPR requirements. The LTC then amended proposed Bylaw Nos. 145, 146, and 147 by designating Orchid creek within DPA 1, continued on with designating the un-named Anvil Island creek within DPA 2, and updated the RAPR applicable portions of the bylaws to align with the newly updated provincial RAPR and to reflect recent updates to Development Permit Area 3: Riparian Areas on Gambier Island.

Gambier Island Local Trust Committee Bylaw No. 146

Proposed Bylaw No. 146 was given first reading at the October 1, 2020 Local Trust Committee (LTC) meeting. It was read for a second time at the April 1, 2021 LTC meeting and read a third time at the May 27, 2021 LTC meeting. The LTC considered and determined that the bylaw is not contrary to or at variance with the Islands Trust Policy Statement (Attachment 4).

Issues Relating To Provincial Interest

This bylaw complies with RAPR and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development was a key referral agency during the course of the project and during bylaw development.

Issues Relating To First Nation Interest

The proposed bylaw was referred to the following First Nations with no issues raised:

- Squamish Nation – supportive of the bylaw.
- Tsleil Waututh First Nation
- Musqueam Indian Band
- shíshálh Nation

Issues Relating To Resources and Enforcement

None.

Public Comments

The LTC received one public submission against the proposed bylaw (re: Orchid Creek RAPR designation), which was considered at the public hearing held on May 27, 2021.

Staff Comments

The proposed bylaw is intended to provide the accompanying regulatory measures (applicability, exemptions and guidelines) for DPA 1 for Orchid Creek, Bowyer Island. The proposed bylaw also includes updates so as to align with the newly revised provincial RAPR and reflect recent updates to *Development Permit Area 3: Riparian Areas* on Gambier Island. Staff recommend that the Executive Committee approve Proposed Bylaw No. 146.

KEY ISSUES/CONCEPTS

- Consistency with the Islands Trust Policy Statement Directive Policies.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise the Gambier Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No 146, cited as cited as "Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017" 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:	Marnie Eggen, RPP, MCIP Island Planner	May 31, 2021
Concurrence:	David Marlor Director, Local Planning Services	June 17, 2021

ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 146
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gambier Island Local Trust Committee

Bylaw No.: GM-145

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 27-May-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: GM-146

Trust Area: Gambier Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: GM-146

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 01-Oct-2020

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web:

Resolutions:

Resolution Waiving Public Hearing: No

Resolution Authorizing Public Hearing: Yes

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 14-May-2021

File complete and ready for Public review: Yes

Public Hearings:

Location: Electronic Meeting via Zoom

Proofread By: Eggen, Marnie

Legal Paper: Coast Reporter

First Publish Date: 14-May-2021

Second Publish Date: 21-May-2021

Alternate Paper:

First Publish Date:

Second Publish Date:

Mailout Date: 21-May-2021

Delivery Notices:

Date Public Hearing Held: 27-May-2021

Second Reading Date: 01-Apr-2021

Third Reading Date: 27-May-2021

Referrals: Bylaw GM-146

Agency	Sent	Received
Metro Vancouver - Regional Services <i>Metrotower III: Planning Dept.</i>	11-Dec-2020	
Ministry of Forests, Lands, Natural Resource Operations & Rural Develop - Resource Management & Obj <i>South Coast Natural Resource Region: Andrew Appleton</i> <i>Comment: The Ministry recommended changes to Bylaw Nos. 145, 146, and 147 in order to come into compliance with the Riparian Areas Protection Regulation (RAPR)</i>	30-Nov-2017 11-Dec-2020	14-May-2020
Ministry of Forests, Lands, Natural Resource Operations & Rur-Sunshine Coast Natural Resources Dist. <i>Sunshine Coast Forest District: Referrals Referrals</i> <i>Comment:</i>	11-Dec-2020	
Ministry of Transportation and Infrastructure <i>Sechelt Area Office: Colin Midgley</i> <i>Comment: Leah Catton - MOTI - no comment - interests unaffected</i>	30-Nov-2017 11-Dec-2020	14-Dec-2020
Musqueam Nation <i>6735 Salish Dr.: Chief & Council</i> <i>Comment: also sent to referrals coordinator</i>	10-Aug-2017 11-Dec-2020	
shishalh (Sechelt) First Nation <i>PO Box 740: Chief & Council</i>	11-Dec-2020	
Squamish Nation <i>PO Box 86131: Aaron Marchant</i> <i>Comment: 2017 - Sent to L Wilcox 2021 - Kathleen - Squamish Nation - Support these bylaws and have no further comments.</i>	10-Aug-2017 11-Dec-2020	08-Apr-2021
Sunshine Coast Regional District <i>1975 Field Road: Dave Pady</i> <i>Comment: 2017 - sent to Steve Olmstead</i>	30-Nov-2017 11-Dec-2020	
Tsleil-Waututh Nation <i>3075 Takaya Drive: Referrals Referrals</i> <i>Comment:</i>	30-Nov-2017 11-Dec-2020	

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 - Bylaw No. 146 (LUB)
File Name: Gambier Riparian Areas
Protection

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

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

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

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 27-May-2021

Reading:

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 146

A BYLAW TO AMEND BOWYER AND PASSAGE ISLANDS LAND USE BYLAW, 2011

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

1. Citation

This bylaw may be cited for all purposes as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017”.

2. Gambier Island Local Trust Committee Bylaw No. 114, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011,” is amended as follows:

- 2.1 **SCHEDULE A – LAND USE BYLAW TEXT** is amended by adding a new **PART 8**, immediately following **PART 7 – SUBDIVISION REGULATIONS**, as follows:

“PART 8 – DEVELOPMENT PERMIT AREA GUIDELINES

Information Note: Development Permit Areas are designated and described in Section 6 of the Gambier Associated Islands Official Community Plan and their locations are shown on Schedule E of that Plan.

8.1 DP-1 RIPARIAN AREAS

Definitions

- (1) Terms used in Section 8.1 that are defined in the Provincial *Riparian Areas Protection Regulation* (RAPR) have the same meaning as the definition given in the *Regulation*.

Applicability

- (2) The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 8.1(3):

- (a) The addition, removal or alteration of:
 - (i) soil,
 - (ii) vegetation,
 - (iii) building, or
 - (iv) other structure;
- (b) Creation of non-structural, impervious or semi-impervious surfaces;
- (c) Without limiting paragraph (a), the addition, removal or alteration of works and services described in section 506 (1) [subdivision servicing requirements] of the *Local Government Act*;
- (d) Subdivision of land;
- (e) Application of artificial fertilizer, pesticides or herbicides;

- (f) Any other development, as that term is defined under the *Riparian Areas Protection Regulation*.

Exempted Activities

(3) The following activities are exempt from any requirement for a development permit in DP-1:

- a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- b) repairs or other non-structural alterations or additions to a pre-existing building or other structure to the extent that it remains on its existing foundation and does not alter, extend or otherwise increase the footprint, and that it is not damaged or destroyed to the extent described in section 532 of the *Local Government Act*;
- c) repair or replacement of a septic field within the same area of land as the existing septic field;
- d) the removal of trees that have been examined by an International Society of Arboriculture Certified Arborist and certified in writing to pose a threat to life or property;
- e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 10 metres (32.8 feet) from the stream boundary, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
- f) the maintenance of an area of human disturbance, other than a building or other structure, if the area is not extended and the type of disturbance is not changed;
- g) manual removal of invasive species and manual planting of native vegetation conducted on the basis of advice from a Qualified Environmental Professional;
- h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- i) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
- j) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.

- k) The construction of a fence more than 10 metres (32.8 feet) from the stream boundary, if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
- l) The construction of a private trail if all of the following apply;
 - i. The trail is 1 metre (3.28 feet) wide or less;
 - ii. No trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the stream boundary.
- m) Disturbance of soils more than 10 metres (32.8 feet) from the stream boundary if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- n) The constructing of a small accessory building more than 10 metres (32.8 feet) from the stream boundary, if the building is located within an existing area of human disturbance and the total area of small accessory building is less than 10 metres (32.8 feet) squared.

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- (4) Prior to undertaking any non-exempt development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
 - a) Applications for development permits must include an assessment report prepared by a Qualified Environmental Professional (QEP) in accordance with the assessment methods described in the *Riparian Areas Protection Regulation* (RAPR) and submitted to the responsible BC ministry. The report must include the QEP's recommendations regarding development approval conditions including the monitoring of development activities and subsequent reporting by the QEP to the applicant and the Local Trust Committee.
 - b) In general, all development should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a QEP has, as part of the assessment report, made recommendations for mitigation measures,

enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, or monitoring and reporting, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the assessment report.

- c) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the assessment report and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term, which measures should be included as conditions of the development permit.
- d) If the nature of the proposed project within the DPA changes after the assessment report has been prepared such that it is reasonable to assume that the QEP's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- e) Where an assessment report describes an area within the DPA as suitable for development, the development permit should only allow the development to occur in that area.
- f) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in accordance with the recommendations in a QEP's assessment report.
- g) Applications for development permits received after site works are complete should include a condition and impact assessment report prepared by a QEP in accordance with *Professional Practice Guidelines – Legislated Riparian Assessments in BC* and the *Riparian Areas Regulation Assessment Methods*, as they may be amended from time to time.
- h) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the stream boundary, unless the parcel boundary is being created for an ecological reserve under the Ecological Reserve Act for dedication to the Crown, or the subdivision complies with the recommendations of a QEP.
- i) A development permit may designate areas of land within a subdivision that must remain free of development in accordance with recommendations of a QEP.
- j) No subdivision plan should indicate the dedication or construction of a highway, driveway, access route or utility corridor of any kind within 30 metres of a stream, except in accordance with the recommendations of a QEP.
- k) No subdivision plan should be designed in such a way that activities described in 8.1(2) would be likely to occur within 30 metres of the

stream boundary, unless the development will comply with the recommendations of the QEP who assessed the impact of the subdivision on the riparian area. In such situations, the development permit may stipulate the extent of the area in which development may occur, in accordance with the QEP’s assessment report.

READ A FIRST TIME THIS 1ST DAY OF OCTOBER , 2020

READ A SECOND TIME THIS 1ST DAY OF APRIL , 2021

PUBLIC HEARING HELD THIS 27TH DAY OF MAY , 2021

READ A THIRD TIME THIS 27TH DAY OF MAY , 2021

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202X

ADOPTED THIS _____ DAY OF _____ , 202X

Chair

Secretary

First Nation Engagement

Referral of: GM BL 146

First Nation: Squamish First Nation

Date	Comment/Action	Initial
<i>August 10, 2017</i>	<i>Sent out Referral Package via email and hard copy mailed</i>	<i>AK/BM</i>
<i>December 11, 2020</i>	<i>Sent updated package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date and added to SquamishConnect database.</i>	<i>BM</i>
<i>April 8, 2021</i>	<i>Response received from Kathleen – no further comment, file closed</i>	

First Nation: Tsleil-Waututh Nation

Date	Comment/Action	Initial
<i>August 10, 2017</i>	<i>Sent out Referral Package via email and hard copy mailed</i>	<i>AK/BM</i>
<i>October 6, 2017</i>	<i>Have no concerns with the proposed change to designate lands as a Development Permit Area for the purpose of protecting the natural environment, ecosystems and biodiversity, provided that locally-affected First Nations are agreeable</i>	<i>BM</i>
<i>December 11, 2020</i>	<i>Sent updated package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date, left message</i>	<i>BM</i>

First Nation: Musqueam First Nation

Date	Comment/Action	Initial
<i>August 10, 2017</i>	<i>Sent out Referral Package via email and hard copy mailed</i>	<i>AK/BM</i>
<i>December 11, 2020</i>	<i>Sent updated package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date, left message</i>	<i>BM</i>

First Nation: shíshálh First Nation

Date	Comment/Action	Initial
<i>December 11, 2020</i>	<i>Sent package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date, left message</i>	<i>BM</i>

AK = Ann Kjerulf, Regional Planning Manager

ME = Marnie Eggen, Planner

BM = Becky McErlean, Legislative Clerk



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 6500-20
(Associated Islands Streamside
Protection & Riparian Areas
Development Permit Area
Project)

DATE OF MEETING: June 23, 2021
TO: Islands Trust Executive Committee
FROM: Marnie Eggen, Island Planner
SUBJECT: Gambier Island Local Trust Committee – Gambier Associated Islands Land Use Bylaw No. 147 –
(LUB amendment- RAPR)

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Gambier Island Local Trust Committee Bylaw No. 147, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Gambier Island Local Trust Committee refers Bylaw No. 147 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

None

Financial

None

Policy

Bylaw No. 147 is consistent with the Islands Trust Policy Statement.

Implementation/Communications

Communication to Gambier Island Local Trust Committee (LTC) regarding the Executive Committee decision by July 22, 2021.

Other

None

PURPOSE

Gambier Island Local Trust Committee Bylaw No. 147, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017” (Attachment 6) is intended to update the accompanying regulatory measures (applicability, exemptions and guidelines) for *Development Permit Area 1: Riparian Areas* (DPA 1) for Champside Creek, Anvil Island and an un-named creek on S. Thormanby Island. The proposed bylaw is consistent with the newly revised provincial *Riparian Areas Protection Regulation* (RAPR) (2019) and is based on the recent amendments to *Development Permit Area 3: Riparian Areas* on Gambier Island. Proposed Bylaw no. 147 is also intended to introduce the accompanying regulatory measures (applicability, exemptions and guidelines) for *Development Permit Area 2: Streamside Protection* (DPA 2) (non-RAPR) for an un-named creek on Anvil Island.

BACKGROUND

In 2016, the LTC adopted bylaw amendments to enact a new DPA 1 on Champside Creek, Anvil Island and an un-named creek on S. Thormanby Island, but they deferred bylaw amendments regarding Orchid Creek on Bowyer Island after receipt of unsupportive public hearing submissions from affected property owners regarding the designation of the stream as RAPR-applicable.

In 2017, the LTC followed up by advancing an independent review of Orchid creek which concluded the creek was not a RAPR designated stream. The LTC then proposed to designate DPA 2, a non-RAPR development permit area, on Orchid Creek (proposed Bylaw Nos. 145 and 146) and on an un-named creek on Anvil Island (non-RAPR stream) (proposed Bylaw Nos. 145 and 147) and referred the bylaws to the Ministry of Forests, Lands, Natural Resources Operations and Rural Development. This project was then put on hold until 2020, while Gambier Island riparian DPA bylaws were prioritized.

In 2020, the Ministry confirmed that the independent review of Orchid Creek was unsubstantiated under the RAPR and the creek’s status as a RAPR-applicable stream still remained. The Ministry also confirmed that proposed DPA 2 for Orchid Creek was not consistent with RAPR, and that given the creek’s RAPR designation, that the imposed DPA must include RAPR requirements. The LTC then amended proposed Bylaw Nos. 145, 146, and 147 by designating Orchid creek within DPA 1, continued on with designating the un-named Anvil Island creek within DPA 2, and updated the RAPR applicable portions of the bylaws to align with the newly updated provincial RAPR and to reflect recent updates to *Development Permit Area 3: Riparian Areas* on Gambier Island.

Gambier Island Local Trust Committee Bylaw No. 147

Proposed Bylaw No. 147 was given first reading at the November 19, 2020 Local Trust Committee (LTC) meeting. It was read for a second time at the April 1, 2021 LTC meeting and read a third time at the May 27, 2021 LTC meeting. The LTC considered and determined that the bylaw is not contrary to or at variance with the Islands Trust Policy Statement (Attachment 4).

Issues Relating To Provincial Interest

This bylaw complies with RAPR and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development was a key referral agency during the course of the project and during bylaw development.

Issues Relating To First Nation Interest

The proposed bylaw was referred to the following First Nations with no issues raised:

- Squamish Nation – supportive of the bylaw.
- Tsleil Waututh First Nation
- Musqueam Indian Band
- shíshálh Nation

Issues Relating To Resources and Enforcement

None.

Public Comments

No public submissions were received for this proposed bylaw.

Staff Comments

The proposed bylaw is intended to update the accompanying regulatory measures (applicability, exemptions and guidelines) for DPA 1 which currently apply to Champside Creek, Anvil Island and an un-named creek on S. Thormanby Island. The proposed bylaw is consistent with the newly revised provincial RAPR (2019) and is based on the recent amendments to *Development Permit Area 3: Riparian Areas* on Gambier Island. The proposed bylaw is also intended to introduce the accompanying regulatory measures (applicability, exemptions and guidelines) for DPA 2 (non-RAPR) for an un-named creek on Anvil Island. Staff recommend that the Executive Committee approve Proposed Bylaw No. 147.

KEY ISSUES/CONCEPTS

- Consistency with the Islands Trust Policy Statement Directive Policies.

RELEVANT POLICY

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

ALTERNATIVE

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

THAT the Executive Committee request that staff advise the Gambier Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No 147, cited as cited as "Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017" 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:	Marnie Eggen, RPP, MCIP Island Planner	May 31, 2021
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Concurrence:	David Marlor Director, Local Planning Services	June 17, 2021
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ATTACHMENTS

1. EC Submission Cover
2. Bylaw Submission Checklist
3. Bylaw Referrals Report
4. Islands Trust Policy Statement Directives Only Checklist
5. EC Policy Checklist
6. Bylaw No. 147
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Gambier Island Local Trust Committee

Bylaw No.: GM-147

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 27-May-2021

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: GM-147

Trust Area: Gambier Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: GM-147

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 26-Oct-2017

Bylaw Sent to Referrals: No

Date Proposed Bylaw to Web: 23-Nov-2017

Resolutions:

Resolution Waiving Public Hearing: No

Resolution Authorizing Public Hearing: Yes

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: McErlean, Becky

Date: 14-May-2021

File complete and ready for Public review: Yes

Public Hearings:

Location: Electronic Meeting via Zoom

Proofread By: Eggen, Marnie

Legal Paper: Coast Reporter

First Publish Date: 14-May-2021

Second Publish Date: 21-May-2021

Alternate Paper:

First Publish Date:

Second Publish Date:

Mailout Date: 21-May-2021

Delivery Notices:

Date Public Hearing Held: 27-May-2021

Second Reading Date: 01-Apr-2021

Third Reading Date: 27-May-2021

Referrals: Bylaw GM-147

Agency	Sent	Received
Metro Vancouver - Regional Services <i>Metrotower III: Planning Dept.</i>	11-Dec-2020	
Ministry of Forests, Lands, Natural Resource Operations & Rural Develop - Resource Management & Obj <i>South Coast Natural Resource Region: Andrew Appleton</i> <i>Comment: The Ministry recommended changes to Bylaw Nos. 145, 146 and 147 in order to come into compliance with the Riparian Areas Protection Regulation (RAPR)</i>	30-Nov-2017 11-Dec-2020	14-May-2020
Ministry of Forests, Lands, Natural Resource Operations & Rur-Sunshine Coast Natural Resources Dist. <i>Sunshine Coast Forest District: Referrals Referrals</i>	11-Dec-2020	
Ministry of Municipal Affairs and Housing <i>Planning and Land Use Management: Kris Nichols</i> <i>Comment:</i>	30-Nov-2017	
Ministry of Transportation and Infrastructure <i>Sechelt Area Office: Colin Midgley</i> <i>Comment:</i>	30-Nov-2017 11-Dec-2020	
Musqueam Nation <i>6735 Salish Dr.: Chief & Council</i> <i>Comment:</i>	30-Nov-2017 11-Dec-2020	
shishalh (Sechelt) First Nation <i>PO Box 740: Chief & Council</i>	11-Dec-2020	
Squamish Nation <i>PO Box 86131: Aaron Marchant</i> <i>Comment: 2017 - sent to L. Wilcox 2020 - sent to SquamishConnect -Nick Weber response - no concerns as bylaws are increasing oversight over potential developments in these riparian areas.</i>	30-Nov-2017 11-Dec-2020	08-Apr-2021
Sunshine Coast Regional District <i>1975 Field Road: Dave Pady</i> <i>Comment: 2017 - sent to Steve Olmstead</i>	30-Nov-2017 11-Dec-2020	
Tsleil-Waututh Nation <i>3075 Takaya Drive: Amanda King</i> <i>Comment: no concerns as the intention of this proposed bylaw is to protect the environment within 30 metres of a creek at the southern end of Anvil Island.</i>	30-Nov-2017	23-Jan-2018
Tsleil-Waututh Nation <i>3075 Takaya Drive: Referrals Referrals</i>	11-Dec-2020	



Referrals: Bylaw GM-147

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 - Bylaw No. 147 (LUB)
File Name: Gambier Riparian Areas
Protection

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

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

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

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

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

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

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

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Becky McErlean

Status

Date Resolution Referred to Exective Committee: 27-May-2021

Reading:

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 147

A BYLAW TO AMEND GAMBIER ASSOCIATED ISLANDS LAND USE BYLAW, 2013

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

1. Citation

This bylaw may be cited for all purposes as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017”.

2. Gambier Island Local Trust Committee Bylaw No. 120, cited as “Gambier Associated Islands Land Use Bylaw, 2013,” is amended as follows:

2.1 PART 1 – INTERPRETATION, Section 1.1 DEFINITIONS is amended by deleting the following definition:

“landscaped area” means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobbles, pavers and decorative concrete.”

2.2 SCHEDULE A – Land Use Bylaw Regulations **PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES 9.1 DP-1 RIPARIAN AREAS Definitions** (1) is amended by replacing the reference “*Riparian Areas Regulation*” with “*Riparian Areas Protection Regulation*”.

2.3 SCHEDULE A – Land Use Bylaw Regulations **PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES 9.1 DP- 1 RIPARIAN AREAS Applicability** (2) is amended by deleting the text in its entirety:

“The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.1(3):

- (a) subdivision of land
- (b) construction of, addition to, or alteration of a building or other structure
- (c) removal, alteration or destruction of vegetation
- (d) disturbance of soils
- (e) creation of non-structural, impervious or semi-impervious surfaces
- (f) application of artificial fertilizer, pesticides or herbicides
- (g) any other development, as that term is defined under the Provincial Riparian Areas Regulation”

And replacing it with:

“The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.1(3):

- (a) The addition, removal or alteration of:
 - i. soil,
 - ii. vegetation,

- iii. building, or
- iv. other structure;
- (b) Creation of non-structural, impervious or semi-impervious surfaces;
- (c) Without limiting paragraph (a), the addition, removal or alteration of works and services described in section 506 (1) [subdivision servicing requirements] of the *Local Government Act*;
- (d) Subdivision of land;
- (e) Application of artificial fertilizer, pesticides or herbicides;
- (f) Any other development, as that term is defined under the *Riparian Areas Protection Regulation*."

2.4 SCHEDULE A – Land Use Bylaw Regulations **PART 9 – DEVELOPMENT PERMIT AREA**
GUIDELINES 9.1 DP-1 RIPARIAN AREAS Exemptions (3) is amended by deleting the text in its entirety:

"The following activities are exempt from any requirement for a DP-1 development permit:

- (a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- (b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
- (c) repair or replacement of a septic field in situ;
- (d) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
- (e) With the exception of trees and vegetation containing nests protected under Section 34 of the Wildlife Act, cutting of vegetation and trees more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
- (f) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
- (g) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
- (h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- (i) ecological restoration or enhancement projects undertaken or authorized by a public body;
- (j) work authorized by Fisheries and Oceans Canada under Section 35 of the Fisheries Act;

- (k) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the Water Act;
 - iv. creation of a fire break in accordance with the Wildfire Act.
- (l) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (16.4 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
- (m) The construction of a private trail if all of the following apply;
 - i. The trail is 1 metre (1.6 feet) wide or less;
 - ii. No trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.
- (n) Disturbance of soils more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- (o) The constructing of a small accessory building more than 10 metres (32.8 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres (32.8 feet) squared."

And replacing with:

"The following activities are exempt from any requirement for a DP-1 development permit:

- a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
- b) repairs or other non-structural alterations or additions to a pre-existing building or other structure to the extent that it remains on its existing foundation and does not alter, extend or otherwise increase the footprint, and that it is not damaged or destroyed to the extent described in section 532 of the *Local Government Act*;
- c) repair or replacement of a septic field within the same area of land as the existing septic field;
- d) the removal of trees that have been examined by an International Society of Arboriculture Certified Arborist and certified in writing to pose a threat to life or property;
- e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 10 metres (32.8 feet) from the stream boundary, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;

- f) the maintenance of an area of human disturbance, other than a building or other structure, if the area is not extended and the type of disturbance is not changed;
- g) manual removal of invasive species and manual planting of native vegetation conducted on the basis of advice from a Qualified Environmental Professional;
- h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- i) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
- j) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
- k) The construction of a fence more than 10 metres (32.8 feet) from the stream boundary, if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
- l) The construction of a private trail if all of the following apply:
 - i. The trail is 1 metre (3.28 feet) wide or less;
 - ii. No trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the stream boundary.
- m) Disturbance of soils more than 10 metres (32.8 feet) from the stream boundary if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- n) The constructing of a small accessory building more than 10 metres (32.8 feet) from the stream boundary, if the building is located within an existing area of human disturbance and the total area of small accessory building is less than 10 metres (32.8 feet) squared."

2.5 SCHEDULE A – Land Use Bylaw Regulations **PART 9 – DEVELOPMENT PERMIT AREA**

GUIDELINES 9.1 DP-1 RIPARIAN AREAS Guidelines (4) is amended by deleting the text in its entirety:

"Prior to undertaking any applicable development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

- (a) In general, all development in this Development Permit Area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) has, as part of the assessment report defined in the RAR, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the assessment report submitted to the provincial RAR Notification System (RARNS).
- (b) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the assessment report and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.
- (c) Where a QEP's RAR assessment report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the RAR assessment report. Monitoring and regular reporting by a QEP at the applicant's expense may be required during construction and development phases, as specified in a development permit.
- (d) If the nature of the proposed project within the DPA changes after the RAR assessment report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- (e) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."

And replacing with:

"Prior to undertaking any non-exempt development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

- a) Applications for development permits must include an assessment report prepared by a Qualified Environmental Professional (QEP) in accordance with the assessment methods described in the *Riparian Areas Protection Regulation* (RAPR) and submitted to the responsible BC ministry. The report must include the QEP's recommendations regarding development approval conditions including the monitoring of development activities and subsequent reporting by the QEP to the applicant and the Local Trust Committee.

- b) In general, all development should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a QEP has, as part of the assessment report, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, or monitoring and reporting, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the assessment report.
- c) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the assessment report and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term, which measures should be included as conditions of the development permit.
- d) If the nature of the proposed project within the DPA changes after the assessment report has been prepared such that it is reasonable to assume that the QEP's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- e) Where an assessment report describes an area within the DPA as suitable for development, the development permit should only allow the development to occur in that area.
- f) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in accordance with the recommendations in a QEP's assessment report.
- g) Applications for development permits received after site works are complete should include a condition and impact assessment report prepared by a QEP in accordance with *Professional Practice Guidelines – Legislated Riparian Assessments in BC* and the *Riparian Areas Regulation Assessment Methods*, as they may be amended from time to time.
- h) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the stream boundary, unless the parcel boundary is being created for an ecological reserve under the *Ecological Reserve Act* for dedication to the Crown, or the subdivision complies with the recommendations of a QEP.
- i) A development permit may designate areas of land within a subdivision that must remain free of development in accordance with recommendations of a QEP.
- j) No subdivision plan should indicate the dedication or construction of a highway, driveway, access route or utility corridor of any kind within 30 metres of a stream, except in accordance with the recommendations of a QEP.
- k) No subdivision plan should be designed in such a way that activities described in 9.1(2) would be likely to occur within 30 metres of the stream boundary, unless the development will comply with the recommendations of

the QEP who assessed the impact of the subdivision on the riparian area. In such situations, the development permit may stipulate the extent of the area in which development may occur, in accordance with the QEP's assessment report."

- 2.6 SCHEDULE A – Land Use Bylaw Regulations **PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES** is amended by inserting the following after subsection 9.1:

"9.2 DP-2 STREAMSIDE PROTECTION

Applicability

- (1) The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.2(2):

- subdivision of land;
- construction of, addition to, or alteration of a building or other structure;
- removal, alteration or destruction of vegetation;
- disturbance of soils;
- creation of non-structural, impervious or semi-impervious surfaces.

Exemptions

- (2) The following activities are exempt from any requirement for a DP-2 development permit:
- a) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - b) repair or replacement of a septic field in situ;
 - c) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
 - d) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - e) gardening and yard maintenance activities within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
 - f) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
 - g) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing

- season, topping, or the pruning or removal of a structural root within the critical root zone;
- h) ecological restoration or enhancement projects undertaken or authorized by a public body;
 - i) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
 - j) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
 - k) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
 - l) The construction of a private trail if all of the following apply:
 - i. The trail is 1 metre (3.28 feet) wide or less;
 - ii. No trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.
 - m) Disturbance of soils more than 10 metres (32.8 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
 - n) The constructing of a small accessory building more than 10 metres (32.8 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres (32.8 feet) squared.

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- (3) Prior to undertaking any applicable development activities within DP-2, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

- a) Applicants are to provide a report, prepared by a Qualified Environmental Professional (QEP) or Registered Professional Biologist (R.P. Bio) with expertise in aquatic biology. The report should indicate the type of conditions that should be incorporated into the development permit to achieve the objectives and comply with the guidelines of this DPA.
- b) In general, all development should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems.
- c) Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.
- d) Where this DPA includes unique native species dependent on streamside habitat identified in the professional report as worthy of particular protection, their habitat areas should be left undisturbed. The owner should be required to follow any measures identified by the professional for protecting the streamside habitat over the long term and these measures should be included as conditions of the development permit.
- e) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- f) Where a QEP or R.P. Bio. has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the assessment report.
- g) The development permit should only allow activities identified in the professional's report, and the owner should be required to follow any protective or mitigative measures identified by the professional, and these measures should be included as conditions of the development permit.
- h) Monitoring and regular reporting by a QEP or R.P. Bio. at the applicant's expense may be required during construction and development phases, as specified in a development permit.
- i) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of the DPA in compliance with recommendations of a professional's report."

READ A FIRST TIME THIS 19TH DAY OF NOVEMBER , 2020

READ A SECOND TIME THIS 1ST DAY OF APRIL , 2021

PUBLIC HEARING HELD THIS 27TH DAY OF MAY , 2021

READ A THIRD TIME THIS 27TH DAY OF MAY , 2021

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

DAY OF , 202X

ADOPTED THIS DAY OF , 202X

Chair

Secretary

First Nation Engagement

Referral of: GM BL 147

First Nation: Squamish First Nation

Date	Comment/Action	Initial
<i>August 10, 2017</i>	<i>Sent out Referral Package via email and hard copy mailed</i>	<i>AK/BM</i>
<i>December 11, 2020</i>	<i>Sent updated package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date and added to SquamishConnect database.</i>	<i>BM</i>
<i>April 1, 2021</i>	<i>Response received from Nick Weber – no concerns as bylaws are increasing oversight, file closed</i>	

First Nation: Tsleil-Waututh Nation

Date	Comment/Action	Initial
<i>August 10, 2017</i>	<i>Sent out Referral Package via email and hard copy mailed</i>	<i>AK/BM</i>
<i>October 6, 2017</i>	<i>Have no concerns with the proposed change to designate lands as a Development Permit Area for the purpose of protecting the natural environment, ecosystems and biodiversity, provided that locally-affected First Nations are agreeable</i>	<i>BM</i>
<i>December 11, 2020</i>	<i>Sent updated package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date, left message</i>	<i>BM</i>

First Nation: Musqueam First Nation

Date	Comment/Action	Initial
<i>August 10, 2017</i>	<i>Sent out Referral Package via email and hard copy mailed</i>	<i>AK/BM</i>
<i>December 11, 2020</i>	<i>Sent updated package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date, left message</i>	<i>BM</i>

First Nation: shíshálh First Nation

Date	Comment/Action	Initial
<i>December 11, 2020</i>	<i>Sent package via email</i>	<i>BM/ME</i>
<i>March 15, 2021</i>	<i>Sent reminder regarding Public Hearing date, left message</i>	<i>BM</i>

AK = Ann Kjerulf, Regional Planning Manager (no longer at Islands Trust)

ME = Marnie Eggen, Planner

BM = Becky McErlean, Legislative Clerk

From: Mielle Chandler [REDACTED]
Sent: Thursday, June 17, 2021 11:05 AM
To: Lori Foster
Subject: delegation request

Dear Lori,

Thank you for taking my call today. I am writing in my capacity as one of the directors of GILSA (the Gulf Islands Land Stewards Association).

If possible, I would like the opportunity to present a delegation on the relationship between democracy and environmentalism with regard to the proposed new Trust Policy Statement prior to it going to first reading.

I understand that the July 7th Town Hall will only allow two-minute presentations by members of the public, and will not allow delegations which are longer in duration.

As it is difficult to say anything substantive in two minutes, and I wish to speak on the complex relationship between democracy and environmental protection, I would very much appreciate the opportunity to present a delegation. Might I be allowed to do so at the June 23rd executive meeting?

Thank you,
Mielle



Islands Trust Council Highlights June 8th and 9th , 2021

The following is a list of highlights of Trust Council's activities and decisions during its June 8-9, 2021, meeting held electronically. These highlights are not the official minutes of the Trust Council meeting; Trust Council will adopt those at September 21-23, 2021, electronic meeting.

Land Acknowledgement / Call to Order

Trust Council members and staff stood for 215 seconds of silence to acknowledge the residential school survivors and their loved ones profound grief and loss over the May 27th discovery of 215 lost children found at the Kamloops residential school.

Amendments to Trust Council Policies

Trust Council amended the following policies: 2.3.1, Council Committee System; 7.4.1, Incoming Local Trust Committee Correspondence; 2.1.6 Legal Advice; 6.9.2 Legal Services Access and Management and repealed 6.9.1 Legal Services Management.

Application Processing Services Policy and Model Fees Bylaw

Trust Council adopted new policy 5.6.1, Application Processing Services, and requested each local trust committee consider adoption of this new policy.

Natural Area Property Tax Exemption Program (NAPTEP) Certificate Issued

Sections of a property located at 3209 Armadale Road and 3210 Clam Bay Road on North Pender Island were issued a NAPTEP certificate subject to registration of the covenanted portion.

Annual Report

Trust Council approved the draft report as presented which will be submitted to the Minister of Municipal Affairs for consideration.

Correspondence

Trust Council received over 40 pieces of correspondence regarding the Policy Statement Review which were referred to the Trust Programs Committee for consideration and inclusion in the review process.

Trust Council Minutes of Regular Meeting

Date: June 8, 2021 – June 9, 2021
Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Executive Present: Peter Luckham, Chair, Thetis Island (Victoria Boardroom)
Sue Ellen Fast, Vice Chair, Bowen Island Municipality
Laura Patrick, Vice Chair, Salt Spring Island
Dan Rogers, Vice Chair, Gambier/Keats Island

Members Attending: Michael Kaile, Bowen Island Municipality
Laura Busheikin, Denman Island
David Critchley, Denman Island
Scott Colbourne, Gabriola Island
Kees Langereis, Gabriola Island
Tahirih Rockafella, Galiano Island
Jane Wolverton, Galiano Island
Kate-Louise Stamford, Gambier Island
Alex Allen, Hornby Island
Grant Scott, Hornby Island
Peter Johnston, Lasqueti Island
Timothy Peterson, Lasqueti Island
Jeanine Dodds, Mayne Island
David Maude, Mayne Island
Ben McConchie, North Pender Island
Deb Morrison, North Pender Island
Peter Grove, Salt Spring Island
Paul Brent, Saturna Island
Lee Middleton, Saturna Island
Cameron Thorn, South Pender Island
Steve Wright, South Pender Island
Doug Fenton, Thetis Island

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (Victoria Boardroom)
David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Carmen Thiel, Legislative Services Manager (Victoria Boardroom)
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Dilani Hippola, Senior Policy Advisor
Kate Emmings, Manager, Islands Trust Conservancy
Carla Funk, Fundraising Specialist, Islands Trust Conservancy
Lori Foster, Executive Coordinator (Victoria Boardroom)

Tuesday, June 8, 2021

There were approximately 7-9 attendees present. The meeting was live-streamed for public viewing. It was reported that on Tuesday, June 8, 2021, there were 46 live-stream views.

1. LAND ACKNOWLEDGMENT / CALL TO ORDER

Chair Luckham spoke to the recent announcement from the Tk'emlúps te Secwépemc First Nation and the discovery of the remains of 215 children at the residential school in Kamloops B.C. Trust Council members and staff stood for 215 seconds of silence before the meeting was called to order.

The meeting was called to order at 1:03 p.m. Regrets from Trustee McConchie. Trustees Langereis and Thorn were absent. 23 members of Trust Council were present.

2. APPROVAL OF AGENDA

The following late items were circulated in an addendum Monday, June 7:

- REVISED Amendments to Trust Council Policy 2.3.1 Council Committee Systems,
- Correspondence items 15.38 – 15.45 (8 pieces) as listed.

By general consent, the agenda was adopted as amended.

3. GENERAL BUSINESS ARISING

3.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendations as presented in items 3.1.1 and 3.1.2.

3.1.1 March Trust Council Meeting Draft Minutes

Adopt the minutes as presented.

3.1.2 Resolutions Without Meeting

For information.

3.2 Discussion / Decision Items

3.2.1 Trustee Round Table

Trustees gave verbal updates on their local trust committee work.

Trustee Kaile left the meeting at 2:03 p.m.

The meeting recessed for a break at 2:20 p.m. and reconvened at 2:35 p.m.

4. EXECUTIVE

4.1 Consent Agenda Items

By general consent, Trust Council adopt the recommendations as presented in items 4.1.1 to 4.1.4.

- 4.1.1 Trust Council Follow Up Action List
Receive for information.
- 4.1.2 Strategic Plan Update
Receive for information.
- 4.1.3 Continuous Learning Plan
Receive for information.
- 4.1.4 Executive Committee Work Program Report
Approve the work program report as presented.

Trustee Langereis joined the meeting at 2:50 p.m.

4.2 Discussion / Decision Items

4.2.1 Chief Administrative Officer's (CAO) Report

CAO Hotsenpiller presented his report and responded to questions.

The topic of Islands Trust desire to attain tree protection authority was discussed.

4.2.2 Provision of electronic meetings for Trust Council bodies on an ongoing basis – RFD

CAO Hotsenpiller reviewed the three options as presented in the request for decision and answered questions. Discussion ensued.

TC-2021-046

It was Moved by Trustee Fast and Seconded by Trustee Busheikin,
That Trust Council recommend that Option 3, which provides for the development of a hybrid meeting capability for Local Trust Committee meetings consisting of a fully interactive electronic capacity and an 'in person' capacity, be approved.

TIED/DEFEATED

4.2.3 Amendments to Trust Council Policy 2.3.1 Council Committee System – RFD

Legislative Services Manager (LSM) Thiel presented the request for decision and answered questions.

TC-2021-047

It was Moved by Trustee Stamford and Seconded by Trustee Fenton,
That Trust Council adopt amended Trust Council Policy 2.3.1 Council Committee System (Attachment 1).

CARRIED

4.2.4 Amended Policy 7.4.1 Incoming Local Trust Committee Correspondence - RFD

LSM Theil spoke to the request for decision (RFD). Discussion followed.

TC-2021-048

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

That Trust Council amend draft policy 7.4.1 to include the word “addressed” in the definition of correspondence, and in the definition of webmail to change the word “mail” to “email”.

CARRIED

TC-2021-049

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

That Trust Council adopt amended Policy 7.4.1 Incoming Local Trust Committee Correspondence (Attachment 1), and as amended by TC-2021-048.

CARRIED

At 4:30 p.m., it was noted that Trustees Allan, Brent, Dodds and Morrison had left the meeting.

At 4:45 p.m., Trustee Scott left the meeting.

TC-2021-050

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

That the meeting recess at 4:51 p.m. and reconvene at 7:00 p.m.

CARRIED

At 7:00 p.m., Chair Luckham reconvened the meeting addressing the scheduled Delegations and Town Hall session.

Chair Luckham humbly stated gratitude to live and work on Coast Salish First Nations treaty and traditional territory and welcomed the 14 members of public in attendance and those watching the live stream.

Trustees Allan, Brent and Thorn were absent.

6. ENGAGEMENT

6.1 Delegations

6.1.1 Michael Sketch

Michael Sketch addressed Trust Council reading his submission titled, “Constructive criticism for the structure of Council’s trust policy statement draft bylaw 183 and remedy in a different policy statement draft” which included a draft rewrite of the Trust Policy Statement.

6.1.2 Galiano Conservancy Association

Michelle Thompson presented a PowerPoint on behalf of the Galiano Conservancy Association and a project called “One Island, One Earth Project” which is working towards documenting ecological footprint, bio-capacity and ecological fingerprint.

6.1.3 Raincoast Conservation

Shauna Doll presented a PowerPoint which spoke to the public feedback heard regarding the Trust Policy Statement revision process, strengthening environmental policy in the Trust Area, and working together to restore land and culture.

6.2 Town Hall

Jennifer Margison, Galiano Island, addressed Trust Council twice in the town hall session asking for stronger policy statement directives to prioritize protection of the natural environment and reviewed planner job descriptions in terms of their role to protect the natural environment.

Maxine Leichter, Salt Spring Island, requested meetings be available in an audio format for review, spoke in support of Raincoast Conservation recommendations, and asked for stronger policy statement directives to protect the environment.

Deborah Ferens, Gabriola Island, spoke on behalf of the Gulf Islands Alliance giving feedback and review on the current draft of the trust policy statement. She submitted these comments in writing for Trust Council’s consideration.

Jacinthe Eastick, Gabriola Island, addressed Trust Council three times commenting on support for reconsideration of council decisions made in March, holding in-person local trust committee meetings, reducing staff travel by using a speaker phone to attend meetings, and enforcement of bylaw infractions. She also commented on the role of a chair at local trust committee meetings.

Tobi Elliott, Gabriola Island, thanked Trust Council for the work they are doing balancing the environment with communities and work on reconciliation.

Michael Sketch, North Pender Island, commented on planner job descriptions following Jennifer Margison’s comments earlier.

TC-2021-051

It was Moved by Trustee Langereis and Seconded by Trustee Stamford,
That the meeting be recessed at 8:15 p.m.

CARRIED

Wednesday, June 9, 2021

At 9:00 a.m., Chair Luckham reconvened the meeting and shared a photo he took last night of the B.C. Legislature steps showing a memorial to the 215 lost children of the Kamloops residential school.

Chair Luckham welcomed the 6 attendees present and those watching the live-stream. It was noted that there were 47 live-stream views on this day.

All trustees were present when the meeting was called to order.

Chair Luckham began with unfinished business from Tuesday's session starting at item 4.2.5.

4.2.5 Legal Services Policies – RFD

Legal Services Manager Theil spoke to the request for decision (RFD).

TC-2021-052

It was Moved by Trustee Rogers and Seconded by Trustee Fast,
That Trust Council adopt amended Policy 2.1.6 – Legal Advice (Attachment 1).

CARRIED

TC-2021-053

It was Moved by Trustee Rogers and Seconded by Trustee Fast,
That Trust Council adopt amended Policy 6.9.2 – Legal Services Access and Management (Attachment 3).

CARRIED

TC-2021-054

It was Moved by Trustee Fast and Seconded by Trustee Wolverton,
That Trust Council repeal Policy 6.9.1 – Legal Services Management.

CARRIED

By general consent, Trust Council considered further business under item 4.2.2.

4.2.2 Provision of electronic meetings for Trust Council bodies on an ongoing basis – RFD

TC-2021-055

It was Moved by Trustee Rogers and Seconded by Trustee Wolverton,
That Trust Council refer the matter of electronic meetings back to Executive Committee for further consideration including cost/benefits and all comments at Trust Council.

CARRIED

TC-2021-056

It was Moved by Trustee Johnston and Seconded by Trustee Busheikin,
That staff be directed to draft amendments to the Trust Council Meeting
Procedures Bylaw 101 regarding electronic regular meetings once anticipated
legislative changes are approved.

CARRIED

5. SELECT COMMITTEE GOVERNANCE AND MANAGEMENT REVIEW

5.1 Discussion / Decision Item

5.1.1 Select Committee Chair's Update

Chair of the Select Committee, Trustee Middleton, gave a verbal update on the
status of the Governance and Management Review project and answered
trustee questions.

The meeting recessed for a break at 10:35 p.m. and reconvened at 10:50 p.m., Trustee Brent was
absent.

7. LOCAL PLANNING SERVICES

7.1 Consent Agenda Items

By general consent, that Trust Council adopted the recommendation as presented in
item 7.1.1.

7.1.1 Regional Planning Committee Work Program Report
Approve the work program report as presented.

Items 7.1.2 and 7.1.3 were pulled from the consent agenda for discussion.

7.1.2 Director of Local Planning Services (DLPS) Report

In response to a question, DLPS Marlor reported that the number of
planners allocated to regional planning is currently 3. Discussion about
freshwater strategy and groundwater mapping ensued.

Received for information.

7.1.3 Update on Regional Planning Team Work Program - Briefing

Discussion on the timeline for completion of various projects ensued.

Received for information.

7.2 Discussion / Decision Items

7.2.1 Application Processing Services Policy and Model Fees Bylaw - RFD

Director of Local Planning Services (DLPS) Marlor gave an overview of the policy and bylaw as containing in the request for decision and answered trustee questions.

TC-2021-057

Moved by Trustee Busheikin, Seconded by Trustee Peterson,

That Trust Council repeal Policy 5.6.1 "Application Process Services", Policy 5.6.2 "Cost Recovery Agreements", and Policy 5.6.3 "Extraordinary Processing Services Guidelines" and replace them with Policy 5.6.1 "Application Processing Services".

CARRIED

TC-2021-058

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

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 "Application Processing Services".

CARRIED

By general consent, Trust Council agreed to address item 9. next then, following the lunch break, hear the Islands Trust Conservancy presentation.

9. ADMINISTRATIVE SERVICES / FINANCE

9.1 Consent Agenda Items

By general consent, that Trust Council adopt the recommendations as presented in items 9.1.2 and 9.1.3.

9.1.2 March 31, 2021, Financial Report (unaudited) - Briefing
Receive for information.

9.1.3 Director of Administrative Services Report
Receive for information.

Item 9.1.1 was pulled from the consent agenda for discussion.

9.1.1 Financial Planning Committee Work Program Report – DRAFT

Discussion on moving the item of trustee remuneration from the projects list to a top priority item was heard.

By general consent, Trust Council approved the work program report as presented.

The meeting recessed for lunch at 11:58 a.m. and reconvened at 1:00 p.m.

8. ISLANDS TRUST CONSERVANCY

8.1 Encouraging Donations and Gifts for Nature - Session Outline

Chair of the Islands Trust Conservancy (ITC), Trustee Stamford, introduced the presentation.

ITC Manager Emmings and Fund Raising Specialist Funk gave a PowerPoint presentation titled "Building a Culture of Philanthropy". A question period ensued. Staff were thanked for their work with the Conservancy.

Trustee Thorn left the meeting at 2:00 p.m.

10. NEW BUSINESS – None

11. TRUST AREA SERVICES

11.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendations as presented in items 11.1.1, 11.1.2 and 11.1.4.

11.1.1 Trust Programs Committee Work Program Report
Approve the work program report as presented.

11.1.2 Director of Trust Area Services Report
Receive for information.

11.1.4 Islands Trust Conservancy Quarterly Report
Receive for information.

Items 11.1.3 and 11.1.5, were pulled from the consent agenda for discussion.

11.1.3 Legislative Monitoring Briefing

Trustee Allen noted on page 256 of the agenda package, regarding the Blue Economy Strategy engagement, would be open for comment until June and encouraged trustees to contact their constituents regarding this item.

By general consent, the briefing was received for information.

Trustee Wright left the meeting at 2:17 p.m.

11.1.5 Policy Statement Amendment Project Update – Briefing

Director of Trust Area Services (DTAS) Frater answered questions on the process for first reading of the Policy Statement bylaw.

By general consent, the briefing was received for information.

11.2 Discussion / Decision Items

11.2.1 Pare-Baile Property NAPTEP Certificate, North Pender Island – RFD

DTAS Frater spoke to the request for decision.

TC-2021-059

Moved by Trustee Morrison, Seconded by Trustee Stamford,

That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate (NAPTEP) for the covenanted portion of the property on North Pender Island described as “3209 Armadale Road, Parcel Identifier 029-414- 890, and 3210 Clam Bay Road, Parcel Identifier 000-543-527” subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CARRIED

11.2.2 Annual Report – RFD

DTAS Frater spoke to the request for decision and noted that Financial Planning Committee still needs to endorse its section of the report.

TC-2021-060

Moved by Trustee Fast, Seconded by Trustee Fenton,

That the Islands Trust Council approve the 2020/21 Draft Annual Report for submission to the Minister of Municipal Affairs.

CARRIED

The meeting recessed for a break at 2:30 p.m. and reconvened at 2:45 p.m.

Chair Luckham addressed Trust Council to consider moving forward with the agenda and the possibility of wrapping up the meeting ahead of schedule.

TC-2021-061

Moved by Trustee Dodds and Seconded by Trustee Brent,

That Trust Council continue the agenda until 5:00 p.m. today.

CARRIED

Trustees opposed Critchley, Peterson and Langereis

12. CLOSED MEETING

By general consent, this item was deferred to the next meeting.

13. RISE AND REPORT - NONE

14. SUMMARY / UPDATES

14.1 Trustee Updates

14.1.1 First Nations

14.1.1.1 Xwe'etay/Lasqueti Archaeology Project - Trustee Johnston

The report was received for information.

14.1.2 Salt Spring Island Watershed Protection Alliance (SSIWPA) – Update

The report was received for information.

14.1.3 Átl'ka7tsem / Howe Sound Community Forum – Update

The report was received for information.

14.1.4 Gulf Islands National Park Reserve Advisory Committee

Trustee Middleton noted the committee does not currently meet and had no report.

14.1.5 Southern Gulf Islands Community Forum

Trustee Wolverton gave a verbal update noting an upcoming forum.

14.1.6 Baynes Sound Forum

Trustee Critchley gave a verbal update noting an upcoming forum.

14.1.7 Freighter Roundtable Update

Trustees gave verbal updates.

14.1.8 BC Ferries (Ferry Advisory Committee Chairs)

Trustee Maude gave a verbal update.

14.2 Priorities Chart

By general consent, the Priorities Chart was received for information.

14.3 Proposed September Trust Council Agenda Program

Executive Committee will consider all feedback for the next meeting.

14.4 Disposition of Delegations and Town Hall Requests

Trust Council discussed a proposed notice of motion as presented by Trustees Critchley and Rogers which may be brought back for consideration in September.

Trustee Thorn joined the meeting at 4.00 p.m.

15. CORRESPONDENCE

By general consent, unless noted otherwise, the following correspondence was received for information and forwarded to Trust Programs Committee regarding the Policy Statement review.

- 15.1 F. Attorp re: for inclusion in Trust Council June agenda email dated May 8, 2021
- 15.2 L. Salter re: please reconsider the rejected motion email dated May 11, 2021
- 15.3 T. Beaver re: protecting the natural environment email dated May 12, 2021
- 15.4 M. Gross re: Policy Statement email dated May 12, 2021
- 15.5 E. Wttewaall re: natural environment protection email dated May 12, 2021
- 15.6 B. Young, Transition Salt Spring re: Policy Statement, letter dated May 12, 2021
- 15.7 T. Pickett re: attention Council Members, planners etc. email dated May 13, 2021
- 15.8 N. Wigen re: Protection of the natural environment email dated May 13, 2021
- 15.9 H. Holm re: Policy Statement dated May 16, 2021
- 15.10 C. de Menyhart re: Trust Policy Statement email dated May 17, 2021
- 15.11 D. Kennedy re: Policy Statement email dated May 17, 2021
- 15.12 M. Leichter re: a motion to prioritize protecting the natural environment letter dated May 17, 2021
- 15.13 M. Leichter re: revisions to the first draft of the Trust Policy Statement letter dated May 17, 2021
- 15.14 J. Henshall re: Islands Trust Policy review email dated May 18, 2021
- 15.15 M. MacMillen & G. Macdonald re: Revising the Islands Trust Policy Statement email dated May 18, 2021
- 15.16 J. Margison re: Policy Statement review letter dated May 18, 2021
- 15.17 G. Dusting re: Islands Trust Policy Review email dated May 19, 2021
- 15.18 M. Mikkelsen letter to reconsider motion received May 19, 2021
- 15.19 K. Maser re: grave concerns email dated May 19, 2021
- 15.20 D. McCreedy re: Changes in Trust Mandate email dated May 19, 2021
- 15.21 H. Shilladay re: Trust Policy Statement and Gabriola Island email received May 23, 2021
- 15.22 J. Power FWD: IT letter for your consideration email received May 23, 2021
- 15.23 L. McKnight re: Please Consider email received May 23, 2021
- 15.24 S. Yeend re: preservation please email received May 23, 2021
- 15.25 A. Steele re: The role of the Islands Trust email received May 24, 2021
- 15.26 C. Bowers re: TPS review process email received May 24, 2021
- 15.27 D. Mace Re: change in IT mandate email received May 24, 2021
- 15.28 J. Ellison re: Islands Trust mandate email received May 24, 2021
- 15.29 M. Wilde re: please protect our islands! email received May 24, 2021
- 15.30 N. Ballash & G. MacDonald re: Review of Islands Trust Policy Statement email received May 24, 2021
- 15.31 S. Brooks re: Islands Trust mandate email received May 24, 2021
- 15.32 Dave Secord Input re: Islands Trust Policy Statement email received May 25, 2021
- 15.33 J. Kalvaitis FWD: Islands Trust letter email received May 25, 2021
- 15.34 J & S Lewis re: Trust Policy Statement concerns email received May 25, 2021
- 15.35 S. Hutchen Lay re: in support of email received May 25, 2021
- 15.36 Salt Spring Solutions re: Letters to Trust Council for upcoming meeting letter received May 25, 2021

- 15.37 H. Schofield re: Trust Policy Statement Review action needed email received May 26, 2021
- 15.38 MP Manly re: support letter to Minister Alghabra freighter anchorages email received June 1, 2021

Discussion was heard on responding to the request for support.

- 15.39 M. Green re: Presentation of Findings of the Vessel Drift and Response Analysis email dated June 2, 2021

By general consent, staff will draft a letter inviting San Juan to make a presentation to September Trust Council.

- 15.40 Minister Conroy re: Modernizing Forest Policy letter dated June 2, 2021
- 15.41 A. Yardly re: Policy Statement email received May 28, 2021
- 15.42 J. Laing re: Trust Policy for 2050 letter received May 31, 2021
- 15.43 J. Margison re: Islands Trust Policy Statement Review email received May 31, 2021
- 15.44 J. Henshaw re: Trust Policy Statement review email received May 31, 2021

16. **STRATEGIC PLAN (Amendments) - None**

17. **NEXT MEETING**

A Special Trust Council meeting is scheduled for July 7-8, 2021. The next Islands Trust Council quarterly meeting is scheduled September 21 - 23, 2021.

18. **ADJOURNMENT**

By general consent, the meeting adjourned at 4:50 p.m.

Staff will update the website and send out a subscriber notice that the meeting adjourned early.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder

From: Peter Johnston
Sent: Wednesday, June 9, 2021 5:06 PM
To: EC
Subject: notes from TC meeting

Hello Executive Committee members, and associated staff,

14. Trustee updates It was my understanding that these reports were to be written and submitted. I don't think it should be necessary to call for verbal reports, except that from time to time a verbal update might be appropriate on things that have happened since the written report was submitted. Going through them all and asking for verbal reports seems to take a bunch of time that I thought we were trying to save. If we continue to follow the practice we've been using, there is no incentive for trustees to submit written reports, and there is no record of what is reported.

Numbering of items in agenda package We refer to items by agenda numbers, and also by page numbers. It would be very useful if the agenda number was included on at least the first page of each agenda item. Currently there is no way to know the agenda number without going to the first pages of the agenda package and looking it up. It might be helpful to have the agenda number on each page of all documents, but having the number on at least on the first page would be very helpful.

I really liked the practice of trustees asking questions about decisions, etc. before the motion was moved, and then having a discussion on the merits, and then a vote. We didn't always stick to this plan, but when we did I thought it worked very well. I'd like to suggest that this question and clarification phase be considered as something that might be done electronically, on a page, or series of pages, on the Trust web site. This would allow trustees to ask questions and get clarifications, for staff to answer, and for everyone (trustees and members of the public) to be able to review and get most (if not all) of their questions answered or clarifications received before the meeting began. The web page(s) would permit trustees to ask questions, and any member of the public to read it, thus satisfying (I believe) the requirement to conduct Trust business in public. If we could do this, it would shorten the time required for decisions at our meetings, and probably would occasionally lead to some items being withdrawn from consideration so they could be clarified and improved before being brought back.

Those are my suggestions and feedback immediately after our Trust Council meeting ended. Thanks to you all. I was quite concerned because we got off to such a slow start on Tuesday and the first part of this morning. I appreciate your large contributions to our functioning. Peter

From: Peter Johnston
Sent: Wednesday, June 9, 2021 5:09 PM
To: Trustees; Russ Hotsenpiller
Subject: notes from TC june meeting

Follow Up Flag: Follow up
Flag Status: Flagged

Here are links and sources of information that I copied from the chat yesterday and today, plus one I added. Hope you find some of it useful. Thanks for what turned out (after a shaky start) to be a good meeting. Peter

State of the Salish Sea - <https://wp.wvu.edu/salishsea/state-of-the-salish-sea-report/>

Reconciling Ways of Knowing Dialogue Series: <https://www.waysofknowingforum.ca/>

Farmers for Climate Solutions: <https://farmersforclimatesolutions.ca/>

Two Reconciliation reports from last Trust Council, including the section titled Truth Precedes Reconciliation:

<https://islandstrust.bc.ca/wp-content/uploads/2021/04/Reconciliation-Report-2019-2021-Final.pdf>

https://islandstrust.bc.ca/wp-content/uploads/2021/04/TC-2021-03-09_PSAP-Discussion-Paper-Trust-Object-Past-Present-FutureAPPENDICES_RPT_FINAL.pdf

Here is Bob Turner's video about Whispering Creek on Gambier Island.

<https://www.youtube.com/watch?v=uQu2limNtA0&t=180s>

Fingerprint study -

https://www.researchgate.net/publication/259475059_From_Ecological_Footprint_To_Ecological_Fingerprint_Sustainable_development_on_Helgoland

Indigenous Canada free U of A history course <https://www.coursera.org/learn/indigenous-canada>

National Centre for Truth and Reconciliation <https://nctr.ca/>

Blue Economy Strategy Engagement open until June 15 Discussion Paper: <https://waves-vagues.dfompo.gc.ca/Library/40946721.pdf>

From: Dan Rogers
Sent: Sunday, June 13, 2021 4:43 PM
To: EC
Subject: FW: TC scheduling

For TC review next EC meeting please.

Dan

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

Preserving and Protecting Over 450 Islands and the Surrounding Waters in the Salish Sea

I am humbly thankful that I live and work in the territory of the BOŶĖĆEN, Cowichan, Halalt, Homalco, K'ómok, Klahoose, Lake Cowichan, Lekwungen, Lyackson, MÁLEXET, Penelakut, Qualicum, Scia'new, selilwitulh, SEMYOME, Shíshálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, SŶÁUTW, Stz'uminus, SXIMELEL, T'Sou-ke, Tla'amin, Tsawwassen, We Wai Kai, Wei Wai Kum, WJOŁELP, WSIKEM, and x̣məθḳəỵəm.

From: Timothy Peterson
Sent: Friday, June 11, 2021 9:16 PM
To: Dan Rogers
Subject: RE: TC scheduling

Hi Dan,

I'm ok with any rejiggering in the morning or afternoon. My pet peeve is sessions going as late as 9 Pm. Personally, I'd prefer everything was done by 6, but IF we are going to go late, I think 9 is WAAAAAY too late. 8.

7 would be better. I'd take a shorter break. Start earlier. I just want to be asleep by 9 these days. Must be getting old.

Darn kids, get off my lawn!

Anyhow.

Prefer an earlier Town Hall, maybe 6-7?

Just saying. I'm old and grumpy after 8.

Cheers,

Tim

From: Dan Rogers
Sent: Friday, June 11, 2021 11:57 AM
To: Timothy Peterson; EC
Subject: RE: TC scheduling

Thanks Tim. Just for my info... are you suggesting that something like a half day earlier on the Tuesday and then Town Hall/Delegations in the late afternoon?? Midday?

Cheers

Dan

Daniel J Rogers

Islands Trust Vice-Chair and Gambier Area Trustee

604-220-1500

Preserving and Protecting Over 450 Islands and the Surrounding Waters in the Salish Sea

I am humbly thankful that I live and work in the territory of the BOKEĆEN, Cowichan, Halalt, Homalco, K'ómok, Klahoose, Lake Cowichan, Lekwungen, Lyackson, MÁLEXEL, Penelakut, Qualicum, Scia'new, selilwitulh, SEMYOME, Shíshálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, SÁUTW, Stz'uminus, SXIMELEL, T'Sou-ke, Tla'amin, Tsawwassen, We Wai Kai, Wei Wai Kum, WJOLELP, WSIKEM, and x'məθk'əyəm.

From: Timothy Peterson

Sent: Thursday, June 10, 2021 11:48 AM

To: EC

Subject: TC scheduling

Hi all,

What a historic meeting!

Since I have some free time today, I thought I would write and let you know that I am not a fan of the 7-9 PM sessions. I would vastly prefer an early start to a late finish. I find it difficult to remain focused at that time of the evening, after dinner. By 9 Pm I'm generally in bed, so this timeline pushes my stamina to the edge.

Thank you for your consideration,

Tim

From: Alex Allen
Sent: Wednesday, June 9, 2021 5:18 PM
To: Trustees
Subject: A gentle reminder: Blue Economy Engagement

Just a reminder, please read this and share with your community members.
PUBLIC ENGAGEMENT : Open until June 15, 2021

The Government of Canada intends to develop a strategic framework to guide future actions and investments that will help grow the ocean economy, while advancing conservation objectives. The discussion paper notes that “ In British Columbia, primary ocean sectors include marine shipping, recreation and tourism, aquaculture, commercial fishing, Indigenous fisheries and traditional livelihoods, and fish and seafood production, as well as a growing ocean technology sector. Farmed salmon is particularly important as the top seafood and agri-food export in the province.

The Pacific Ocean also offers direct trade links to Asia and the broader Pacific Rim, which present a key opportunity for Canada to expand its exports and global market access.”

Discussion Paper: <https://waves-vagues.dfompo.gc.ca/Library/40946721.pdf>

To ensure our blue economy strategy reflects the views of Canadians, we are seeking your input on potential areas of action.

Engagement options available via : <https://www.dfompo.gc.ca/about-notre-sujet/blue-economy-economiebleue/engagement-paper-document-mobilisation/consultationeng.html>

Highlights: marine shipping, port activities, emerging industries such as off shore energy, marine biotechnology...key opportunity to expand Canada's exports and global market access...Ocean Supercluster for fast tracking the ocean economy ocean innovation hub! A few board members of this cluster\$%#: a director of Exxon-Mobil Canada; a director of Chevron Canada; a director of a company that has created the largest deep water ocean farm in the world (1300 metric tonnes and growing) and fin fish farming and net pen technologies; a director of a company that is involved in electric, natural gas and gas pipelines; a director of a company that sold over 100 million pounds of seafood product to over 30 countries....

And what are their challenges? "technology developers are not always aligned with the needs of industry, which creates commercialization challenges...associated risks and a general unfamiliarity associated with ocean innovation tends to hamper private sector investments...level of skepticism regarding actual environmental and sustainability

benefits of ocean projects...the development of agile regulations that would address concerns of future-oriented ocean industries....."

And then read the *State of the Salish Sea Report*.

Alex Allen
Hornby Island Trustee
(250) 335-1129 Ext. 420

I respectfully acknowledge that I am living and working on the unceded traditional territory of the K'òmoks First Nation.

From: Laura Busheikin
Sent: Wednesday, June 9, 2021 6:51 PM
To: Trustees
Subject: FW: Time sensitive Article and summary of issues with Blue Economy
Attachments: Blue Economy Article june 8.pdf; June 8 Blue Economy Critique.pdf

Hi,

This came in today from a well-established Denman Island organization—a critical analysis of the Blue Economy initiative.

We at ADIMS have been deeply disturbed by DFO Minister Bernadette Jordan announcement of the Blue Economy document and consultation process that was presented earlier this Spring. Because the focus seemed to demonstrate so little consciousness about Climate Crisis, and the degradation of the World's Oceans, I have been researching the background behind this initiative. This was necessary to be able to give credible feedback to the Minister.

The attached article is going on ADIMS and Denman Island Climate Action Network websites, and Gord Johns has used it as part of his address to Parliament on Oceans Day yesterday. I don't believe this issue can be ignored as its neglect of ecosystem realities seems to to me to be so blatant.

I've attached the article for your perusal. If you think it would be useful, please pass it on to colleagues. There are links for responding to the Blue Economy Engagement process in a number of ways. Unfortunately the deadline is June 15, 2021.

If you are interested in digging deeper, I have also included a ten pager that goes into more detail about what DFO has committed to legislation, position papers and international commitments. Perhaps the most revealing is the discrepancy between the Canada's Sustainable Development Goals and what is promoted in the Canada's Blue Economy.

I should also mention that of the two roundtables that I attended, the focus mimicked the Ministers neglect of any focus on creative ideas or initiatives that would directly or indirectly utilize the Oceans resources to address the issues of warming, acidification, alternate products and practices, restorative aquaculture, promotion and restoration of green carbon, or even the promotion of offshore wind power.

If you have any questions or comments, please do not hesitate to contact me.
Kind Regards

Barb Mills

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DFO Chooses Industry over Ecosystem Again

By Barbara Mills

DFO is the Federal ministry responsible for protecting our oceans and the life within it. Unfortunately, it is also responsible for promoting industry that exploits the ocean. In our region of Baynes Sound and Lambert Channel, this paradoxical mandate has led to the degradation of spawning and nursery habitat, loss of biodiversity, escalating levels of plastic pollution, and nine tons of aquaculture debris littering our beaches.

Clearly in its conflicting mandate, DFO has perennially chosen to support industry over ecosystem survival. Its new initiative announced this Spring by DFO Minister Jordan called “The Blue Economy”, continues this shocking pattern. Minister Jordan proclaims that this initiative will help Canada’s industries to “build back better” after COVID. Given the climate crisis that is devastating the Earth’s atmosphere and oceans, one would naturally expect that this initiative would promote and highlight economic initiatives such as restorative aquaculture, restoration of fish stocks and habitat, solar power for seaplanes and ferries, cumulative impact assessment to guide the restoration of Canada’s recently designated MPAs. Unfortunately, this is not the case! Far from it!

Although Canada’s Blue Economy (BE) is a planned progression of the **UN/World Bank document** of the same name, as well as **Canada’s UN-led Sustainable Development Goals**, it differs in one overwhelmingly significant way. **The introduction and content of Canada’s BE has neglected to include the UN references on the primary need to address the climate crisis, loss of biodiversity and fish stocks in the ocean, and to the ocean’s essential role of regulating the atmosphere and sequestering CO2 and other greenhouse gases. It has neglected to reference aspirations of using blue carbon, and alternative energy sources to reduce industry’s impact.**

Instead, Minister Jordan seems to primarily favor “industry as usual”, as evidenced by her following statement.

*“Canada’s Blue economy consists of traditional ocean-based sectors such as commercial fishing, aquaculture, seafood processing, marine shipping, port activities, shipbuilding, and coastal tourism. It also includes emerging industries and activities driven by cutting-edge developments in science and technology, such as **offshore energy, marine biotechnology and mining.**”*

<https://www.dfo-mpo.gc.ca/about-notre-sujet/blue-economy-economie-bleue/toolkit-trousse/index-eng.html>

And she gives the example of Canada’s Ocean Supercluster initiative to “

“commercialize two breakthrough technologies to produce an environmentally sustainable and low-cost protein for the aquaculture industry while reducing oil and gas emissions.

This Sustainable Protein for Aquaculture project will take greenhouse gas emissions from upstream oil and gas and convert them into a high-value protein product to be used to feed farmed fish."

<https://oceansupercluster.ca/denova-sustainable-protein-for-aquaculture-project/>

<https://www.ic.gc.ca/eic/site/093.nsf/eng/00013.html>

In contrast , the UN goals for the Blue Economy omit any reference to using the ocean for oil, gas, and mining, and instead call for :

"Maintenance and restoration of ecosystem integrity by supporting ecosystem services that are essential to sustaining human and marine life. They call for supporting the integrity of the ocean because it is a key factor in addressing the climate crisis and global and ocean warming. They recognize that climate crisis, marine pollution, unsustainable extraction of marine resources and destruction of coastal habitats threaten the ocean and human well-being throughout the world. It calls for an ecosystem approach and a change in how humans manage and use ocean, seas and marine resources."

<https://sdgs.un.org/topics/oceans-and-seas>

What We Can Do:

1. Sign the Oceana petition below:

<https://act.oceana.org/page/77765/action/1>

2. We must tell Minister Jordan that this Earth and this ecosystem cannot afford to put the needs of extractive and environmentally neglectful industry before our children's and the Earth's future. If you wish to give feedback go to the website below by June 15, 2021:

<https://www.dfo-mpo.gc.ca/about-notre-sujet/blue-economy-economie-bleue/engagement-paper-document-mobilisation/part2-eng.html>

Or simply email your criticism to: BlueEconomy-EconomieBleue@dfo-mpo.gc.ca

It doesn't have to be long or fancy. It can simply say "please protect our future. Any industry supported by this program must first and foremost protect and restore the integrity of the ocean and serve to combat the climate catastrophe that threatens the Earth's future".

Thank you

Draft Critique of DFO Minister Jordan's Blue Economy Initiative

May 25, 2021

DFO Minister Jordan's recent announcement of Canada's Blue Economy (BE) initiative "to build back better" from COVID was initially greeted with enthusiasm. Many expected this to be part of a long hoped for process of building sustainable industry, while applying wisdom garnered from the pandemic. We expected that this wisdom would also work within a framework of partially addressing the Earth's most urgent need to combat global warming and the climate crisis.

The Blue Economy plan is, after all, an extension of three forward looking UN initiatives, of which Canada is a signatory, that recognize the role of the ocean in combatting global warming and climate change. These include:

- The UN Decade of the Ocean;
- The UN /World Bank led Blue Economy Initiative and;
- The 17 UN Sustainable Development goals and guidelines.

The above initiatives place an emphasis on the urgent need to promote economic development that "is both inclusive and environmentally sound, and to be undertaken in a manner that "does not deplete the natural resources that the Earth depends upon in the long term". Both documents define the "need to balance the social, economic, and environmental dimensions of sustainable development in the oceans" as key components of the Blue Economy.

On February 21, 2021, Department of Fisheries and Oceans (DFO) Minister Bernadette Jordan announced DFO's Blue Economy /Strategy and Plan for Canada. She has asked for feedback through the engagement process listed below. Her introduction to the plan describes the Blue Economy (BE) as a strategy to "build back better" as one means of recovering from the COVID 19 pandemic. Before a first reading of this initiative, there was hope that the plan would prioritize and recognize the ocean's role in regulating the health and integrity of Earth's compromised atmosphere. There was anticipation that economic recovery would be paired with genuine and specific marine ecosystem protection and restoration. A hope that the goal of science-informed solutions would be aimed at supporting the natural processes of the ocean to combat greenhouse gas emissions and reverse the climate crisis. There was anticipation that industry and communities would be supported in developing measures to reverse the impact of toxic gear and practices that have added to pollution and harmful alteration of essential ecosystem services.

There was a hope that this Blue Economy plan would integrate Canada's March 3, 2021 commitment to the UN Sustainable Development Goals; also, a component the UN Decade of the Ocean (2021-2030). The UN's Ocean related Sustainable Development Goals (SDG) are intended to "support efforts to reverse the cycle of decline in ocean health and to create improved conditions for sustainable development of the ocean."

Canada's Blue Economy document is an adaptation of the UN and World Bank initiative of the same name. From the start, the UN document "recognizes the importance and difficulty in finding a balance between industry and ecosystem protection, recognizing that the ocean resources are limited, and that ocean health has declined drastically due to activities ranging from damage caused by CO2 emissions to nutrient, chemical and plastic pollution, unsustainable fishing, and habitat degradation". Early in the text it emphasizes the need to place ecosystem needs first. It highlights the role of the ocean in sequestering CO2 and producing oxygen.

<https://www.worldbank.org/en/programs/problue>

The UN Sustainable Development goals (SDG) are a driver of the UN Blue Economy initiative. They call on nations to conserve and sustainably use the oceans, seas and marine resources. Documented commitment to these goals call for the maintenance and restoration of ecosystem integrity by supporting ecosystem services that are essential to sustaining human and marine life. They call for supporting the integrity of the ocean because it is a key factor in addressing the climate crisis and global and ocean warming. They recognize that climate crisis, marine pollution, unsustainable extraction of marine resources and destruction of coastal habitats threaten the ocean and human well-being throughout the world. It calls for an ecosystem approach and a change in how humans manage and use ocean, seas and marine resources.

<https://sdgs.un.org/topics/oceans-and-seas>

Canada's unique adaptation of its Blue Economy "build back better" promise, places significantly less emphasis on the climate crisis and the alarming decline of ocean ecosystems, than those found in the UN/ World Bank's statements!

Canada's focus seems primarily on industry and science, rather than the preservation of our vulnerable Oceans, despite the well-documented rising sea levels, warming and acidification, plastic and toxic contamination, and shocking levels of loss of fish stocks and biodiversity. There are commitments to the term of sustainable industry, but no mention of marine ecosystem-based management principles nor measures that promote restorative or "renewable alternatives" that could help address the climate crisis.

Instead of employing the language of Ecosystem Based management or the preservation of vital marine habitat and its life sustaining processes, Canada's document uses the industry focused language of Area Based Management. Some of the clearest examples suggest Industrial priorities that would, unless planned to be restorative, will likely exploit ocean resources. One of Minister Jordan's explanations is listed below:

Canada's Blue economy consists of traditional ocean-based sectors such as commercial fishing, aquaculture, seafood processing, marine shipping, port activities, shipbuilding, and coastal

tourism. It also includes emerging industries and activities driven by cutting-edge developments in science and technology, such as offshore energy, marine biotechnology and mining.”

<https://www.dfo-mpo.gc.ca/about-notre-sujet/blue-economy-economie-bleue/toolkit-trousse/index-eng.html>

Surprisingly, in contrast to Canada, the World Bank’s document is more ecosystem based; committing to mitigating the climate crisis, ocean plastics and warming and acidic oceans. It places greater emphasis on addressing the decline in the health of the world’s oceans. Canada’s document only gives tangential recognition to the ocean’s role in regulating the Earth’s atmosphere and its potential role in combatting climate change and the viability of the planet. In contrast World’s Bank includes specific values of engaging in blue carbon initiatives, real protection of key marine habitats, fish stocks, and biodiversity. It also stresses the need for the reduction in the use of plastics and recognizes the need to regulate industry and require producer responsibility for toxic gear.

<https://www.worldbank.org/en/programs/problue>

Canada’s Blue Economy document also highlights some surprising initiatives such as the industry-led “Ocean Supercluster” model that appears to be a key part of the Blue Economy design. This is a quote from one that gives you an idea of priorities.

Today, Canada’s Ocean Supercluster announced four new projects with a total value of almost \$11 million, including the Sustainable Protein for Aquaculture project. This Nova Scotia-led project will bring together academia, government, and the private sector to develop and commercialize two breakthrough technologies to produce an environmentally sustainable and low-cost protein for the aquaculture industry while reducing oil and gas emissions.

This game-changing project represents significant developments in science and technology and has never been done before. The Sustainable Protein for Aquaculture project will take greenhouse gas emissions from upstream oil and gas and convert them into a high-value protein product to be used to feed farmed fish.

<https://oceansupercluster.ca/denova-sustainable-protein-for-aquaculture-project/>

<https://www.ic.gc.ca/eic/site/093.nsf/eng/00013.html>

It seems that the supercluster concept may be intended to provide alternative industrial practices that are designed to mitigate extractive practices.

We would have hoped that DFO would have placed more emphasis on engaging industry to develop initiatives that were restorative to the ecosystem while still providing steady employment. Additionally, we would suggest that an important focus could be to develop better gear and practices that could assist industry to lighten its impact on the marine

ecosystems. Such examples that would restore or correct current threats to the ocean could include:

- The development of scientific teams and methods to provide systematic cumulative impact assessments of vital marine ecosystems. These teams would then inform communities, volunteers and government in mechanisms for managing MPAs or provide data to inform ecosystem restoration and protection;
- Focused, advanced training, equipment and good wages to First Nations individuals who take on the responsibility for monitoring, restoring and protecting Canada's coastline;
- investing in the production of alternative renewable power sources to replace the use of fossil fuels for ocean going vessels;
- Eco tourism transport through use of sails or electric vehicles;
- Retraining aquaculture growers in systems such as the Restorative Aquaculture that uses kelp to sequester CO₂, and provide non-methane producing feed for cattle;
- Developing aquaculture and port equipment, gear and flotation that serve as alternatives to toxic plastic and styrofoam;
- Government funding of mechanisms to divert the flow from storm drain runoff into lakes, rivers and oceans in order to reduce the toxic plastic dust from tires;
- Creating alternative energy systems for our ferries, tugboats, barges and freighters;
- Supporting the development of marine trails that would connect recreational visitors to kayak, hike, or sustainably travel from one First Nation or Eco tourism site to another without leaving a carbon footprint;
- Government funding to reduce plastic, pharmaceutical, and disease runoff from water treatment systems, and old leaky septic tanks that leach into waterways;
- Create active, focused employment initiatives to assist in marine ecosystem restoration including restoration of wetlands, kelp beds, salt marshes etc. This kind of restoration would assist in the natural sequestration of CO₂, nitrogen, and other pollutants compromising our oceans, rivers and lakes.

Contrast between UN Blue Economy Policy Statement and Canada's

Though of course not perfect, the UN does not start out by pushing industry such as mining on the seabed. It starts out providing a more holistic definition of sustainability. It makes clear the vulnerability and decline of the marine environment, and cautions against thoughtless use, and focuses on the need for careful environmental impact assessment.

Even more importantly, it warns that the crisis is real and there cannot be delays in implementing solutions. We would have expected that Canada's Blue Economy initiative would have supported sources of employment/ industry that were restorative of the marine ecosystem. Below is the UN statement:

"Sustainable development implies that economic development is both inclusive and environmentally sound, and to be undertaken in a manner that does not deplete the natural

resources that societies depend on in the long term. The need to balance the economic, social, and environmental dimensions of sustainable development in relation to oceans is a key component of the blue economy.

It is also a difficult balance to reach in practice, given that ocean resources are limited and the health of the oceans has drastically declined due to human activities—ranging from damage caused by carbon dioxide emissions to nutrient, chemical, and plastics pollution, unsustainable fishing, habitat degradation and destruction, and the spread of invasive species. The scientists and experts who prepared the First Global Integrated Marine Assessment (also known as the World Ocean Assessment) warned that the world’s oceans face major pressures simultaneously with such great impacts that the limits of their carrying capacity are being reached—or in some cases have been reached—and that delays in implementing solutions to the problems that have already been identified as threatening to degrade the world’s oceans will lead, unnecessarily, to greater environmental, social, and economic costs (United Nations 2016).² The importance of oceans for sustainable development is widely recognized by the international “community.

UN Examples of Principles for a Sustainable Blue Economy

“While there is no universally accepted definition of the blue economy, many agencies and organizations are working on describing how they understand the concept. One example are the principles submitted by WWF. Other principles and descriptions are used by different sectors, governments, and organizations. A SUSTAINABLE BLUE ECONOMY is a marine-based economy that . . .

- Provides social and economic benefits for current and future generations by contributing to food security, poverty eradication, livelihoods, income, employment, health, safety, equity, and political stability
- . ■ Restores, protects, and maintains the diversity, productivity, resilience, core functions, and intrinsic value of marine ecosystems—the natural capital upon which its prosperity depends.
- Is based on clean technologies, renewable energy, and circular material flows to secure economic and social stability over time, while keeping within the limits of one planet.
- Is governed by public and private processes that are . . .
 - Inclusive
 - Well-informed, precautionary, and adaptive
 - Accountable and transparent
 - Holistic, cross-sectoral, and long-term"

General critique and suggestion about Canada' version of the Blue Economy

There are many admirable parts of Canada's Blue Economy document. Its **strengths lie in the commitment to coordinating science and the collection of data that will advance scientific research into mitigating climate change and the degradation of marine ecosystems.**

However, at this time in the life of the Earth, when Canada, and specifically DFO, have joined with many other nations of the world, to make formal commitments to:

- Combat the climate crisis,
- Reverse global and ocean warming and acidification;
- Address the loss of biodiversity and biomass in the world's oceans;
- Stop the pollution from plastics that are altering the integrity of the world's ocean; and
- Commit to the use ecosystem based management, cumulative impact assessments and protective measures;

It is puzzling that DFO is returning to its old pattern of choosing the advancement of industry such as seabed mining and offshore oil and gas, while the ecosystem pays the price. It does not have to be an either/or situation. Other countries such as Denmark, England, and Germany have been able to successfully address climate change, while growing a robust economy.

We do not believe that DFO and the government of Canada must choose between marine related jobs and the protection of the marine ecosystem and the Earth. We have witnessed firsthand here in Baynes Sound and Lambert Channel that if the ecosystem is compromised by industry, then in the long term neither the natural environment nor industry will survive. At this time of climate crisis, a new blue economy must operate to ensure that the ocean that supports jobs, communities and our First Nations lands is preserved and restored to a state where it can support the health and livability of this planet for future generations.

It is well known that the world's oceans produce 50% of all oxygen needed for sustaining life on Earth. We know that a healthy ocean regulates the Earth's atmosphere by sequestering CO₂ and other greenhouse gases that threaten our climate. We know that melting ice caps, rising sea levels, and ocean acidification are threatening our food sources, our way of life, and industry that is dependent on the ocean. We would hope that a greater part of Canada's Blue Economy plan would emphasize and fund specific initiatives that would:

- Provide independent cumulative ecosystem and social impact assessments of vital marine resources impacted by anthropogenic forces that contribute to ocean degradation;
- Commit financial and human resources to monitoring, regulating and enforcing the ecological impact of any industry impacting the marine ecosystem;
- Genuinely protect Marine Protected Areas through specific restrictions on any industrial extraction or use of these areas that would compromise their integrity. MPAs must be protected to ensure regeneration of the ocean;

- Blue carbon projects that would restore the oceans' natural role in sequestering Co2, nitrogen, greenhouse gases etc. This would include protecting or restoring salt marshes, eel grass beds, sea grass meadows, and kelp forests.
- Remove industry such as aquaculture practices and gear from estuaries, and vital nursery and spawning habitats that support the ecological health and balance of the sea.
- Promote Green Wave mode of aquaculture that was invented by a Canadian and won environmental awards throughout the world; and is designed to protect tenures from escalating winter storms. This aquaculture mode also incorporates the growing of kelp to mitigate ocean acidification and warming.
- Research the use of aquaculture grown kelp for use in animal feed, green manure, and culinary dishes.
- Research alternatives to the use of forage fish to feed salmon farms.

Here In British Columbia, this organization has witnessed and documented unacceptable levels of degradation and destruction of fish, fish stocks and fish habitat at the hands of the shellfish and finfish aquaculture industry, and commercial fishers. We have seen herring, forage fish, salmon and other traditional food sources diminished to dangerous levels by these industries, and by other anthropogenic factors while under the methods DFO uses to monitor and regulate these industries. In DFO's paradoxical role of promoting industry while being the steward and protector of the marine ecosystem, we have seen industry being given priority over ocean protection. The results have been devastating.

We had hoped that the Blue Economy Initiatives would set a template for industries that exploit the ocean, to be responsible for supporting, protecting and restoring it for the benefit of present and future generations in Canada. But this does not seem evident in this document.

Although there is reference to science-based decision making and reference to sustainable industry, this initiative does not articulate expectation as to what is required of industry to achieve this. Monitoring, and regulatory frameworks are not clear.

It is extremely distressing to discover that there is very little detail in the Blue Economy document that commits to concrete and measurable action to protect and restore Canada's vital, fragile and degraded marine ecosystems, while reversing climate change. There is little recognition that industry cannot continue to exploit the marine environment, with little consequences, monitoring or enforcement. There is no recognition that if industry is to be successful in the long term, that it must be required to use ecosystem based, restorative practices.

Islands Trust Council Special Electronic Meeting

Date: July 7 & 8, 2021

Time: July 7th 7:00 p.m. – 9:00 p.m.
July 8th 9:00 a.m. – 2:00 p.m.

Location: Electronic Zoom Meeting

1. LAND ACKNOWLEDGEMENT/CALL TO ORDER
2. APPROVAL OF AGENDA
 - 2.1. Introduction of New Items
 - 2.2. Approval of Agenda
3. ADOPTION OF MINUTES
 - 3.1. June 8-9, 2021 draft Trust Council meeting minutes
4. TOWN HALL SESSION
5. BUSINESS ITEMS
 - 5.1. Islands Trust Policy Statement First Reading - RFD
6. NEW BUSINESS
7. ADJOURNMENT

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** June 23, 2021

From: Trust Area Services **Date Prepared:** June 18, 2021

SUBJECT **New Draft Policy Statement Bylaw No. 183**

RECOMMENDATION: That Executive Committee approve the draft new Policy Statement bylaw, No. 183, with amendments as recommended by the Trust Programs Committee resolutions TPC-2021-035 and TPC-2021-036, and forward to Trust Council for First Reading.

CAO COMMENTS: The new draft Policy Statement is the result of significant effort by Trust Programs Committee and Executive Committee since 2018. Trust Programs Committee has recommended that Executive Committee make changes to version 2.0 prior to forwarding it to Trust Council.

- 1 PURPOSE:** To seek Executive Committee's approval of a draft Policy Statement bylaw to forward to Trust Council for first reading.
- 2 BACKGROUND:**
Following more than 18 months of Islands 2050 engagement with First Nations and the public, and substantive policy analysis and discussion within Trust Council and its committees, a draft of a new Islands Trust Policy Statement Bylaw is being presented to Trust Council for consideration of first reading at its special meeting on July 7-8, 2021. As per Trust Council's direction, amendments have focused on the priority areas of reconciliation, climate change, and affordable housing, with some additional updates for clarity and accuracy. After receiving early feedback on Draft 1.0 of the new Policy Statement bylaw from Trust Programs Committee (TPC), Executive Committee (EC), Regional Planning Committee (RPC), and the Islands Trust Conservancy (ITC) Board in May, revisions were incorporated into Draft 2.0 of the new Policy Statement bylaw, as attached.

On June 15, 2021, TPC reviewed Draft 2.0 and passed resolutions requesting that Executive Committee make the following amendments to Draft 2.0 of the new Policy Statement Bylaw:

By Resolution TPC-2021-035:

- 1. Insert in the last sentence of paragraph 2 on page 19 of the June 15, 2021 agenda: "...commitment to fostering lower ecological footprints by reducing greenhouse gas emissions, striving to find new paths to conserve finite natural resources, and..."*
- 2. Delete: "Without any meaningful form of local government for non-incorporated island communities at the time, Gulf Island residents began expressing widespread concern that the area's highly-valued and fragile environment could be irreversibly damaged by unrestrained development. In 1969, the provincial government responded by instituting a temporary freeze on the subdivision of land until island communities could adopt plans and regulations to control growth."
and replace with: "Gulf Island residents, whose islands were under the jurisdiction of Regional Districts at the time, began expressing widespread concern that the area's*

highly-valued and fragile environment could be irreversibly damaged by unrestrained development. In 1969, the provincial government responded by instituting a temporary 10-acre minimum lot size freeze on the subdivision of land until island communities could adopt plans and regulations to control growth."

3. *Delete: "The Act established the Islands Trust as a special-purpose government with a conservation-oriented responsibility to preserve and protect the Islands Trust Area for the benefit of residents of the Trust Area and of British Columbia more broadly." and replace with: "The Act established the Islands Trust as a trust with a conservation-oriented responsibility to preserve and protect the Islands Trust Area for the benefit of residents of the Trust Area and of British Columbia more broadly."*
4. *With reference to this paragraph: "In the years following the establishment of Islands Trust, pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by sixty per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the Islands Trust Act during this period, giving the Islands Trust community planning and land-use authority comparable to that of a regional district under the Local Government Act. Aware of the urgent need for plans to guide decisions on growth management and land-use, Trust Area communities developed official community plans. Nonetheless, pressure for residential development continued, as did public concern for the future of the Trust Area." add the following after the sentence beginning "Several amendments...." stating that: "From 1974 to 1977, trust committees vetted regional district bylaws for compliance with the Trust Object. In 1977 in response to concerns about administrative inefficiencies the ITA was amended to transfer land use regulation from Regional Districts to trust committees."*
5. *Page 17, first paragraph: change "illegal housing" to "Not permitted, unsafe, and unhealthy housing with no permanency or security for individuals and families."*
6. *Page 17, 2nd paragraph: add the following words "generations to come including First Nations who wish to come home or have access to traditional uses."*
7. *Page 19, 2nd paragraph: add "silence," before the word "quietude".*

By Resolution TPC-2021-036:

Edit Section 1.4 (page 19 of agenda, second paragraph) to: "Trust Council understands its preserve and protect mandate is strengthened by healthy and inclusive communities that are dependent on sustainable, energy efficient, and appropriately located housing, transportation, and infrastructure."

Staff has no concerns with the Trust Programs Committee recommendations, and recommends that the Executive Committee approve the new Islands Trust Policy Statement with those amendments.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: A day or two of Trust Area Services (TAS) time will be required to consolidate amendments requested by the Executive Committee and make any required changes to the Request for Decision document. The Executive Coordinator will put out the Trust Council agenda package. TAS staff will also adjust communications messages about the Policy Statement to reflect any amendments made by Executive Committee.

FINANCIAL: None.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS:

FIRST NATIONS: First Nations engagement on the Policy Statement Amendment Project has been extensive and meaningful. This is the first time in the history of Islands Trust that the Islands Trust has engaged meaningfully to ensure a policy document is reflective of reconciliation, the Truth and Reconciliation Commission Calls to Action, and the Declaration on the Rights of Indigenous Peoples Act. Over the past two years of engagement, the opportunities for meaningful dialogue and relationship-building have created a model of how to work cooperatively and collaboratively develop policies to preserve and protect cultural heritage, the environment, and First Nations access and rights. First Nations have been following the timelines noted in the Project Charter and have an expectation that the bylaw will be adopted. The process has been built on mutually respectful engagement that recognizes the historic wrongs that have taken place in the Trust Area, and that the current Trust Council commitment to reconciliation will reflect a new cooperative and collaborative approach.

OTHER: N/A

4 RELEVANT POLICY(S): Policy Statement Amendment Policy.

5 ATTACHMENT(S):

1. Trust Council Request for Decision re First Reading of Policy Statement Bylaw No. 183 with the following attachments: Policy Statement Amendment Project Charter v5, First Nations Engagement Update Report, DRAFT Islands Trust Policy Statement Bylaw, 2021 (Bylaw No. 183) and Annotated Policy Statement Bylaw, 2003 (Bylaw No. 17)

RESPONSE OPTIONS

Recommendation: That Executive Committee approve the draft new Policy Statement bylaw, No. 183, with amendments as recommended by the Trust Programs Committee resolutions TPC-2021-035 and TPC-2021-036, and forward to Trust Council for First Reading.

Alternatives:

1. That Executive Committee request that staff provide additional advice or background materials.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services

Reviewed By/Date: Clare Frater, Director, Trust Area Services / June 18, 2021
David Marlor, Director, Local Planning Services / June 18, 2021
Russ Hotsenpiller, Chief Administrative Officer / June 18, 2021



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** July 7, 2021
From: Executive Committee **Date Prepared:** June 16, 2021
SUBJECT First Reading of Draft Policy Statement Bylaw No. 183

RECOMMENDATIONS:

1. That the Islands Trust Council Bylaw No. 183, cited as “Islands Trust Policy Statement Bylaw, 2021”, be read a first time.
2. That Islands Trust Council request that the proposed Bylaw No. 183 be referred to First Nations, Bowen Island Municipality, local trust committees, the Islands Trust Conservancy Board, regional districts, improvement districts, school districts, and provincial and federal government agencies or departments having jurisdiction in the Trust Area.
3. That Islands Trust Council request Staff to develop a Project Charter for the third phase of “Islands 2050” public engagement for approval and implementation by the Islands Trust Executive Committee.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The draft new Policy Statement is the result of significant effort by Trust Programs Committee and Executive Committee since 2018.

Given the lack of updates in the last 20 years and the significant challenges facing the Trust Area, this has been a demanding and rewarding initiative. For the first time, we have undertaken early and meaningful engagement with First Nations throughout the drafting process to reflect their interests and priorities in the updated document. This early and meaningful engagement represents a historic time for Trust Council in affirming its commitment to reconciliation and the Truth and Reconciliation Calls to Action and lays the groundwork for stronger collaboration into the future. Trustees and staff have also invested in Trust-wide public engagement to an extent never previously attempted at Islands Trust, using various methods and venues. This draft specifically responds to Trust Council’s Reconciliation Declaration and Climate Change Emergency Declaration and Trust Council’s desire to respond to affordable housing needs using tools within the Trust’s jurisdiction. This draft presents a stronger vision for preserving and protecting the Trust Area and has the potential to act as a model for local governments across the country looking to align their policies with the *Declaration on the Rights of Indigenous Peoples Act* and to use land use planning to respond to the climate emergency.

This draft presented by the Executive Committee, with support from Trust Programs Committee, is meant to be read and interpreted as a whole and has been written in an integrated manner. That said, Trust Council should amend policies that are not consistent with its wishes or intent. Where there is not consensus on whether to change a policy, Trust Council may wish to seek input on the proposed policy after first reading through First Nations and public engagement and agency referrals, and consider amending for second reading with the benefit of First Nation, agency and public feedback. It is possible that Trust Council may consider a second reading version that differs substantially from the first reading

version. It is important to note that the Islands Trust has an obligation for extensive stakeholder referral which is contingent upon an endorsed product by Trust Council which First Reading provides.

Staff are working towards a public engagement on the first reading version of the Policy Statement. This multi-month engagement will likely attract many new voices now that there are concrete policy proposals to comment on. In a parallel process, staff will continue to engage with First Nations. This is an exciting time for Islands Trust and an opportunity for community members and First Nations to participate in refining a vision for the Islands Trust Area and the islands they care about. Following third reading, the proposed Policy Statement bylaw will be provided to the Minister of Municipal Affairs for approval along with the engagement undertaken with First Nations and referral responses. The current project timeline, approved by the Executive Committee, allows six months for the Minister to consider the proposed bylaw and consult with First Nations.

1 PURPOSE: To present Trust Council with DRAFT Islands Trust Council Bylaw No. 183, cited as “Islands Trust Policy Statement Bylaw, 2021”, for first reading.

2 BACKGROUND:

Following more than 18 months of Islands 2050 engagement with First Nations and the public, and substantive policy analysis and discussion within Trust Council and its committees, a draft of a new Islands Trust Policy Statement Bylaw No. 183 is being presented to Trust Council for first reading prior to further public engagement and referrals. As per Trust Council’s direction, amendments have focused on the priority areas of reconciliation, climate change, and affordable housing, with some additional updates for clarity and accuracy. After receiving early feedback on Draft 1.0 of the new Policy Statement bylaw from Trust Programs Committee (TPC), Executive Committee (EC), Regional Planning Committee (RPC), and the Islands Trust Conservancy (ITC) Board in May, revisions were incorporated into Draft 2.0 of the new Policy Statement bylaw. TPC and EC reviewed Draft 2.0 in June and recommended further revisions that have now been incorporated into the latest draft.

POLICY STATEMENT AMENDMENT PROJECT SCOPE

Policy Statement Amendment Project Scope:

In 2017, Trust Council assigned the Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement. In 2019, Trust Council adopted a new Strategic Plan that included the following direction for the Policy Statement Amendment Project:

- General update: Introduction, Part 1, Part 2 and *Schedule 1 – Definitions*;
- Update of the whole document through the lens of Reconciliation;
- Update of the whole document through the lens of Climate Change;
- Update regarding Affordable Housing to ensure that the document:
 - gives affordable housing a greater profile for its role in sustainable communities;
 - includes a reference to affordable housing in its policy direction to Local Trust Committees and Island Municipalities;
 - includes a clear and well thought-out definition of ‘affordability’;
 - *includes a clearly articulated vision, goals, and objectives for affordable housing.*

At the March 2021 Trust Council meeting, following consideration of a discussion paper on [“The Islands Trust Object: Past, Present, and Future”](#) and Trust Council discussion about the Policy Statement Amendment Project, Trust Council passed three additional resolutions relating to the project:

- Trust Council defined the words “unique amenities” to be inclusive of the cultural heritage of Indigenous Peoples within the Islands Trust Area and that this aspect is prioritized.
- Trust Council affirmed its understanding that the “object” of the Trust includes the concept of and protection of healthy and inclusive communities including housing and transportation.
- Trust Council requested that Executive and Trust Programs Committees continue their work on revising the Trust Policy Statement and include policy related to sustainable communities and affordable housing.

These objectives have largely been achieved in the proposed draft, with some exceptions:

- The draft fulfills Trust Council’s direction to give affordable housing a greater profile for its role in sustainable communities. It includes related directive policies to local trust committees and island municipalities and an established definition of ‘affordable housing’. However, the draft does not include “a clearly articulated vision, goals, and objectives for affordable housing”. Through analysis and discussion over the course of the project, it has been revealed that the role of the Policy Statement is to provide overarching general policy guidance, while theme-specific visions, goals, and objectives can be elaborated through separate, more detailed strategies. For example, the Policy Statement gives broad general guidance about freshwater sustainability, whereas specific visions, goals, and objectives are being addressed in more detail through a Trust-wide freshwater sustainability strategy.
- The draft also reflects a new approach to ‘Schedule 1 – Definitions’. In the current (2003 version) of the Policy Statement, definitions of terms are spread through selective footnotes and a definitions section at the end. First Nations engagement feedback, rooted in a consideration of how the Declaration on the Rights of Indigenous Peoples will be implemented into the future, has suggested a move away from fixed academic (mostly colonial) ‘definitions’ in favour of more context-specific ‘interpretations’. This helps to give space for multiple ways of knowing to inform decision-making, including from the best available science, social science, local knowledge, and Indigenous ways of knowing. Thus, the draft does not include a separate definitions section. Rather, where it was deemed necessary to provide Trust Council’s interpretations of certain terms for clarity, these have been listed in the preamble sections of the document.

AMENDMENT RATIONALE

Guiding Principles & Paradigms

After carefully considering the various streams of external and internal input and analysis since the Policy Statement Amendment Project's inception, a number of guiding principles and paradigms have emerged to guide Trust Program Committee's and Executive Committee's amendments to the Policy Statement:

Reconciliation Principles

As reflected in its 2019 Reconciliation Declaration, Trust Council has committed to seek meaningful engagement with First Nations in the Trust Area, recognizing First Nations' treaty and territorial lands and waters, and to be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction. Key language changes throughout the document have been guided by the principles and foundational documents noted above and help to refute problematic concepts of terra nullius and the doctrine of discovery.

Precautionary Approaches

In the face of widespread risks, vulnerabilities, and uncertainties around the rate and scale of climate change, and the ongoing cumulative effects of human activity, the need for more precautionary approaches to stewardship of the Trust Area has become apparent. The Precautionary Principle states that the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental damage to habitats or species when there is a threat of serious or irreversible environmental degradation. The new Part 3 of the draft Policy Statement articulates an overarching commitment to be guided by the Precautionary Principle. This precautionary approach is integrated throughout the document.

Area-Based Understandings

In the context of small rural islands in the Trust Area, each site-specific decision has impacts on the broader landscape and seascape. Engagement feedback and analysis revealed that, when assessing the appropriateness of site specific applications, it is important to start with a broad, area-based understanding of the full array of interactions at play and the ripple effects of any one single change. This area-based approach is favoured over a professional reliance model that considers only limited site specific information and places the financial burden for evidence-based assessments on applicants. The approach is most clearly articulated in Part 4 but is also woven throughout the document. It underpins many of the interpretive context sections and is reflected in specific policies such as the establishment of a network of protected areas that can serve to better protect species migration corridors, ecosystem connectivity, and environmental integrity in each planning area.

Multiple Ways of Knowing

In order to develop informed, area-based understandings, Trust Council will benefit from being guided by multiple ways of knowing that each hold unique value and wise counsel to support more informed decision making in the Trust Area. The current draft of the new Policy Statement articulates the need for decision-making to be guided by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. This requires not only an investment in research partnerships and engagement processes, but also a paradigm shift to hold space and be open to guidance from all of these multiple ways of knowing at the same time, rather than forcing them to mesh together or prioritizing one too heavily over the others.

Adaptive Management

Engagement feedback and internal analysis both underscored that the specific impacts of the climate and biodiversity crises and their policy implications may be difficult to predict in exact detail, timing, and scope and that it will, therefore, be prudent to institute more adaptive management approaches in the Trust Area. Adaptive management approaches are structured, iterative processes of decision-making intended to reduce uncertainty over time through periodic monitoring and evaluation, and evidence-based policy adjustments. Adaptive approaches have been woven in throughout the document, particularly in Parts 4 and 6, and are supported by more specific commitments to nature-based solutions and climate vulnerability assessments.

Relational Stewardship

The review process also highlighted the need to move towards more relational approaches to stewardship, reframing language around the sustainable use of “resources” towards more reciprocal relationships of stewardship that acknowledge the interconnectedness of people and place. This relational approach expresses a widely held aspiration to responsibly and respectfully care for the lands, waters, air, and other species in the Trust Area, acknowledging their intrinsic value as well as the important supports they provide to human well-being. This reframing also helps to acknowledge and be guided by Indigenous ways of knowing that reflect First Nations’ relationships as stewards and caretakers of these lands and waters since time immemorial. Within the Policy Statement, this led to a merging of the former Parts 3 and 4 and some reframing of preamble language and policies throughout the document.

Restorative, Regenerative, and Resilient

The new draft Policy Statement also adds in some new terms related to restoration, regeneration, and resilience. Engagement feedback and analysis suggested that there is an imperative to restore fragile ecosystems and assist in their recovery due to the cumulative impacts of development and human use of natural areas, as well as the impacts of a changing climate. Ecosystem restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Restoration can happen in many ways, such as active reforestation or wetland remediation, or by simply removing pressures so that nature can recover and adapt on its own. Regenerative approaches follow similar aims by instituting sustainable cultivation and harvesting practices that help to improve the overall health of natural systems, rather than destroying or depleting them. Resilience refers to the capacity of ecosystems and communities to continue to function in the face of external stressors such as climate change, while also learning to adapt and evolve.

Equitable

Another key principle that emerged from engagement feedback and Trust Council discussion was an acknowledgment that sustainability and resilience in the Trust Area are strengthened by healthy, equitable, diverse, and inclusive communities. The impacts of climate change and other social, economic, and environmental dynamics in the Trust Area are likely to be experienced disproportionately by those who are already most socially or economically vulnerable. Adaptive management processes (noted above) will help to monitor the impacts of policies on those most vulnerable and inform adjustments as needed. Coordination and advocacy policies provide further opportunities to support those in need. The addition of new policies in Part 6 related to affordable housing and low-impact housing profiles also serve to support principles of equitable and sustainable land use.

Integrated

Amendments to the Policy Statement have also been crafted with an overarching goal of strong policy coherence, such that various policies are aligned to strengthen each other or, at the very least, not counteract each other. Not unlike ecosystems in the Trust Area, the Policy Statement is a highly interconnected system. A change in one area has ripple effects throughout the whole document. Thus

the Policy Statement should always be read as a whole to discern the overarching principles and paradigms that manifest into an array of interconnected and integrated policies and approaches.

Upholding the Islands Trust Object

In response to engagement feedback, as well as detailed policy analysis and research, the new draft Policy Statement underscores and centres the primacy of the Islands Trust Object. While the Policy Statement is often looked to as a regional planning or growth strategy, its singular purpose (as defined in the *Islands Trust Act*) is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area. Amendments have been made to the introductory sections of the document to clarify this purpose and to offer more detailed interpretations of the Islands Trust Object, in accordance with historical documents, analysis of the *Islands Trust Act*, publicly available legal advice, and feedback from elected officials and engagement partners. The March 2021 discussion paper on [“The Islands Trust Object: Past, Present, and Future”](#) provides further context for these refinements.

Most Notable Policy Amendments:

While the new draft Policy Statement must always be read as a whole and in its entirety, the following most notable amendments are highlighted here for easy reference. Key exclusions from the original Policy Statement have been noted in the annotated 2003 version of the Policy Statement. (See Attachment 4).

Key Structural Changes:

- **Introduction** now included as part of the bylaw
- **Section 1.1:** ‘Acknowledgment’ added to Introduction
- **Section 1.4:** ‘The Islands Trust Object and its Meaning’ section moved from previous Part 2
- **New Part 3:** Regional Governance
- **Consolidated Part 4:** Combines previous Parts 3 (Ecosystem Preservation & Protection) + 4 (Stewardship of Resources)
- **New Part 5:** Heritage Preservation and Protection
- **Part 6:** Consolidated and reframed as Sustainable AND RESILIENT Communities
- **New Section 6.2:** On Housing Policies

Section 1.3 (Present Context)

- Updated to provide present context for each of Trust Council’s amendment priority areas (reconciliation, climate change, affordable housing) as well as an update on the current state of the islands

Section 1.4 (The Islands Trust Object and its Meaning)

- Updated in accordance with historical documents, analysis of the *Islands Trust Act*, publicly available legal advice, and feedback from elected officials and engagement partners (See March 2021 discussion paper on [“The Islands Trust Object: Past, Present, and Future”](#))

Coordination & Advocacy Policies

- Policies that were previously referred to as “recommendations” were strengthened into “coordination and advocacy policies” throughout the document
- Additional context was provided in Section 2.2 regarding the jurisdictional powers of Trust Council vis-à-vis interagency coordination and advocacy, and in making recommendations to the Province, as per Sections 8 and 9 of the *Islands Trust Act*

New Part 3 on Regional Governance

- Builds on previous “Guiding Principles for Trust Council” and articulates bold and integrated commitments of Trust Council centred on upholding the Islands Trust Object
- Identifies general regional governance approaches centred in the Islands Trust Object while leaving flexibility for localized implementation in accordance with the unique needs of each island

Part 4 Ecosystem Preservation and Protection

- Establishes area-based understandings through multiple ways of knowing, detailed ecosystem-based mapping, the establishment of protected area networks in each planning area, and collaboration with the Islands Trust Conservancy
- Calls for adaptive management approaches aided by cumulative effects studies, climate vulnerability assessments, and nature-based solutions
- Commits to take precautionary approaches to the sustainable stewardship of Trust Area ecosystems in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing
- Defines a general approach to sustainable harvesting (forest, agriculture, and marine) in the Trust Area that is in alignment with the Islands Trust Object and the natural limitations of Trust Area ecosystems: “limited, small-scale, sustainable, regenerative, supportive of climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area.”

Freshwater

- Prohibits desalination plants due to their high energy usage and adverse impacts to the marine environment (4.2.5, 4.2.9)
- Strengthens language around protecting freshwater sustainability (4.2.7)
- Encourages rainwater harvesting as a supplemental (not primary) water source (4.2.12)

Forests

- Supports forestry that is limited, small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area (4.3.3)
- States a policy that clear-cutting of forests and logging of old-growth trees is inappropriate anywhere in the Trust Area, acknowledging the multiple adverse impacts these activities incur on the fragile ecosystems, environmental integrity, and carbon capture and storage potential of the Trust Area (4.3.5)
- Defines coordination and advocacy policies to the Province requesting jurisdictional authority to prohibit clear-cutting and logging of old growth in the Trust Area and to regulate tree cutting (4.3.9)

Agriculture

- Acknowledges the role of agriculture in promoting local food security and climate action (4.4.2)
- Supports small-scale, sustainable, regenerative agriculture that is respectful of downstream impacts, wildlife habitat, and adjacent properties (4.4.3)
- Supports local farmers to play a leadership role in the protecting the integrity of the environment and cultural heritage in the Trust Area (4.4.6)

Soils

- Prohibits the removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas (4.5.6)

Marine

- Prioritizes the preservation and protection of eelgrass meadows, kelp forests, tidal salt marshes, mud flats, and coastal wetlands, acknowledging their multifaceted roles in supporting carbon capture and storage, soft shoreline protection, and the provision of habitats and spawning areas for coastal and marine aquatic species. (4.6.9)
- Prohibits private docks, except where properties are boat access only, in order to minimize cumulative impacts on First Nations archaeological and marine harvesting sites, eelgrass meadows, kelp forests, forage fish spawning areas, and the broader marine environment. (4.6.14)
- Contains directive to consider the current and anticipated impacts of sea level rise and determine shoreline buffers and setbacks accordingly (4.6.15)
- Contains directive to prohibit the use of seawalls and other hard shoreline armouring in the Trust Area and include policies that foster soft shoreline protection (4.6.16)
- Defines stronger coordination and advocacy policies related to the removal of abandoned and derelict vessels and marine debris, the use of commercial freighter anchorage sites in the Trust Area, the prohibition of oil tankers from transiting through the waters in the Trust Area, and the need for oil spill preparedness and response plans. (4.6.18)

New Part 5 on Heritage Preservation and Protection

- Acknowledges that the relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area.
- Recognizes Indigenous cultural heritage as a 'unique amenity' in the Trust Area.
- Institutes measures for the preservation and protection of Indigenous cultural heritage, community heritage, and natural heritage. (5.1.3 – 5.1.5)

Part 6 Sustainable and Resilience Communities

- Defines rural island planning approaches that are in alignment with the Islands Trust Object and the unique attributes and vulnerabilities of islands
- Defines a general approach across all policies for development that is compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions, reduce ecological footprints, and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area.
- Calls for adaptive management approaches aided by cumulative effects studies, climate vulnerability assessments, and nature-based solutions

New Section 6.2 on Housing

- Defines low-impact housing profile for all housing types (6.2.1)
- Acknowledges the role of affordable housing in supporting sustainable communities and commits to foster a strategic, multijurisdictional, equitable, and integrated approach to address the diverse housing needs of Trust Area communities (6.2.2-6.2.3)
- Directs local trust committees and islands municipalities to identify appropriate locations that could safely accommodate density increases to support safe, secure, and affordable housing without jeopardizing protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage (6.2.4)
- Calls for assessments of the impacts of short-term rentals of dwellings in each planning area and, where necessary, regulations to limit the number of short-term rentals (6.2.5)
- Calls for each planning area to define appropriate floor area and lot coverage limits for residential development to minimize greenhouse gas emissions, cumulative effects, biodiversity loss, climate vulnerability, and destruction of Indigenous cultural heritage (6.2.6)

- Advocates to other government and non-governmental agencies to foster safe, secure, and affordable housing in the Trust Area, in alignment with the Islands Trust Object. (6.2.7)
- Advocates for safe, secure, and affordable housing for Indigenous Peoples in the Trust Area. (6.2.8)

Transportation

- Acknowledges that community sustainability and resilience are supported by appropriately situated public and active transportation networks that serve to reduce greenhouse gas emissions, support electric vehicles and electric bicycles, and promote health and well-being (6.3.1)
- Advocates for electrification of ferries in the Trust Area (6.3.10)

DRAFT

ISLANDS 2050 ENGAGEMENT

First Nations Engagement Update:

It is important to note that this is the first time, in the history of Islands Trust, that First Nations have been engaged in a review of the Policy Statement and involved in all stages of the review process. All previous versions of the Islands Trust Policy Statement contained offensive, ahistorical, colonial language that supported further oppression and barriers to trust and respectful relationships. First Nations leaders, representatives and residential school survivors expressed their disappointment in Islands Trust, and how maintaining these policies for so many years led to further harm, destruction of cultural heritage, along with alienation from and irreparable desecration of their sacred sites, ancestral loved ones' resting places, and the cultural landscape from which they have been forcibly removed.

A First Nations Engagement Update Report is included as Attachment 2.

Public Engagement Update:

The Islands 2050 public engagement process was designed to inform the current term's Policy Statement Amendment Project and to help understand and plan for the challenges and opportunities that the Islands Trust Area will face over the next 30 years, particularly as it adapts to the realities of climate change. Note: There is no legislated requirement for public engagement on changes to the Policy Statement.

Public Engagement Phase 1:

In Fall 2019, staff conducted the first phase of the Islands 2050 public engagement process to solicit feedback on priority values and concerns for the Trust Area over the next 30 years. After consulting with local trust committees and Bowen Island Municipality on the engagement methods best suited to their communities, staff hosted 24 events across the Trust Area. They included open house evenings, information booths and collection of feedback in key community locations, information displays and feedback opportunities on ferries, and an online comment and discussion forum using the 'Thought Exchange' platform. Through online and in-person engagement, the following questions were asked:

1. What do you value about the Area?
2. In the context of a changing climate, what concerns do you have about the future of the Area?
3. What opportunities do you feel will help us preserve and protect the Area?

During the Fall 2019 public engagement process, 557 people attended open houses and information booths, 132 people spoke with staff on ferries, and 149 people browsed displays and materials. 789 people participated on the Thought Exchange online platform providing 1,269 comments and 24,257 ratings of the comments provided.

Following the first phase of public engagement in 2019, staff consolidated the online and in-person feedback into a final report [What We Heard - Islands 2050: The Future of the Trust Area](#). In July 2020, the "What We Heard" report was posted to the Islands Trust website and shared with email subscribers, advisory group members and First Nations.

Public Engagement Phase 2:

In January 2021, in response to requests for more inclusive public engagement, staff added a second phase of the Islands 2050 public engagement process, launching a mid-project [Policy Directions Report](#) and online survey that sought ideas and opinions from the public on the themes of climate change and affordable housing (noting that the other defined priority of reconciliation was the subject of a separate process of engagement with First Nations). The public survey was open from January 18 to February 7 and was completed by 406 members of the public who took, on average, 21 minutes to complete with a 97% estimated completion rate. Staff also received 10 e-mail submissions in response to the survey questions. Trust Council received the consolidated [survey results](#) in March 2021 and the results were posted to the Islands Trust website on the surveys and polls page.

On March 3, 2021 Islands Trust hosted a [Virtual Open House](#) via zoom webinar from 7:00-9:00pm. The event was attended by 108 people, and commenced with an acknowledgment and welcome by Hereditary Chief Bill Williams (Squamish). The webinar was co-hosted by a panel of staff and trustees representing the three Trust Programs Committee working groups on reconciliation, climate change, and affordable housing. Following a short presentation outlining the Policy Directions Report, the panel answered questions from participants.

Public Engagement Phase 3 (coming soon):

The third phase of public engagement will occur after first reading. Preparing and advertising for this next phase of public engagement requires a minimum lead time of six-eight weeks following first reading; therefore the timing of the third phase of public engagement is dependent on the date that Trust Council passes first reading. Executive Committee will endorse a robust program of public engagement that includes referrals to all LTCs, public meetings, an online survey platform, three virtual open houses at different times of day and weekdays/weekends, and an online Islands 2050 webpage with key informational resources, engagement reports, correspondence, etc. A draft project charter for this third phase of public engagement will be provided to Executive Committee following first reading. Local trust committees and Bowen Island Municipality may also wish to host local engagement events to inform their referral responses.

Promotion of Public Engagement Opportunities:

Staff has promoted engagement opportunities through paid advertising in local newspapers, subscriber e-mail messages, social media posts, mail-outs, and the following news releases:

- [January 18, 2021: Public Survey about Updating Islands Trust Policy Statement](#)
- [July 20, 2020: Islands Trust Releases Islands 2050 What We Heard Report](#)
- [September 6, 2019: Islands 2050: The Future of the Trust Area](#)

A dedicated e-mail inbox (islands2050@islandstrust.bc.ca) has been made available for all Islands 2050 related e-mails. Staff also produced an animated [video](#) about the Policy Statement Amendment Project that has been widely shared. Additionally, trustees have promoted engagement opportunities through their own e-mail lists and networks.

To promote engagement opportunities during Public Engagement Phase 2, staff sent out subscriber messages, purchased ads in newspapers (Bowen Island Undercurrent, Gulf Islands Driftwood, Gabriola Sounder, Coast Reporter, Hornby Tribune, and Denman-Hornby Grapevine) and monthly publications (Active Page, Saturna Scribbler, Our Isle and Times, Mayneliner, Pender Post, The Flagstone), and feature online ads on the Salt Spring Exchange and the Bowen Island Undercurrent websites. In addition, staff directly e-mailed non-profit and other island organizations to encourage them to advise their members of the survey opportunity and supported trustees in their efforts to raise awareness. At the request of local trustees, and with their support, staff also arranged for Canada Post to deliver promotional flyers about the engagement opportunities to PO Box addresses on Saturna and Galiano Islands. Social media campaigns on both Facebook and Twitter complemented the print advertising. Through reaching out to organizations on the islands with Facebook and to island-based Facebook discussion groups, the survey posts were shared throughout the Trust Area. Islands Trust Facebook posts generated a total of 7274 "Reached," 764 "Post Clicks," 338 "Reactions, Comments and Shares".

Ongoing Public Correspondence:

At the time of writing, staff has received and posted 115 pieces of public correspondence to the [Islands2050 webpage](#) for Trust Council consideration, and Trust Council has received 16 delegations related to the Policy Statement Amendment Project.

All public engagement feedback, reports, correspondence, and other relevant project info have been posted to the Islands 2050 webpage at: <https://islandstrust.bc.ca/programs/islands-2050/>

POLICY STATEMENT AMENDMENT PROJECT TIMELINE

The project is now completing Stage Four of its timeline, which has been dedicated to analyzing, synthesizing, and integrating 18 months of First Nations and public engagement feedback, as well as policy analysis and discussion by Trust Programs Committee, Executive Committee, Trust Council, and staff, into a new draft Policy Statement bylaw. Once Trust Council has passed first reading, the proposed bylaw will then be formally sent out to over 100 referral agencies and partners, including First Nations, for feedback within a 90-day referral period. The list of referral agencies includes, but is not limited to, all local trust committees, Bowen Island Municipality, provincial ministries and agencies including the Province of British Columbia's Climate Action Secretariat and Housing Policy Branch, regional districts, improvement districts, school districts, treaty alliances and organizations, and the First Nations Leadership Council. Note: The *Islands Trust Act* requires that *"Between first and second readings of [the Policy Statement bylaw], the trust council must refer the proposed trust policy statement to the board of each regional district, all or part of which is in the trust area, for review and comment by the board."*

Staff has received early positive feedback from some First Nations on the first draft of the new Policy Statement bylaw and will be continuing First Nations engagement over the coming months. It is important to note that First Nations have been working within the timelines outlined below and have an expectation that a new Policy Statement bylaw will be considered for adoption. It is the expectation of First Nations that Islands Trust will not continue with policies that do not reflect reconciliation.

In accordance with the Policy Statement Amendment Project Charter v5, the third phase of public engagement is expected to occur after first reading, and staff plan to recommend that a survey be launched in late August/early September 2021.

After receiving the next round of referral and public engagement feedback, Trust Programs Committee and Executive Committee will make further recommendations for revisions to the proposed Policy Statement bylaw for consideration by Trust Council at second reading, which is roughly anticipated to take place in December 2021 according to the current project timeline. The second reading version could be substantially different than the first reading version.



3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The organizational implications of completing first reading, initiating a referral process and undertaking public engagement and associated communities, include:

- Continued reduced capacity in Trust Area Services for advocacy, program and communications initiatives.
- All local trust committees and Bowen Island Municipality will need to consider referrals of the proposed Policy Statement bylaw and may wish to consider how to receive public input (e.g. town halls) as well as how to encourage the public to participate in the Trust-wide Policy Statement engagement opportunities.

FINANCIAL: There will be costs associated with public engagement on the proposed Policy Statement after first reading, which are provided for in the Policy Statement Amendment Project budget for 2021/22. The expenditure details will be confirmed by the Executive Committee through approval of a public engagement project charter.

POLICY: No policy implications associated with first reading.

IMPLEMENTATION/COMMUNICATIONS:

Immediately after first reading staff will consolidate any amendments and send the proposed new Policy Statement bylaw to referral agencies and First Nations. Staff will also develop a public engagement project charter for Executive Committee consideration and will develop a communications plan to promote the engagement opportunities and support understanding of the Policy Statement's purpose and role. Staff will compile all input received for consideration by Trust Programs Committee and Executive Committee so the committees can consider the input as they consider recommending changes to the Policy Statement bylaw for second reading.

FIRST NATIONS: First Nations engagement on the Policy Statement Amendment Project has been extensive and meaningful. This is the first time in the history of Islands Trust that the Islands Trust has engaged meaningfully to ensure a policy document is reflective of reconciliation, the Truth and Reconciliation Commission Calls to Action, and the Declaration on the Rights of Indigenous Peoples Act. Over the past two years of engagement, the opportunities for meaningful dialogue and relationship-building have created a model of how to work cooperatively and collaboratively develop policies to preserve and protect cultural heritage, the environment, and First Nations access and rights. First Nations have been following the timelines noted in the Project Charter and have an expectation that the bylaw will be adopted. The process has been built on mutually respectful engagement that recognizes the historic wrongs that have taken place in the Trust Area, and that the current Trust Council commitment to reconciliation will reflect a new cooperative and collaborative approach.

OTHER: N/A

4 RELEVANT POLICY(S):

1. Policy Statement Amendment Policy (1.2.1)
2. Policy Statement Implementation Policy (1.3.1)

5 ATTACHMENT(S):

1. Policy Statement Amendment Project Charter v5
2. First Nations Engagement Update Report
3. DRAFT Islands Trust Policy Statement Bylaw, 2021 (Bylaw No. 183)
4. Annotated Policy Statement Bylaw, 2003 (Bylaw No. 17) – shows exclusions

RESPONSE OPTIONS

- 1. That Islands Trust Council Bylaw No. 183, cited as “Islands Trust Policy Statement Bylaw, 2021”, be read a first time.**
- 2. That Trust Council request that the proposed Policy Statement Bylaw No. 183 be referred to First Nations, Bowen Island Municipality, local trust committees, the Islands Trust Conservancy Board, regional districts, improvement districts, school districts, and provincial and federal government agencies or departments having jurisdiction in the Trust Area.**
- 3. That Islands Trust Council request Staff to develop a Project Charter for the third phase of “Islands 2050” public engagement for approval and implementation by the Islands Trust Executive Committee.**

Alternatives:

1. Alternative 1: First Reading and specified additional referral/engagement:
 - a. That Islands Trust Council Bylaw No. 183, cited as “Islands Trust Policy Statement Bylaw, 2021”, as amended, be read a first time.
 - b. That Trust Council request that the proposed Policy Statement Bylaw No. 183 be referred to First Nations, Bowen Island Municipality, local trust committees, the Islands Trust Conservancy Board, regional districts, improvement districts, school districts, and provincial and federal government agencies or departments having jurisdiction in the Trust Area, as well as XXXXXX (as specified by Trust Council).
 - c. That Islands Trust Council request Staff to develop a Project Charter for the third phase of “Islands 2050” public engagement for approval and implementation by the Islands Trust Executive Committee.
2. Alternative 2: Endorsement of the draft bylaw and referral/engagement:
 - a. That Trust Council endorse proposed Policy Statement Bylaw No. 183 and request that the draft bylaw be referred to First Nations, Bowen Island Municipality, local trust committees, the Islands Trust Conservancy Board, regional districts, improvement districts, school districts, and provincial and federal government agencies or departments having jurisdiction in the Trust Area for comment prior to first reading.

Note that because there is a legislated requirement to refer Policy Statement amendments to regional district boards between 1st and 2nd reading, this option could result in delays to the project, and potential referral twice to the regional district. This could result in adoption of the Policy Statement bylaw being considered in the 2022-2026 term of office.
3. Alternative 3: Cancellation of the project
 - a. This option could result in lasting damage to relationships with First Nations and may be perceived as Trust Council failing to meaningfully enact its Reconciliation Declaration and Climate Emergency Declaration. It would also hamper the Islands Trust’s ability to fulfil its preserve and protect mandate given the inadequate, dated policies and language in the current Policy Statement.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services
Clare Frater, Director, Trust Area Services

Reviewed By/Date: Lisa Wilcox, Senior Intergovernmental Policy Advisor / June 18, 2021
David Marlor, Director, Local Planning Services / June 18, 2021
Russ Hotsenpiller, Chief Administrative Officer / June 18, 2021

DRAFT

Policy Statement Amendment Project - Project Charter v5

Purpose To support a Policy Statement Amendment process that encompasses First Nations and public engagement and that leads to a bylaw approved by Trust Council and the Minister.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, to coordinate a review of the Policy Statement, specifically the Introduction, Part I, Part II and Schedule 1 - Definitions sections, and climate and housing policies, and to undertake meaningful engagement with First Nations in the process. With the project in progress, the 2020/21 budget will be used for engagement with First Nations, public engagement, referrals to agencies/First Nations, and legal review.

Objectives

- Updated preamble and definitions
- Acknowledgement of First Nations treaty and traditional territory; and UNDRIP/ DRIPA / TRC / MMIWG
- Addition of climate and housing policies and other topics raised by First Nations
- Engagement with First Nations on policy amendments
- Re-familiarization of all parties and public with amendment processes

In Scope

- FN / community engagement / intergovernmental advisory group
- Policy analysis
- Drafting
- Legal review
- Referral process and public input
- First, Second, Third & Fourth Readings by Trust Council
- Refer to Minister
- Implementation plan

Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to OCPs and LUBs

Workplan Overview

Major Deliverable/Milestone	Date
-FN Engagement; Public Engagement 1: Islands 2050 In-Person & Online Engagement -FN Engagement; What We Heard Report; Policy Analysis; TPC Working Group Review; -FN Engagement; Public Engagement 2: Policy Directions Report, Online Survey & Virtual Open House -Staff Draft Amendments to Policy Statement Bylaw; TPC/RPC/EC Review; Inter-Agency Review; Legal Review	June 2019 – January 2020 January – December 2020 January – March 2021 March – June 2021
- First Reading (Special Trust Council Meeting) -First Nations & Agency Referrals; Public Engagement 3 (Online Survey & Virtual Open House); Advertising -Staff Revises Bylaw As Needed; Committee Review; Second Legal Review	July 2021 July – October 2021 October – November 2021
- Second Reading - Third Reading (Scenario 1) —minor changes made and passed to Third Reading at same meeting) - Third Reading (Scenario 2) —substantive changes needed before Third Reading) -Refer Proposed Bylaw to Minister with Final FN Engagement Report. Allow Six Months for Review.	December 2021 1) December 2021 or 2) March 2022 1) Jan 2022 or 2) April 2022
- Fourth Reading ; Post Policy Statement to Website; Draft Implementation Plan	1) June 2022 or 2) Sept 2022

Project Team

TPC/EC	Project Champions
Clare Frater	Project Manager
Dilani Hippola	Policy Analysis
Lisa Wilcox	FN Engagement/Reconciliation Policy
Vicki Swan/Program Coordinator	Communications/engagement

Approved by:

Clare Frater, Director, TAS

Endorsement:

Date: EC, May 26, 2021

Budget 2019-2022 (20/21 est. \$26K, 21/22 \$29K)

Item	Cost
FN Engagement	\$30,000
Public Engagement	\$36,500
Graphic Design	\$9,000
Legal Review	\$14,500
Advertising	\$10,000
Total Activity Costs:	\$100,000

To: Trust Council **For the Meeting of:** July 7, 2021

From: Lisa Wilcox, Senior Intergovernmental Policy Advisor **Date Prepared:** June 9, 2021

SUBJECT: First Nations Engagement Status Report

PURPOSE: To provide Trust Council with an update on First Nations Engagement on the draft Islands Trust Policy Statement Bylaw.

BACKGROUND:

On November 20, 2017, Islands Trust attempted to begin engagement on the Islands Trust Policy Statement with a letter to First Nations, with little to no response. On June 7, 2019, Islands Trust CAO Russ Hotsenpiller wrote a [letter to First Nations](#) within the Islands Trust Area to begin re-engagement on the Islands Trust Policy Statement Amendment Bylaw. First Nations receiving the letter included:

BOĶĖĆEN (Pauquachin) First Nation	Snuneymuxw First Nation
Cowichan Tribes	Skwxwú7mesh (Squamish) Nation
Halalt First Nation	Snaw-naw-as (Nanoose) First Nation
Homalco First Nation	S̓TÁUTW (Tsawout) First Nation
Klahoose First Nation	Stz'uminus First Nation
K'ómoks First Nation	SXIMEĻĻ (Esquimalt) Nation
Lake Cowichan First Nation	Tla'amin (Sliammon) Nation
Lekwungen (Songhees) Nation	Tsawwassen First Nation
Lyackson First Nation	Tsleil-Waututh Nation
MÁLEXĻĻ (Malahat) Nation	T'Sou-ke Nation
Penelakut Tribe	Wei Wai Kum (Campbell River) First Nation
Qualicum First Nation	We Wai Kai (Cape Mudge) First Nation
Scia'new (Beecher Bay) First Nation	W̱JOĻĻP (Tsartlip) First Nation
SEMYOME (Semiahmoo) First Nation	W̱SIKEM (Tseycum) First Nation
shíshálh First Nation	xʷməθkʷəy̓əm (Musqueam)

As a public engagement timeline was set, a parallel First Nation engagement process was undertaken.



Over 2019 and 2020, Islands Trust staff began rebuilding meaningful relationships with First Nations in the Islands Trust Area to discuss past wrongs, to rebuild trust, and dialogue on the work that Islands Trust Council was undertaking on the implementation of the Truth and Reconciliation Commission (TRC) Calls to Action, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). These meaningful engagements were necessary to develop the government-to-government relationship and to collaboratively work together as Islands Trust and First Nations governments began to review how to undertake the amendments the Policy Statement.

Islands Trust in parallel undertook to build trust by passing the Islands Trust Reconciliation Declaration in March 2019, and committed in June 2019 to the Truth and Reconciliation Commission Calls to Action by putting in place a Reconciliation Action Plan. Local Trust Committees (with the exclusion of Saturna and Bowen Island Municipality) passed Standing Resolutions on Reconciliation throughout 2019 and 2020 committing to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples. The Province of BC then implemented the Declaration on the Rights of Indigenous Peoples Act in December 2020.

Engagement:

Islands Trust staff outlined various ways to engage as an initial undertaking to cooperatively define the engagement process with First Nations governments:

Engagement	Description	Objectives
Leadership government-to government meetings	Leadership from Trust Council and leadership from a First Nation(s) meet to discuss core concerns. Each meeting takes place at a location convenient for the First Nation.	To build relationship and discuss core concerns. To identify if there are other preferred options/methods for engagement with your membership.
Community meetings with membership and leadership	A small to large-scale event where Islands Trust, in partnership with the Nation, provides opportunities for community members to share their core concerns, and their vision for the future.	For Islands Trust to build relationships with staff, leadership, and members of the community, create opportunity to discuss visions for the future and, if appropriate, contribute to the Islands 2050 process.
Face-to-face with staff	Meetings with staff, and/or committees to work on various topics: educational materials, visioning work as part of the Islands 2050 process as well as other core concerns and/or items of interest.	To communicate and engage with Nations in an accessible manner that is appropriate to the situation.
Survey engagement	Use social media to reach community members across the Salish Sea. Invitation to view our background materials and fill in a special survey. May also include printed material distributed through newsletters and on reserve.	To engage a range of First Nations members through online survey.

Meetings with alliances and First Nation associations	Islands Trust co-host an event with First Nation associations/alliances such as First Nations Summit, BC Treaty Commission, and/or Tribal Councils.	If appropriate, engage with them on issues of Islands 2050 and how they imagine the future.
Collaborate with Schools/ Youth Organizations	We connect with schools in community along with organizations that support youth to offer some opportunities for them to be heard and to be able to take action through various means (e.g. art work, writing, etc.).	To connect with youth, to be able to provide them with opportunities to engage in the issues that Islands 2050.

First Nations who responded chose to engage with face-to-face meetings with elected Trustees and staff, and at leadership government-to-government meetings. Islands Trust staff held many meetings with First Nations in 2019 through to 2021 with over 160 engagements that included:

- Meetings with Chiefs and Councils and Elders Councils;
- Meeting with Naut'sa mawt Tribal Council (NmTC) a council of 11 member Nations;
- Meetings with W̱SÁNEĆ Leadership Council a council of 3 member Nations;
- Meetings with staff and First Nations representatives;
- Phone calls and emails to share information and dialogue on engagement.

With the onset of COVID-19, Islands Trust staff adjusted the engagement format and process to consider the impacts to community and capacity to engage during a provincial state of emergency. Islands Trust staff transitioned to zoom meetings as an engagement format from 2020 to 2021.

Capacity Funding:

Islands Trust staff worked closely with senior staff at the Ministry of Indigenous Relations and Reconciliation to collaborate on engagement processes and the Policy Statement amendment process. In order to assist First Nations with the extensive review of the 2003 version of the Policy Statement, Islands Trust staff recommended providing capacity funding to assist First Nations. Capacity funding ensured that First Nations did not have to fund, from own source revenue, a review of a policy document that contained offensive and colonial language and did not recognize their treaty and territorial areas or their inherent rights. Cost to First Nations communities may have included presenting to advisory councils, community members, policy analysts and legal counsel review.

Four First Nations and one council comprised of three member Nations accepted the capacity funding of \$2000 to review the 2003 version of the Policy Statement and provide extensive comments on the content.

Content Review:

Islands Trust staff compiled all comments and dialogue received in meetings, correspondence, and from submissions from First Nations and councils receiving through the capacity funding engagement. The following principles and recommendations were made:

Overarching Principles	
1	Acknowledgement of First Nations treaty and territorial areas within the Islands Trust Area;
2	Respect and acknowledgement of Indigenous rights and title as it relates to inherent rights, access, and stewardship of resources;
3	Respect for the government-to-government relationship that exists between First Nations governments and the Islands Trust;
4	Acknowledge of First Nations vital, long-standing and future-looking interest in the environment of their territories and treaty lands;
5	Working together to collaboratively build relationships based on mutual respect and interagency cooperation;
6	Share information and align policies and processes to the foundation documents;
7	That the Policy Statement operates within the inherent jurisdiction and governance structures of First Nations within the Islands Trust Area;
8	Land and water use decisions that impact First Nations interests cannot be the sole jurisdiction of local trust committees, and should be reviewed within the broader scope of the Islands Trust governance structure;
Environmental Principles	
9	Ensure that climate change is recognized as a threat to environment, amenities, and the fragile ecosystem;
10	That Islands Trust move away from language such as “maintain” due to concerns related to how that is interpreted in regard to preserve and protect;
11	That terms such as stewardship be reflective of the role Indigenous Peoples have to actively steward their territorial areas;
12	Recognition that limitations must be determined since incremental growth, even green incremental growth, erodes the functionality of fragile and limited ecosystems and resources;
13	Islands Trust prioritize Indigenous land management regimes over Western-based management ideas;
14	Recognize that regulatory frameworks do not recognize impacts to sensitive species or culturally significant species, their cultural use, and cumulative impacts due to pollution, emissions, and development;
15	Agricultural land areas must not impact culturally significant species, areas, wetlands, or habitat, including impacts to cultural heritage and/or spiritual use;
16	Forest areas require archaeological impact assessments to ensure preservation and protection of cultural values, culturally significant species, and use;
17	Culturally significant species of vegetation, flora, and fauna must be conserved and protected, understanding the interrelationship between protected and healthy ecosystems and inherent rights to gather for well-being;
18	Foreshore areas must be preserved and protected to maintain access for shellfish harvesting, access and foraging;
19	Freshwater must be preserved and protected to ensure aquifers can support streams and wetland ecosystems;
20	Ecosystems that have been heavily impacted by development or industry must be restored and protected;
21	Study the impacts and create policies to address pollution and sewage impacts;
22	Official community plans must address the cumulative impacts to marine habitat from docks, anchorages, and seawalls;

Social Principles	
23	Promote the well-being of Indigenous Peoples and their interests within the Islands Trust Area;
24	Recognize that community includes Indigenous Peoples;
25	That the islands and waters of the Islands Trust Area are integral to the health and well-being of First Nations with treaty and territorial areas within the Salish Sea;
26	Indigenous Peoples have an inherent right to gather, utilize, and manage their treaty and territorial lands and waters;
27	Indigenous Peoples have a right to express their culture, language, and spirituality within the Islands Trust Area;
28	Indigenous Peoples have a right to access cultural areas, culturally significant species/flora and fauna, and to care for and access ancestral loved ones resting places;
29	Islands Trust should advocate for policies and initiatives that eliminate the socio-economic gap between islanders, British Columbians in general and Indigenous Peoples;
30	Share information and collaborative work with First Nations governments to ensure land and water use decisions are reflective of their concerns;
31	Educate islanders and British Columbians about the history and legacy of the Islands Trust Area as it relates to First Peoples;
32	Islands Trust create appropriate land use planning tools to address First Nations economic development interests;
33	Ensuring consistency between planning bylaws and policies and First Nations land use plans, treaty agreements, and land use agreements with the Islands Trust Area;
Heritage and Cultural Principles	
34	Recognize that “unique amenities” includes cultural heritage and protected heritage sites;
35	Re-establish pre-1995 heritage and cultural heritage/archaeological principles from past Policy Statements;
36	Include Indigenous place names and historical understanding in local trust committee areas signage and wayfinding, ecology and habitat areas;
37	Educate islanders and the general public on the illegality of damaging, looting, and possessing Indigenous cultural heritage and artefacts;
38	Ensure all agencies and ministries conform to heritage protection and conservation policies and principles as outlined by the Islands Trust and First Nations governments;
39	Develop Trust wide heritage preservation overlays to ensure the preservation and protection of cultural heritage, heritage buildings, and cultural sites.
Implementation Principles Related to Overarching Legislation	
1	Enter into protocol agreements and management plans that address matters of mutual interest and concern;
2	Ensure that First Nations projects related to First Nations economic reconciliation are prioritized within the Islands Trust Area;
3	Develop a First Nations Advisory Committee on environmental and heritage preservation;

4	Ensure companies and business conducting ground work, archaeological assessments and monitoring within the Islands Trust Area are approved by First Nations governments and communities and uphold the foundation document principles in their operations;
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Islands Trust Senior Intergovernmental Policy Advisor and Senior Policy Advisor also reviewed all language within the Policy Statement to align that wording with the Truth and Reconciliation (TRC) Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Declaration on the Rights of Indigenous Peoples Act (DRIPA), and the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice (hereafter called the “foundation documents”). Staff removed offensive language and aligned the document with the provincial Declaration on the Rights of Indigenous Peoples Act.

Continued Engagement:

Staff also wish to highlight that First Nations have been working within the timelines outlined within the Islands Trust 2050 process over the last two years and have an expectation that the bylaw will be adopted during this term of office. First Nations outlined that the historic wrongs that have occurred within the Islands Trust Area and the continued destruction of cultural heritage and desecration of ancestral loved ones resting places must be addressed with changes to current policies to align those policies with DRIPA.

As engagement continues, staff will be working directly with First Nations that received capacity funding to review the new draft Policy Statement bylaw and will after First Reading refer the new Policy Statement amendment to all First Nations listed above to continue building meaningful relationships and build trust.

REFERENCE:

1. Islands Trust Reconciliation Declaration
2. Islands Trust Reconciliation Action Plan
3. Local Trust Committees Standing Resolutions on Reconciliation
4. TC-2021-03-09_PSAP-Discussion-Paper-Trust-Object-Past-Present-Future
5. Reconciliation Report 2019-2021-Final

FOLLOW-UP: Staff will follow up as per requests by Trust Council.

Prepared By: Lisa Wilcox, Senior Intergovernmental Policy Advisor / June 9, 2021

Reviewed By/Date: Dilani Hippola, Senior Policy Advisor, Trust Area Services / June 9, 2021
Clare Frater, Director, Trust Area Services / June 9, 2021
David Marlor, Director, Local Planning Services / June 9, 2021



Islands Trust

Amended Draft Version 2.0

Islands Trust Council **DRAFT** Bylaw No. 183:
ISLANDS TRUST POLICY STATEMENT BYLAW, 2021

ISLANDS TRUST POLICY STATEMENT

DRAFT 2.0 – June 11, 2021

Sections highlighted in blue: primarily reconciliation related amendments

Sections highlighted in green: primarily climate change related amendments

Sections highlighted in pink: primarily housing related amendments

Sections highlighted in yellow: general edits for clarity, accuracy, or brevity

References highlighted in (blue parentheses) at the end of each policy refer to the corresponding policy in the 2003 consolidated version of the Policy Statement or indicate (new) policies.

Commented [DH1]: Annotated comments in the margins of Draft 2.0 indicate where substantive changes have been made since Draft 1.0

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6.4	Waste Disposal Policies

Commented [DH2]: Note: Significant changes to the structure of the Policy Statement (as compared to 2003 version):

- **Introduction** now included as part of the bylaw
- **Section 1.1:** 'Acknowledgment' added to Introduction
- **Section 1.4:** 'The Islands Trust Object and its Meaning' section moved to Introduction (from previous Part 2)
- **New Part 3:** Regional Governance (transformation of former 'Guiding Principles for Trust Council' into policies)
- **New Part 4:** Combines previous Parts 3 (Ecosystem Preservation & Protection) + 4 (Stewardship of Resources)
- **Section 4.1:** reframed as Environmental Integrity Policies
- **New Part 5:** Heritage Preservation and Protection
- **Part 6:** reframed as Sustainable AND RESILIENT Communities
- **Section 6.1:** reframed as Rural Island Planning Policies, incorporates miscategorised policies in previous Part 5
- **New Section 6.2:** on Housing Policies

PART 1 - INTRODUCTION

1.1 ACKNOWLEDGMENT (new)

Islands Trust Council acknowledges that the Islands Trust Area is located within the treaty and territorial lands and waters of the BOĶĖĶĖN, K'ómoks, Lək'əŋən, Lyackson, MÁLEXEĶ, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəx", Scia'new, səlilwətaʔt, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, S7ÁUTW, Stz'uminus, ʔəʔəmen, toq qaymıx", Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOĶĶĶP, WSIKEM, Xeláltxw, Xwémalhkwx/ʔop qaymıx", and x"məθk"əyəm (collectively referred to hereinafter as 'First Nations').

Islands Trust Council acknowledges that the lands and waters encompassing the Trust Area are subject to the treaty and territorial rights of First Nations. The Trust Area has been home to Indigenous Peoples since time immemorial and their relationship to these lands and waters continues to this day. Islands Trust Council honours the rich history and cultural heritage within the region and has stated its commitment to reconciliation and meaningful engagement with First Nations in the Trust Area.

1.2 ESTABLISHMENT OF THE ISLANDS TRUST

Commented [DH3]: This section has not changed since draft 1.0, except for addition of footnote references.

To understand the Islands Trust governance model, it is helpful to understand its origins. In the 1960s, as the urban centres of Vancouver, Nanaimo, and Victoria were experiencing rapid population growth, the Gulf Islands in British Columbia began facing unprecedented pressure for residential development. Without any meaningful form of local government for non-incorporated island communities at the time, Gulf Island residents began expressing widespread concern that the area's highly-valued and fragile environment could be irreversibly damaged by unrestrained development. In 1969, the provincial government responded by instituting a temporary freeze on the subdivision of land until island communities could adopt plans and regulations to control growth.

In 1972, an all-party provincial Select Standing Committee on Municipal Affairs was established to investigate the unique problems facing the Trust Area. In its 1973 report¹ to the Legislative Assembly of British Columbia, the Committee concluded that development pressures arising from the area's proximity to major urban centres were damaging the very features that made the region so attractive to residents and visitors. The Committee recommended the formation of an 'Islands Trust' to assume the primary responsibility for coordinated governance of the region.

In response to the Committee's recommendations, the Government of British Columbia enacted the *Islands Trust Act*² in 1974. The Act established the Islands Trust as a special-purpose government with a conservation-oriented responsibility to preserve and protect the Islands Trust Area for the benefit of residents of the Trust Area and of British Columbia more broadly.

In the years following the establishment of Islands Trust, pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by sixty per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the *Islands Trust Act* during this period, giving the Islands Trust community planning and land-use authority comparable to that of a regional district under the *Local Government Act*. Aware of the urgent need for plans to guide decisions on growth management and land-use, Trust Area communities developed official community plans. Nonetheless, pressure for residential development continued, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Islands Trust Area, this time focusing on public opinion of Islands Trust and its role. The results showed overwhelming public support for both Islands Trust and the Islands Trust Object, and suggested ways in which the Trust and its legislation could be strengthened. In response, an amended *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the amended Act, Islands Trust retained its original authority and its dual responsibility to residents of both the Trust Area and British Columbians more broadly. The new legislation also amended the structure of Islands Trust and greatly broadened its functions and responsibilities. One of the most notable changes was the assignment of a regional-level planning function to Islands Trust Council.

¹ British Columbia, *Official Report of Debates of the Legislative Assembly (Hansard)*, 30th Parl, 3rd Sess, p 255 (25 September 1973).

² British Columbia, *Islands Trust Act*, RSBC 1996, c 239.

1.3 PRESENT CONTEXT

Many of the challenges that the Islands Trust Area was facing in 1974 remain pressing today, and are further complicated by new social, economic, and environmental dynamics.

In 2019, Trust Council adopted a Reconciliation Declaration acknowledging that First Nations have resided in the lands and waters that encompass the Trust Area since time immemorial and honouring the rich history and cultural heritage of this special region. Trust Council acknowledges that it has a duty to seek meaningful engagement with First Nations in the Trust Area and strives to be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction.

Trust Council also adopted a Climate Emergency Declaration in 2019, committing to urgent and equitable climate action across the region. The health and integrity of ecosystems, communities, and the built environment are increasingly compromised by the adverse impacts of climate change such as rising sea levels, ocean acidification, storm surge flooding, windstorms, droughts, wildfires, and invasive species. Biodiversity - the diversity within species, between species, and of ecosystems - is declining at an alarming rate, leading to species extinctions locally and across the globe. In order to effectively preserve and protect the unique amenities and environment of the Trust Area in this context, it will be critical to identify, monitor, mitigate, and adapt to the ripple effects of climate change on both ecosystems and communities. In this context, Trust Council will benefit from being guided by the best available science, social science, local knowledge, and Indigenous ways of knowing. In the face of uncertainties around the rate and scale of climate impacts, it will also be important to foster more precautionary and adaptive approaches to decision-making, safeguarding future generations as best as possible.

Research by the Islands Trust Conservancy on the conversion of natural areas for human use highlights that some islands in the Trust Area are reaching or surpassing accepted thresholds for ecosystem health³. A widely accepted threshold for the region is approximately 30-40% of converted area for any given habitat. As land conversion begins to go above this threshold, the number of species in a given habitat can be expected to decline far more rapidly. A 2021 report on *The State of the Salish Sea*⁴ describes the Salish Sea bioregion as being under relentless pressure from an accelerating convergence of global and local environmental stressors and the cumulative impacts of 150 years of development. It chronicles how ecosystem decline has outpaced protection and restoration efforts, and how population growth and urbanization have led to detrimental changes to the landscape and seascape, including habitat fragmentation, shoreline armouring, conversion of vegetated areas to impervious surfaces, and profound changes in watershed and wetland hydrology. The report calls for strategic, multijurisdictional policy approaches, informed by multiple ways of knowing and grounded in an understanding of the complex relationships between people and place:

*"...Now is the time to shift thought and policy paradigms from treating the environment as a resource to instead build systems of relationships and responsiveness that are based in science and incorporate the interconnected system of humans and environments."*⁴

Commented [DH4]: The Present Context section has been updated substantially with descriptive context for each of the three TC priorities for PSAP (reconciliation, climate change, and affordable housing). Note climate change and reconciliation paras were simply moved from draft 1.0 preamble to Part 3.

³ Islands Trust (2019). [State of the Islands Indicator Project: Final Report](#)

⁴ Sobocinski, K.L. (2021). [State of the Salish Sea](#). G. Broadhurst and N.J.K. Baloy (Contributing Eds.). Salish Sea Institute, Western Washington University.

Many islands in the Trust Area are also facing a lack of safe, secure, and affordable housing that is threatening the long-term sustainability and resilience of Trust Area communities. The gap between those who can, and those who cannot, afford a home is growing rapidly amidst a backdrop of skyrocketing real estate values, loss of rental stock, prevalence of illegal housing, and growing rates of homelessness. Without affordable, safe, secure, and diverse housing options, seniors are finding it difficult to age in place and an increasing percentage of island workers must commute from off-island locations. First Nations community members continue to be alienated from their homelands and opportunities to live on the islands due to the forced removal and genocide they experienced and continue to experience to this day. As Trust Council endeavours to support community needs for affordable housing within the confines of its jurisdictional mandate, it acknowledges the need for place-based, multigenerational, and integrated solutions to sustainability that address equity, diversity, and inclusion in meaningful ways, while respecting the natural limitations and adaptive capacities of island ecosystems.

In this complex policy landscape, the Policy Statement plays a vital role in articulating Trust Council's strategic policy priorities, principles, and approaches, centred firmly in the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area, not only for this generation, but also for many generations to come.

Commented [DH5]: Requests for language on "place-based, multigenerational, and integrated solutions to sustainability" and "equity, diversity, and inclusion" added here

1.4 THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* sets out the special-purpose mandate for Islands Trust, referenced in the legislation as its “object”:

“The object of the Trust 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, other persons and organizations and the government of British Columbia.” (*Islands Trust Act*)

The following sections provide a fuller explanation of key phrases in the Islands Trust Object.

“... to preserve and protect the Trust Area...”

The Islands Trust Area is a scenic archipelago of 13 Gulf Islands, over 450 smaller islands and islets, and surrounding waters in the Salish Sea. The area of jurisdiction is established by Schedule A of the *Islands Trust Act*. The region is home to more than 26,000 residents and is the homeland of more than 28,000 Coast Salish Peoples.

The mandate to ‘preserve and protect’ aims to ensure the continued existence, either at current or enhanced levels, of the unique amenities and environment of the Trust Area. This involves first identifying the unique amenities and environment in each local planning area and then instituting measures for their preservation and protection. Appropriate developments can thus be guided to areas which are most suitable, with minimal impact to the unique amenities and environment of the area. Official community plan and bylaw provisions such as setbacks and parcel size can be used as site specific protection measures where development is permitted.

“...and its unique amenities and environment...”

The Trust Area is valued and unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.

Located within the Coastal Douglas-fir and Coastal Western Hemlock biogeoclimatic zones, the Trust Area is home to an exceptionally high biodiversity of rare and culturally significant species, including over 100 federally-listed and over 300 provincially-listed species at risk. These ecosystems are classified as ‘sensitive’ because of their rarity and vulnerability to disturbances such as human impacts and climate change. The Trust Area also plays an important role in provincial and national efforts to reduce greenhouse gas emissions by capturing and storing carbon in natural areas such as forests, soils, mycelium networks, wetlands, and eelgrass meadows.

Islands are places of last refuge and first (local) extinction. Existing at the interface of land and sea, they provide transition habitats that support high terrestrial and marine biodiversity. At the same time, islands need extra care due to a number of unique vulnerabilities they hold as small, closed systems, surrounded by water. Unlike larger islands or the mainland, islands in the Trust Area have significant water supply constraints, due to small watersheds, shallow soils, a heavy reliance on groundwater, and a high vulnerability to the impacts of a changing climate, such as drought and saltwater intrusion. Species habitat and migration corridors on these islands are also constrained by the natural boundaries of shorelines and are impacted by the proportion and configuration of land converted for human use. In addition, coastal and marine ecosystems, resident communities, and First Nations’ archaeological sites and shoreline harvesting are all highly vulnerable to the climate change impacts associated with sea level rise and ocean acidification.

Commented [DH6]: More detail included from provincial position paper entitled *The Object of the Islands Trust: Renewing the Consensus* (Islands Trust, 1986), and from engagement/review feedback

Commented [DH7]: Updated descriptive details

Commented [DH8]: From 1986 position paper

Commented [DH9]: New context added about uniqueness of islands

The Trust Area is also valued and unique because it is located within the treaty and territorial lands and waters of the Coast Salish Peoples. First Nations have called these lands and waters home since time immemorial and their relationship with this place continues to this day as stewards and caretakers for seven generations to come. First Nations in the Trust Area have creation stories that describe the spiritual and geophysical formation of the islands in the Salish Sea. Their history, stewardship, and knowledge of the region is reflected through oral history, language, place names, cultivated features of the landscape, Indigenous law, and protocols. Indigenous descriptions of the interrelationships between the landscape and all beings provide important context to the understanding of this special place. In this context, Indigenous cultural heritage is recognized as a unique amenity in the Trust Area and includes, but is not limited to: cultural and spiritual sites; ancestral loved ones' burial cairns and resting places; artifacts; petroglyphs; pictographs; place names; culturally significant species; medicinal plants; and traditional harvesting areas.

Commented [DH10]: New, in context of reconciliation and need to better define Indigenous cultural heritage as unique amenity under Islands Trust Object

Trust Area islands are also home to vibrant communities that aspire to live sustainably and in respectful relationship with these lands and waters. Trust Council understands its mandate to include the preservation and protection of healthy and inclusive communities that are dependent on sustainable, energy efficient, and appropriately located housing, transportation, and infrastructure. Trust Area communities strongly value the rich natural beauty and biodiversity of the islands, the quietude and tranquility of rural island landscapes and dark night skies, and the abundant opportunities for nature connection that the islands afford. These opportunities are not only to be enjoyed by residents, but also by British Columbians and visitors to the region, who all play important roles in helping to preserve and protect the Trust Area. Effective stewardship of the Trust Area relies on a collective community commitment to reduce greenhouse gas emissions, to foster lower carbon footprints, to conserve finite natural resources, and to seek nature-based solutions to climate change.

Commented [DH11]: New descriptive content reflecting public engagement feedback and TC motion regarding healthy and inclusive communities

"...for the benefit of the residents of the Trust Area and of British Columbia generally ..."

Islands Trust is responsible to the present and future resident communities of the Trust Area and British Columbia, as well as to First Nations who have resided in the area since time immemorial. Resident communities include a diverse mix of year-round residents, part-time residents, absentee land owners, and First Nations who were forcibly removed from their homelands through colonization. The benefits to British Columbians include the preservation and protection of one of the most ecologically sensitive and biodiverse regions in the country, the safeguarding of natural carbon sinks to sequester greenhouse gas emissions, and opportunities for nature connection in close proximity to major urban centres.

Commented [DH12]: New, less settler-centric framing of 'resident communities'

"... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia ..."

First Nations, and a number of municipalities, regional districts, improvement districts, other persons and organizations, and provincial agencies have responsibilities and interests related to the preservation and protection of the Trust Area. Trust Council recognizes that it does not have the jurisdictional powers to fulfill its mandate independently and must obtain the assistance of other jurisdictions. To achieve its object, Islands Trust must be an educator, coordinator, collaborator, and initiator, guiding individuals, communities, organizations, and other government agencies to uphold and support the Islands Trust Object. While Trust Council can provide the necessary leadership, responsibility for the preservation and protection of the Trust Area rests with many, including Trust Area residents, communities, other government agencies, organizations, and the Province. Trust Council further recognizes that meaningful engagement and cooperation with First Nations is critical to the preservation and protection of the region, to Trust Council's reconciliation commitments, and to the implementation of the provincial Declaration on the Rights of Indigenous Peoples Act.

Commented [DH13]: From 1986 position paper + new reconciliation related text

1.5 THE ISLANDS TRUST AREA

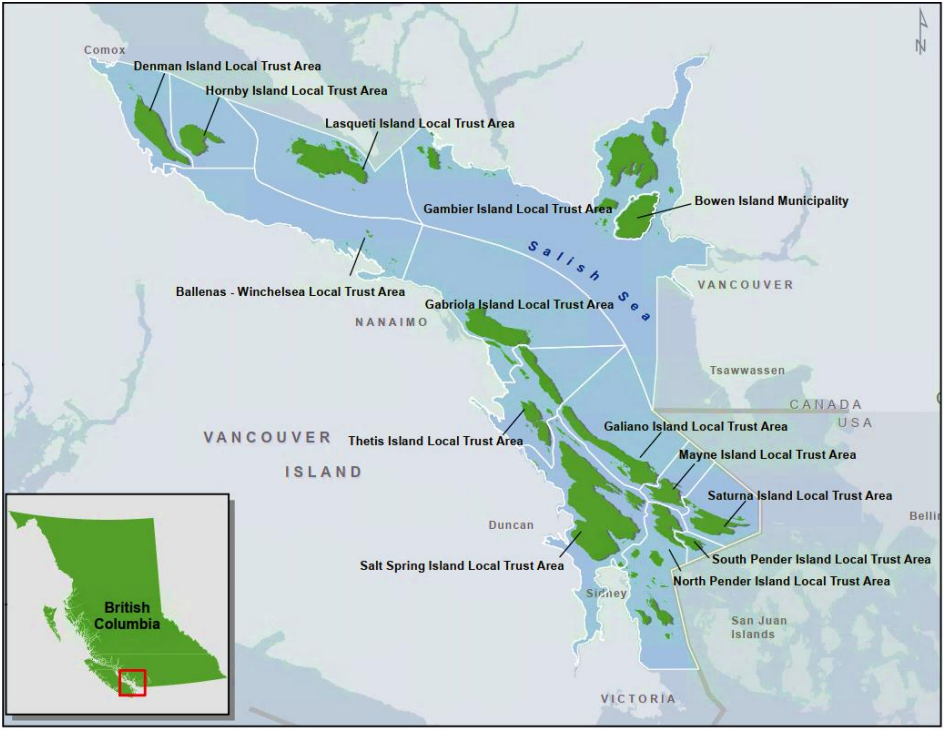
The Islands Trust Area is an archipelago of 13 major islands and more than 450 smaller islands and surrounding waters in the Salish Sea, situated between the mainland of British Columbia and southern Vancouver Island. The specific boundaries of the Trust Area are noted in Schedule A of the *Islands Trust Act*.

The 13 major islands include:

- | | | |
|-------------------|-----------------------|-----------------------|
| • Bowen Island | • Hornby Island | • Salt Spring Island |
| • Denman Island | • Lasqueti Island | • Saturna Island |
| • Gabriola Island | • Mayne Island | • South Pender Island |
| • Galiano Island | • North Pender Island | • Thetis Island |
| • Gambier Island | | |

Commented [DH14]: Added listing of islands...and moved description of Trust Area to Section 1.4

(new map)



PART 2: PURPOSE AND IMPLEMENTATION OF THE POLICY STATEMENT

2.1 PURPOSE OF THE ISLANDS TRUST POLICY STATEMENT

Section 15 of the *Islands Trust Act* stipulates that Trust Council must, by bylaw, adopt a Trust Policy Statement that applies to the Trust Area. The purpose of the Policy Statement is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area.

The Policy Statement aims to establish a vision for the future of the Trust Area that reflects the values and interests of the environment, residents, First Nations, and British Columbians, for this generation and for generations to come. It provides a framework for Trust Council to assume a leadership role in place protection planning in the Trust Area, which entails preserving and protecting the unique amenities and environment of the Trust Area through a combination of:

- conservation-oriented land use planning and regulation;
- engagement with First Nations;
- inter-agency coordination and advocacy;
- public / community engagement; and
- stewardship education.

Commented [DH15]: Slightly refined and reformatted description of place protection planning

As the Trust's overarching policy document, the Policy Statement guides the formulation of Trust-wide strategic plans, official community plans and regulatory bylaws, protocol agreements and other cooperative arrangements with First Nations, inter-agency coordination and advocacy, thematic action plans and strategies, as well as public engagement and education initiatives.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

2.2 ROLES AND RESPONSIBILITIES

Islands Trust Council cannot effectively implement the Policy Statement without the support of First Nations and a wide range of partners. The original 1974 vision was that the Trust would be a "fully representative co-coordinating body", whose task it was to bring together each group, agency, or government partner to act in the best interests of the islands and residents, with due regard for the broader and Province-wide interest. Assistance, cooperation, and collaboration are required from local trust committees, island municipalities, the Islands Trust Conservancy Board, First Nations and their associations and organizations, the provincial government, other government agencies, non-governmental organizations, communities, property owners, residents and visitors. In the spirit of the *Islands Trust Act*, it is expected that all corporate entities of the Trust will coordinate and advocate to other agencies on matters involving potential conflict between the legislated Islands Trust Object and the legislated mandates of other agencies.

Role of the Minister of Municipal Affairs

The Minister of Municipal Affairs of the Government of British Columbia (or the designated provincial minister responsible for municipal affairs) approves the Policy Statement bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust Council approves a bylaw that has been submitted to them. The Minister and Ministry staff can also facilitate communication between the Islands Trust and other government agencies on policy matters.

Role of Islands Trust Council

The *Islands Trust Act* assigns to Islands Trust Council the responsibility for development, adoption, amendment, and implementation of the Policy Statement. Recognizing the varying roles and responsibilities of other parties to help fulfill the Islands Trust Object, Trust Council has included three types of policies in the Policy Statement:

a) **Commitments of Trust Council**

These policies reflect Trust Council's high-level regional commitments, positions, priorities, and approaches related to the Islands Trust Object and its implementation. They help clarify Trust Council's regional governance approach and offer interpretive context to guide decision-making.

b) **Directive Policies for Local Trust Committees and Island Municipalities**

These policies direct local trust committees and island municipalities to include certain types of policies and approaches in their official community plans and bylaws, unless explicit reasons are given to justify not doing so. Directive policies generally commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws..." These policies generally strive for a harmonized regional approach while also leaving flexibility for more detailed, locally-appropriate implementation tools and strategies.

c) **Coordination Policies for Trust Council**

These policies reflect Trust Council's role in coordinating, advocating, and engaging with a host of other parties (including government agencies, non-governmental organizations, property owners, residents and visitors) regarding decisions or actions they can undertake in support of the Policy Statement and the Islands Trust Object. In some cases, these can form the basis of protocol agreements between the Trust and other agencies. Sections 8 and 9 of the *Islands Trust Act* stipulate that Trust Council may enter into coordination agreements and make recommendations to other parties for the purpose of carrying out the Islands Trust Object. Section 8 also stipulates that Trust Council may make recommendations to the Lieutenant Governor in Council respecting the determination, implementation, and carrying out of policies for the preservation and protection of the Trust Area and its unique amenities and environment.

Commented [DH16]: Last sentence is new addition since draft 1.0

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. Trust Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.

Role of Executive Committee

Part 3 of the *Islands Trust Act* stipulates that the Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" the Policy Statement. If there is no official community plan in place for an island municipality, Executive Committee is required to review all bylaws of the municipality and no bylaw that is contrary to the Policy Statement can be approved. Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Trust Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws, but generally does not stipulate the specific policies, planning tools, or regulations to be used because the social and environmental characteristics of islands vary. Official community plans must contain policies relating to

Trust Council's directives or must explicitly state the reasons and justifications for not doing so. Each local trust committee works with its island community to develop policies and regulations to fulfill the Islands Trust Object and Policy Statement in ways that are suitable to local needs and conditions.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires an island municipality to address a particular matter, the official community plan must contain policies that implement Trust Council's directive unless the island municipality or must explicitly state the reasons and justifications for not doing so.

Role of the Islands Trust Conservancy Board

The *Islands Trust Act* assigns the Islands Trust Object to the Islands Trust Conservancy Board, as well as to Trust Council, local trust committees and island municipalities. Although the Islands Trust Conservancy Board does not take direction from Trust Council, it plays an essential role in helping to support the Policy Statement objectives and the fulfillment of place protection planning in the Trust Area through science-based conservation planning, engagement with First Nations, identification and protection of core conservation areas, as well as education and communication initiatives. To support the Islands Trust Object, the Islands Trust Conservancy Board also plays a key role in accepting voluntary donations of property and covenants and purchasing lands. Close collaboration and policy alignment between Islands Trust and Islands Trust Conservancy is critical to carrying out the Islands Trust Object.

Commented [DH17]: Added since draft 1.0

Role of First Nations

First Nations play an integral role in governance and cooperative decision-making in the Trust Area. Trust Council acknowledges the treaty and territorial rights and title of First Nations in the Trust Area and is committed to aligning Islands Trust policies and processes with the *Declaration on the Rights of Indigenous Peoples Act*. Trust Council is further committed to ensuring that it seeks meaningful engagement with First Nations now and into the future. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans provide frameworks for effective communication, information sharing, and cooperative decision-making.

Role of Other Government and Non-Governmental Organizations

Other government agencies and non-governmental organizations play an important role in contributing to the preservation and protection of the unique amenities and environment of the Trust Area through cooperative actions based on the Policy Statement and the Islands Trust Object. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans support the sustainability of the Trust Area and fulfillment of the Islands Trust Object.

Role of Property Owners, Residents, Visitors and Communities

The assistance and cooperation of property owners, residents, visitors, and communities is vital to the preservation and protection of the unique amenities and environment of the Trust Area and to the implementation of the Policy Statement in each local planning area. Individuals have many opportunities to participate in local planning decisions and to work with other members of their communities to support the Islands Trust Object. The Trust can also equip communities and individuals with education and tools to help support the preserve and protect mandate and specific policies contained in the Policy Statement.

2.3 IMPLEMENTATION AND AMENDMENT POLICIES

Trust Council's Policies 1.2.1 (Policy Statement Amendment Policy) and 1.3.1 (Policy Statement Implementation Policy) guide the implementation and amendments of the Policy Statement. These are separate policies approved by Trust Council and do not require a legislative approval process.

The Policy Statement bylaw may be amended by Trust Council with the approval of the minister responsible for municipal affairs. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by Executive Committee and brought forward for the consideration of Trust Council. Trust Council may, from time to time, initiate a review of the entire Policy Statement.

Trust Council's Policy Statement Implementation Policy establishes policies and procedures for statutory bylaw referrals and other implementation strategies and decision support tools that assist Executive Committee, local trust committees, island municipalities, Islands Trust planning staff, and other relevant parties to ensure that bylaws are consistent with the Islands Trust Policy Statement.

Commented [DH18]: Added description of Policy Statement Implementation Policy

PART 3: REGIONAL GOVERNANCE (new)

GOAL: To establish regional governance approaches that uphold the Islands Trust Object

CONTEXT:

The Governance Challenge: The Islands Trust Area today faces converging challenges and compounding vulnerabilities. Trust Council must contend with intense development pressures, increasing climate change impacts, one of the highest densities of species at risk in Canada, freshwater scarcity, changing demographics, and a widespread lack of affordable housing. While populations, numbers of visitors, and the demand for intensified use and residential development of the Trust Area can be expected to continue to grow, capacities of the Trust Area's natural systems remain limited and are increasingly compromised by climate change and the cumulative effects of human activity. Potential for conflict exists: conflict between the unending pressures for development and intensified use, and the duty to preserve and protect the unique amenities and environment of this special place. To keep everything in the Trust Area exactly as it is today would be impossible. Changes will occur. Nonetheless, if the Trust Area's unique amenities and environment are to be preserved and protected for current and future generations, priorities must be defined and management strategies established.

Establishing Priorities and Limitations: Advancing the Islands Trust Object is the preeminent duty of Trust Council, its committees, and all locally elected trustees in the Trust Area. This unique statutory mandate prioritizes the preservation and protection of the unique amenities and environment of the Trust Area. Acknowledging the need to shift towards less human-centric and less settler-centric planning paradigms, Trust Council commits to place priority on preserving and protecting the integrity of the environment and Indigenous cultural heritage in the Trust Area. This entails, first and foremost, the identification and safeguarding of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. To these ends, Trust Council should be guided by detailed, area-based understandings of the Trust Area and its unique amenities and environment, that are informed by multiple ways of knowing, including the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. Furthermore, the uncertainties around the rate and scale of climate change are mandating more precautionary approaches to stewardship of the Trust Area. The Precautionary Principle states that the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental damage to habitats or species when there is a threat of serious or irreversible environmental degradation. Having established these clear understandings, priorities, and approaches, community needs can then be addressed sustainably, equitably, and within the natural limitations of these special islands, for the benefit of current and future generations.

Regional and Localized Approaches: Underpinning the Islands Trust regional governance approach is a strong acknowledgment that a degree of local autonomy supports effective governance in the Trust Area. Each island within the Trust Area has unique characteristics and has developed in its own unique way over the years. While the preeminent duty of all locally elected officials is to uphold the Islands Trust Object and regional mandate in all aspects of local planning and decision-making, they are to do so in a way that is sensitive and suitable to local circumstances, and guided by open, consultative public participation.

Commented [DH19]: This page of preamble to Part 3 has been updated since previous draft 1.0 (previous text on climate change and reconciliation moved to Section 1.3: Present Context)

Commented [DH20]: This para is based on language from the introductory section of the former Policy Statement entitled 'The Challenge'

Commented [DH21]: This section attempts to define how Trust Council establishes its priorities and limitations in line with the Trust Object. This description replaces the notion of 'carrying capacity' contained in the previous draft 1.0

Commented [DH22]: 'A healthy marine environment' added to the "no compromise" list throughout the document

Commented [DH23]: IUCN definition of precautionary principle added here

Commented [DH24]: Moved from Part 6 in the previous draft 1.0

3.1 Regional Governance Policies

Commitments of Trust Council

- 3.1.1 The primary responsibility of Trust Council is to provide leadership for the preservation and protection of the **unique amenities and environment** of the Trust Area. (Guiding Principle #1)
- 3.1.2 Trust Council commits to place priority on preserving and protecting the integrity of the environment **and Indigenous cultural heritage** in all decision-making. (Guiding Principle #2)
- 3.1.3 It is Trust Council's policy that, to achieve the Islands Trust Object, the rate and scale of growth and development in the Trust Area must be carefully managed **and requires** limitation. (Guiding Principle #4)
- 3.1.4 It is Trust Council's policy that **decision-making should be guided by** the Precautionary Principle **and the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing**. (Guiding Principle #3)
- 3.1.5 Trust Council commits to seek close collaboration and policy alignment with the Islands Trust Conservancy Board, acknowledging the interconnected roles each entity plays in regional conservation planning and in carrying out the Islands Trust Object. (new)
- 3.1.6 Trust Council commits to seek meaningful engagement with First Nations in the Trust Area, recognizing First Nations' treaty and territorial lands and waters, and will be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction. (new)
- 3.1.7 Trust Council commits to take a leadership role in **coordinating with, and advocating to, other** government agencies and non-governmental organizations, and making recommendations to the provincial government, for the purpose of carrying out the Islands Trust Object. (new)
- 3.1.8 Trust Council commits to seek open, consultative public participation, acknowledging its importance to effective decision-making in the Trust Area. (Guiding Principle #5)
- 3.1.9 It is Trust Council's policy that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the Islands Trust Object. (5.8.3)
- 3.1.10 It is Trust Council's policy that island municipalities shall, in all of their actions, have regard for the Islands Trust Policy Statement and the Islands Trust Object. (5.8.4)
- 3.1.11 Trust Council commits to implement a plan for the advancement of the Policy Statement as part of its annual budget process, and to direct Executive Committee to report on progress achieved in fulfilling the goals defined in the Policy Statement. (Guiding Principle #6)

Commented [DH25]: 'Trust Council holds' changed to 'It is Trust Council's policy that...' throughout the document

Commented [DH26]: Changed from 'may require' to 'requires'

Commented [DH27]: Added the precautionary principle here

Commented [DH28]: social science and local knowledge added since draft 1.0

Commented [DH29]: new since draft 1.0

Commented [DH30]: changed wording to 'coordination WITH, and advocacy to', throughout document

Commented [DH31]: added leadership role and recommendations to Province

Commented [DH32]: Moved from Part 6 in the previous draft 1.0...these policies were in the previous Policy Statement under Part V.

Directive Policies for Local Trust Committees and Island Municipalities

- 3.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, place priority on the integrity of the environment and Indigenous cultural heritage in all decision-making and limit the rate and scale of growth and development in their planning area. (new, based on Guiding Principles #1 and #4)
- 3.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ground decision-making in the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new, based on Guiding Principle #3)
- 3.1.14 Local trust committees and island municipalities shall, in the development and implementation of official community plans and regulatory bylaws, provide opportunities for public engagement and collaboration. (5.8.2)
- 3.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, seek meaningful engagement with First Nations and strive to align decision-making with the principles of the *Declaration on the Rights of Indigenous Peoples Act* that fall within their jurisdiction. (new)

Commented [DH33]: Moved from Part 6 in draft 1.0

PART 4: ECOSYSTEM PRESERVATION AND PROTECTION

Commented [DH34]: This preamble section has been updated since draft 1.0

GOAL: To Preserve, Protect, Restore, and Sustainably Steward Trust Area Ecosystems

CONTEXT:

Environmental Integrity: The Islands Trust Area contains British Columbia's most biodiverse and endangered ecosystems and a number of species that are of high cultural significance to First Nations. These ecosystems are treasured for their intrinsic value and also for the many supports they provide to human well-being. An ecosystem is understood as a dynamic system of living species interacting with their non-living environment. Some ecosystems rely on a delicate mix of species and conditions that are easily affected by human activities and environmental disturbances. These ecosystems are termed 'sensitive' and are prevalent in the Trust Area. An ecosystem has 'environmental integrity' when its dominant characteristics, natural composition, structure, function, and processes occur within their natural ranges of variation and can withstand and recover from most disruptions imposed by human activity or environmental dynamics such as climate change. In the Trust Area, the establishment of networks of protected areas and unfragmented forest reserves that are large enough to contain and sustain native Trust Area species is essential to environmental integrity.

Restoration: In the face of the global climate and biodiversity crises, it has never been more critical to preserve and protect ecosystems in the Trust Area. In addition, there is now an imperative to restore these fragile ecosystems and assist in their recovery due to the cumulative impacts of development and human use of natural areas, as well as the impacts of a changing climate. Ecosystem restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Restoration can happen in many ways, such as active reforestation or wetland remediation, or by simply removing pressures so that nature can recover and adapt on its own.

Adaptive Management: The specific impacts of the climate and biodiversity crises and their policy implications may be difficult to predict in exact detail, timing, and scope. Adaptive management approaches offer pathways to minimize uncertainty and maximize policy effectiveness. These are structured, iterative processes of decision-making intended to reduce uncertainty over time through periodic monitoring and evaluation, and evidence-based policy adjustments.

Nature-Based Solutions: In seeking integrated solutions that address the impacts of climate change on both ecosystems and communities, nature-based solutions offer opportunities for multiple co-benefits. Nature-based solutions are actions to protect, sustainably manage, and restore ecosystems that address societal challenges effectively and adaptively, simultaneously providing human well-being and biodiversity benefits.

Sustainable Stewardship: As humans modify the Trust Area, ecosystems are subject to various pressures. With sustainable, regenerative use, ecosystems will be more healthy and resilient and better able to support human well-being in a variety of ways. Sustainability, in this context, is defined as the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs. Stewardship, in this context, refers to the responsible use and protection of natural systems, through conservation and sustainable use.

4.1 Environmental Integrity Policies

Commitments of Trust Council

- 4.1.1 It is Trust Council's policy that proactive land use planning is essential to the preservation and protection of Trust Area ecosystems. (3.1.1 first bullet)
- 4.1.2 It is Trust Council's policy that protection must be given to the natural processes, habitats, and species of the Trust Area, including those of old forests, Coastal Douglas-fir forests, Coastal Western Hemlock forests, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, kelp forests, eelgrass meadows, and spawning areas. (3.1.1 second bullet)
- 4.1.3 Trust Council commits to establish and sustain a network of protected areas throughout the Trust Area, in collaboration with the Islands Trust Conservancy Board, acknowledging that unfragmented connectivity is necessary to preserve ecosystems in sufficient size and distribution to sustain their environmental integrity. (3.1.2)
- 4.1.4 Trust Council shall strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, and Trust Area species and their habitats, informed by the best available best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (3.1.1 third bullet)
- 4.1.5 Trust Council shall strive to identify and monitor the impacts of climate change on ecosystems through climate vulnerability assessments and shall utilize adaptive management processes and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

Commented [DH35]: Addition of "in collaboration with the Islands Trust Conservancy Board"

Commented [DH36]: Added "nature-based solutions"

Directive Policies for Local Trust Committees and Island Municipalities

- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, establish, and maintain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area. (3.1.4)
- 4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, and in collaboration with the Islands Trust Conservancy Board, identify, preserve, protect, and support the restoration of the following elements in their planning area, utilizing the best available quantitative and qualitative data, inclusive of Indigenous ways of knowing and community input: (3.1.3)
- sensitive ecosystems (cliff, freshwater, herbaceous, old and mature forest, riparian, wetland, and woodland ecosystems)
 - contiguous, unfragmented forests and associated ecosystems
 - freshwater networks and groundwater recharge areas
 - eelgrass meadows, kelp forests, and forage fish spawning areas
 - species and ecosystems at risk
 - Indigenous cultivation and harvesting areas such as clam gardens, camas meadows, and other areas as identified by First Nations

Commented [DH37]: Addition of "in collaboration with the Islands Trust Conservancy Board"

Commented [DH38]: List slightly refined and more detail added since draft 1.0 – sensitive ecosystems found in the Trust Area, as listed in the ITC Regional Conservation Plan

4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, regulate land use and development to **reduce emissions to air, land, and water.** (3.1.5)

4.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce climate vulnerability and support climate adaptation measures for ecosystems within their planning area. (new)

Coordination Policies for Trust Council

4.1.10 Trust Council shall, in collaboration with the Islands Trust Conservancy Board, seek the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing regarding ecosystem preservation, protection, restoration, and sustainable stewardship in the Trust Area through respectful, culturally-sensitive and collaborative approaches with First Nations, Indigenous Knowledge Holders, the Province, other government agencies, non-governmental organizations, and communities. (new)

Commented [DH39]: Addition of "in collaboration with the Islands Trust Conservancy Board"

4.1.11 Trust Council shall coordinate with, and advocate to, other government agencies to foster actions, programs, and incentives that: (3.1.9)

- place priority on the integrity of the environment in the Trust Area
- protect the diversity of native species and habitats in the Trust Area; and
- prevent pollution of the air, land, **freshwater networks**, and marine waters of the Trust Area

4.1.12 Trust Council shall coordinate with, and advocate to, other government agencies to:

- regulate and monitor the harvesting of fish, wildlife, and vegetation in the Trust Area so as to protect **terrestrial and aquatic species** populations and habitats (4.3.1)
- consult with **First Nations**, local trust committees, island municipalities, and Trust Area communities prior to decisions regarding regulation of hunting or harvesting of wildlife or vegetation in the Trust Area (4.3.1)
- **consult with First Nations to preserve First Nations' traditional harvesting areas**; and (new)
- to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life, and to establish public shellfish reserves in the Trust Area. (4.3.2)

4.1.13 Trust Council shall advocate to the provincial government to enforce standards for the control of emissions polluting the **air, lands, and waters** of the Trust Area. (3.1.10)

4.1.14 Trust Council shall, in cooperation with First Nations and the Islands Trust Conservancy Board, advocate to **other government agencies**, non-governmental organizations, Crown corporations, municipalities, regional districts, non-governmental organizations, property owners, **residents, and visitors** to protect **natural areas** in the Trust Area through education, stewardship tools, acquisitions, conservation covenants and careful management. (3.1.11)

Commented [DH40]: Addition of "and the Islands Trust Conservancy Board"

4.2 Freshwater Stewardship Policies

Commitments of Trust Council

- 4.2.1 Trust Council commits to take a precautionary approach to the sustainable stewardship of watershed ecosystems, freshwater networks, and groundwater recharge areas in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.2.2 It is Trust Council's policy that: (3.3.1)
- the watershed ecosystems, freshwater networks, and groundwater recharge areas of the Trust Area should be identified, protected, and where possible, restored or rehabilitated; and
 - the wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled, or degraded.
- 4.2.3 It is Trust Council's policy that freshwater use in the Trust Area should not impede the inherent rights of First Nations to access freshwater streams for cultural and spiritual purposes.
- 4.2.4 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in their supply of freshwater.⁵ (4.4.1)
- 4.2.5 It is Trust Council's policy that desalination plants should not be permitted in the Trust Area due to their high energy demands and adverse impacts to coastal and marine ecosystems. (new)

Commented [DH41]: Slightly amended since draft 1.0 – took out 'strategic' and added in additional knowledge sources – repeated throughout the stewardship sections

Commented [DH42]: New addition of commitment since draft 1.0

Directive Policies for Local Trust Committees and Island Municipalities

- 4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to prevent further loss or degradation of watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species in their planning area. (3.3.2)
- 4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure: (4.4.2, 4.4.1)
- that freshwater quality is maintained;
 - that neither the density nor intensity of land use is increased in groundwater regions⁶ where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable;
 - that existing, anticipated, and seasonal water demand and supply projections are considered and allowed for; and
 - that islands are self-sufficient in their supply of freshwater⁵.
- 4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that freshwater use is not to the detriment of in-stream uses such as: fish and fish habitat uses; Indigenous cultural and spiritual use; aesthetic and recreational uses; and, the maintenance of water quality in lakes, streams, and wetlands. (4.4.3)
- 4.2.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit desalination plants in the Trust Area. (new)

Commented [DH43]: Explanatory footnote added since draft 1.0 – see below

⁵ ...with the sole exception of Piers Island which is supplied by the Capital Regional District water system.

⁶ Groundwater regions are delineated water management areas that provide a useful basis for assessing area-specific water quality and quantity characteristics for planning purposes.

Coordination Policies for Trust Council

- 4.2.10 Trust Council shall coordinate with, and advocate to, the provincial government, regional districts, improvement districts, and other agencies to enact legislation protecting freshwater sustainability, watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species at risk in the Trust Area, in accordance with the Islands Trust Object. (4.4.6)
- 4.2.11 Trust Council shall coordinate with, and advocate to, the provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands in the Trust Area. (4.4.5)
- 4.2.12 Trust Council shall encourage, educate, and advocate to government agencies and non-governmental organizations, property owners, residents, and visitors to adopt water conservation practices in the Trust Area, including through the use of innovative technologies such as rainwater harvesting, above-ground water cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices. (4.4.4, 4.4.7)
- 4.2.13 Trust Council shall, in collaboration with Islands Trust Conservancy, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect watershed ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.3.3)

Commented [DH44]: Note: rainwater harvesting is encouraged as a supplemental water source, but not as a primary water supply

Commented [DH45]: New addition since draft 1.0

4.3 Forest Stewardship Policies

Commitments of Trust Council

- 4.3.1 Trust Council commits to take a precautionary approach to the stewardship of forest ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.3.2 It is Trust Council's policy that:
- forest ecosystems in the Trust Area should be protected; (3.2.1)
 - the remaining stands of relatively undisturbed Coastal Douglas-fir and Coastal Western Hemlock zones, and their associated ecosystems, should be preserved and protected; (3.2.1)
 - forest cover is a representative characteristic of the Trust Area and should be maintained; and (4.2.4)
 - the aesthetic value of forest land should be protected. (4.2.5)
- 4.3.3 It is Trust Council's policy that forest harvesting in the Trust Area should be limited, small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, replacing 4.2.1 - 4.2.2)
- 4.3.4 It is Trust Council's policy that management plans related to sustainable forest harvesting in the Trust Area should include appropriate monitoring and evaluation mechanisms to uphold the long-term environmental integrity of forest ecosystems, and should preserve and protect the inherent rights of First Nations to harvest forest resources for cultural purposes. (4.2.3 + new)
- 4.3.5 It is Trust Council's policy that the clear-cutting of forests and logging of old-growth trees is inappropriate anywhere in the Trust Area, acknowledging the multiple adverse impacts these activities incur on the fragile ecosystems, environmental integrity, and carbon capture and storage potential of the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the environmental integrity of the Trust Area by protecting unfragmented forest ecosystems, on a scale of forest stands and landscapes, from the potentially adverse impacts of growth, development and land use. (3.2.2, 4.2.6)
- 4.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, retain large land holdings and parcel sizes to enable sustainable forest harvesting practices and direct the location of roads and utility corridors to minimize the fragmentation of forests. (4.2.7)
- 4.3.8 Local Trust Committees and Island Municipalities shall, in their Official Community Plans and regulatory bylaws, designate protected forest ecosystem reserves where the preservation of native biodiversity and corridors is especially critical and where there should be no extraction. (4.2.8)

Coordination Policies for Trust Council

4.3.9 Trust Council shall coordinate with, and advocate to, the provincial government to grant Islands Trust the necessary jurisdictional authority to preserve and protect forest ecosystems, including:

- legislation to prohibit clear-cutting and logging of old-growth in the Trust Area; and
- authority to regulate tree cutting in the Trust Area. (new)

4.3.10 Trust Council shall coordinate with, and advocate to, the provincial government to adopt legislation establishing sustainable forest harvesting practices that protect environmental integrity on a scale of forest stands and landscapes by preserving, protection, and restoring: (4.2.11)

- the diversity of forest structure and composition;
- the physical, chemical, and biotic diversity of soils;
- natural aquatic and wetland ecosystems;
- the full range of natural habitats in the forest landscape, including old-growth; and
- connectivity of forest habitats sufficient for different life stages and dispersal needs of native species.

4.3.11 Trust Council shall coordinate with, and advocate to, the provincial government to:

- implement engagement mechanisms that ensure the full and meaningful participation of First Nations and Trust Area communities in decisions concerning the use of forest lands; (4.2.9)
- provide education and extension programs to promote sustainable forest harvesting and the protection of forest ecosystems; (4.2.10)
- adopt statutes and guidelines to reduce invasive non-native species in forest ecosystems; (4.2.12)
- designate forest ecosystem reserves where no extraction shall take place in order to promote the preservation of native biodiversity; (4.2.13)
- require that applicants identify the protective actions needed to maintain sustainable forest land use and environmental integrity, prior to approval of tree cutting plans; and (4.2.14)
- implement property tax incentives for the practice of sustainable forest harvesting. (4.2.15)

4.3.12 Trust Council shall coordinate with, and advocate to, the Province, when developing specific forest tenures, to assign to Trust Council or to the Islands Trust Conservancy Board, the holding of areas not to be harvested. (4.2.16)

4.3.13 Trust Council shall, in collaboration with the Islands Trust Conservancy Board, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect forest ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.2.3)

Commented [DH46]: Added "in collaboration with the Islands Trust Conservancy Board"

4.4. Agricultural Land Stewardship Policies

Commitments of Trust Council

- 4.4.1 Trust Council commits to take a precautionary approach to the stewardship of agricultural lands in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.4.2 It is Trust Council's policy that agricultural activity in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, 4.1.2, 4.1.3)

Commented [DH47]: Added food security

Directive Policies for Local Trust Committees and Island Municipalities

- 4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and preserve appropriate areas for agricultural land to support small-scale, sustainable, regenerative agriculture, while carefully considering downstream impacts, wildlife habitat, and adjacent properties. (4.1.3, 4.1.4, 4.1.6)
- 4.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and construction of roads and utility corridors to minimize fragmentation of agricultural lands. (4.1.7 simplified)
- 4.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, encourage sustainable farming and consider land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land. (4.1.5, 4.1.8)

Coordination Policies for Trust Council

- 4.4.6 Trust Council shall coordinate with, and advocate to, the provincial government to ensure:
- that where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land; (4.1.10)
 - that farming in the Agricultural Land Reserve in the Trust Area does not adversely impact Indigenous food security and traditional harvesting practices, cultural heritage, or the environmental integrity of protected area networks in the Trust Area; (new)
 - that legislation, guidelines, and incentives are established to support local farmers in adopting the highest standards of environmental protection of ecosystems, wildlife habitats, and native species diversity, in accordance with the Islands Trust Object; (new)
 - that support is given to small-scale sustainable farmers to reduce greenhouse gas emissions emanating from agriculture and adapt to climate variability in the Trust Area; (new)
 - that a separate farm class to provide property tax incentives be retained; (4.1.12)
 - that the threshold for farm income necessary for farm class status is appropriate to the small scale of sustainable agriculture within the Trust Area; and (4.1.12)
 - that the total land area subject to the farm class may include land that is left uncultivated to protect environmental integrity. (4.1.12)

4.5 Soil and Mineral Stewardship Policies

Commitments of Trust Council

- 4.5.1 It is Trust Council's policy that the preservation and protection of healthy and productive soils is integral to the environmental integrity, food security, and carbon capture and storage capacity of the Trust Area. (new)
- 4.5.2 It is Trust Council's policy that there should be no extraction of peat, metals, minerals, or petroleum resources in the Trust Area. (4.6.1)
- 4.5.3 It is Trust Council's policy that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area. (4.6.2)
- 4.5.4 It is Trust Council's policy that there should be no removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.5.5 Local trust committees and island municipalities shall, in their regulatory bylaws related to soil removal and deposit, include policies that foster the preservation, protection, and restoration of productive soils in the Trust Area. (4.6.3)
- 4.5.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

Commented [DH48]: New directive since draft 1.0 (turned 4.5.4 into directive)

4.6 Coastal and Marine Stewardship Policies

Commitments of Trust Council

- 4.6.1 Trust Council commits to take a precautionary approach to the stewardship of coastal and marine ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.6.2 It is Trust Council's policy that coastal and marine food harvesting and aquaculture in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new/4.5.1)
- 4.6.3 It is Trust Council's policy that development, activity, buildings, or structures should not result in a loss of marine or coastal habitat, restrict public access to, from or along the marine shoreline, or interfere with natural coastal processes. (4.5.3, 4.5.4)
- 4.6.4 It is Trust Council's policy that development should be directed to sites away from: (4.5.5)
- areas of environmental sensitivity, including eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands;
 - areas of naturally occurring stocks of clams or oysters; and
 - First Nations' traditional harvesting areas, middens, and other archaeologically significant resources.
- 4.6.5 It is Trust Council's policy that aquaculture should be directed to sites away from: (4.5.6)
- areas of recreational significance;
 - areas where an aquaculture operation would conflict with established or designated upland land uses; and
 - areas where an aquaculture operation would conflict with marine or freshwater protection
 - areas where an aquaculture operation would conflict with established or designated anchorage or moorage.
- 4.6.6 It is Trust Council's policy that aquaculture related development, activity, buildings, or structures should not result in site alteration including, but not limited to, substrate modification or the use of metal pipes or plates. (4.5.7)
- 4.6.7 It is Trust Council's policy that the following restrictions are necessary in order to preserve and protect the sensitive coastal and marine waters of the Trust Area:
- finfish farms should not be permitted; (4.5.2)
 - artificial reefs should not be developed, except where they provide significant environmental benefit;⁷ (3.4.3)
 - ocean dumping should not be permitted; (new)
 - seawalls and other hard shoreline armouring should not be developed; (new)
 - moorage and anchorage sites in eelgrass meadows should not be permitted; (new)
 - private docks should be limited to boat access only properties; (new)
 - freighter anchorage sites in the Trust Area should be eliminated; and (new)
 - oil tankers should not be permitted to transit through Trust Area waters. (new)

Commented [DH49]: Added food security

Commented [DH50]: List expanded since draft 1.0

Commented [DH51]: "except where they provide significant environmental benefit" added

Commented [DH52]: Addition of ocean dumping

⁷ Interpretive Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.

Directive Policies for Local Trust Committees and Island Municipalities

- 4.6.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations for marine dependent land uses and means to prevent further loss or degradation of coastal and marine ecosystems in their planning area. (3.4.4, 4.5.8)
- 4.6.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies that preserve, protect, and support the restoration of eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands, acknowledging their multifaceted roles in supporting carbon capture and storage, soft shoreline protection, and the provision of habitats and spawning areas for coastal and marine aquatic species. (new)
- 4.6.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location of buildings and structures such that they do not: (4.5.5, 4.5.10)
- adversely impact sensitive coastal and marine ecosystems, naturally occurring stocks of shellfish, eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, coastal wetlands, middens, or archaeological sites;
 - interfere with natural coastal processes;
 - restrict First Nations' access to traditional coastal and marine harvesting sites;
 - restrict public access to, from, or along the marine shoreline
- 4.6.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and operation of commercial aquaculture tenures away from:
- areas of cultural, spiritual, archaeological, or recreational significance;
 - areas where an aquaculture operation would conflict with established or designated upland land uses, anchorages or moorages. (new, based on 4.5.6)
- 4.6.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location, size, and nature of marinas such that they do not compromise the environmental integrity of the coastal and marine environment, Indigenous cultural heritage, or community character in their planning area. (4.5.9)
- 4.6.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boathouses, boardwalks, and causeways. (4.5.11)
- 4.6.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit private docks except where properties are boat-access only. (new)
- 4.6.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, consider the current and anticipated impacts of sea level rise and determine shoreline buffers and setbacks accordingly. (new)
- 4.6.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the use of seawalls and other hard shoreline armouring in the Trust Area and include policies that foster soft shoreline protection. (new)

Commented [DH53]: List expanded since draft 1.0

Coordination Policies for Trust Council

4.6.17 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- establish a network of protected coastal and marine areas and implement statutes and guidelines for sustainable coastal zone management (3.4.2)
- adopt legislation establishing sustainable aquaculture practices that protect environmental integrity and First Nations rights to traditional shellfish harvesting in the Salish Sea; (new)
- develop existing and new programs such as “harvest refugia”, which protect and enhance the populations of native marine species of the Trust Area; (3.4.6)
- research the impacts of the introduction of new marine species into the coastal and marine waters of the Trust Area before such species are introduced; (3.4.7)
- prohibit finfish farms in the marine waters of the Trust Area; (4.5.2)
- prohibit the development of artificial reefs in the Trust Area⁷. (3.4.3)

4.6.18 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- develop legislation to regulate sewage discharge from shoreline areas and boats; and (3.4.8)
- support the removal of abandoned and derelict vessels, plastics, ghost fishing gear, and other marine debris from the coastal and marine waters of the Trust Area; (new)
- eliminate and prohibit the use of commercial freighter anchorage sites in the Trust Area, acknowledging the multiple adverse impacts this practice incurs on the sensitive coastal and marine ecosystems, environmental integrity, and carbon capture and storage potential in the Trust Area; and (new)
- prohibit oil tankers from transiting through the coastal and marine waters of the Trust Area. (new)
- develop effective oil spill prevention, preparedness, and geographic response plans for the Trust Area, acknowledging the unique risks and vulnerabilities of the Salish Sea. (new)

Commented [DH54]: New addition of oil spill response plans etc. since draft 1.0

PART 5: HERITAGE PRESERVATION AND PROTECTION (new)

Commented [DH55]: No changes to Part 5 preamble since draft 1.0

GOAL: To Preserve and Protect Natural, Cultural, and Community Heritage in the Trust Area

CONTEXT:

The Islands Trust Area is a place of exceptional cultural heritage and has been home to the BOKEĆEN, K'ómoks, Lək ʷəŋən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səliiwətaʔt, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SʔÁUTW, Stz'uminus, ʔəʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláltxw, Xwémalhkwx/ʔop qaymıxʷ, and xʷməθkʷəyəm Peoples since time immemorial. The relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area.

Heritage Preservation: Trust Council recognizes heritage as a 'unique amenity' of the Trust Area that is to be preserved and protected under the Islands Trust Object. In this context, heritage includes places, objects, knowledge, artistic expressions, or events that are of historical, cultural, aesthetic, educational, or scientific significance. In the Trust Area, heritage preservation includes the Indigenous cultural heritage of First Nations who have called these lands and waters home since time immemorial, in addition to the extraordinary natural landscapes and community heritage buildings on each island.

Indigenous Cultural Heritage: Indigenous cultural heritage in the Trust Area includes, but is not limited to, areas utilized and occupied by Indigenous Peoples such as village sites, cultural and spiritual areas, known and unknown archaeological areas, objects and artifacts, culturally modified trees, cultivation areas, harvesting areas on land and marine foreshores, fish weirs and clam gardens, medicinal plants and culturally significant species and landmarks. Indigenous cultural heritage also includes ancestral loved ones' resting places, trees used for burial boxes, cairns, caves used for cultural purposes, petroglyphs and pictographs, and place names. First Nations have an inherent right to identify their own cultural heritage, interpret its meaning, and safeguard its value. This inherent right exists outside of the colonial frameworks that have traditionally regulated and defined heritage.

Community Heritage:

Community heritage in the Trust Area can include buildings, settlement areas, places, objects, artistic expressions, or events identified by the community as having heritage character or heritage value to the community, to be protected for future generations.

Natural Heritage:

Natural heritage in the Trust Area is understood to include natural features, geological and physiographical formations, and delineated natural areas which are of outstanding universal value from an aesthetic, conservation, or scientific perspective.

5.1 Heritage Preservation and Protection Policies

Commitments of Trust Council

- 5.1.1 It is Trust Council's policy that the preservation, protection, and restoration of natural, cultural, and community heritage in the Trust Area is essential to the Islands Trust Object and must be guided by meaningful, respectful, and culturally sensitive engagement with First Nations. (5.6.1)
- 5.1.2 It is Trust Council's policy that local and regional planning decisions should not incur adverse impacts to the natural heritage, Indigenous cultural heritage, or community heritage in the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of natural heritage sites in their planning area. (new)
- 5.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of Indigenous cultural heritage in their planning area in cooperation with First Nations and other government agencies. (5.6.3)
- 5.1.5 Local trust committees and island municipalities shall, in their Official Community Plans and regulatory bylaws, identify, preserve, protect, and support the restoration of local community heritage in their planning area. (5.6.2)

Coordination Policies for Trust Council

- 5.1.6 Trust Council shall engage with First Nations, First Nation organizations and societies, Indigenous Knowledge Holders, other government agencies, non-governmental organizations, and Trust Area communities to seek the best available archaeological inventory data, Indigenous Knowledge, and cultural knowledge regarding natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.7 Trust Council shall engage with, and advocate to, other government agencies, non-governmental organizations, property owners, residents, and visitors with educational materials and tools to help preserve and protect natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.8 Trust Council shall encourage other government agencies, non-governmental organizations, property owners and residents to protect natural, cultural, and community heritage in the Trust Area through tax incentive programs, voluntary donations, acquisitions, conservation covenants and careful management. (new)

Commented [DH56]: "local" changed to "cultural"

PART 6: SUSTAINABLE AND RESILIENT COMMUNITIES

Commented [DH57]: This preamble section has been updated since draft 1.0

GOAL: To Foster Sustainable and Resilient Communities in the Trust Area

CONTEXT:

Sustainability and Resilience: Sustainable and resilient communities can be understood to be communities that are able to meet their own needs and adapt to new environmental, social, and economic pressures without compromising the integrity of the environment or the ability of future generations to meet their own needs. Resilience, in this context, refers to the capacity of communities to continue to function in the face of external stressors such as climate change, while also learning to adapt, reorganize and evolve into new modes of sustainability. With responsible stewardship and sustainable, regenerative use, ecosystems will be better able to support Trust Area communities in a myriad of ways, including through the provision of clean drinking water, natural processes of carbon capture and storage, nature-based mitigation of climate impacts to the built environment, the safeguarding of local and Indigenous food security and harvesting, as well as the many health benefits of nature connection.

Rural Island Planning: Islands within the Trust Area are rural and contrast markedly with surrounding urban areas, as do their respective resident communities. Traditional land use planning approaches are often ill-suited or insufficient in addressing the unique strengths, vulnerabilities, and water supply constraints of island ecosystems, or the higher standards of preservation and protection mandated by the Islands Trust Object. In the face of accelerating climate and biodiversity crises, business as usual is no longer viable. Trust Area communities play a critical role in the stewardship of the islands and must collectively and equitably work towards place-based, multigenerational, and integrated solutions to sustainability. This involves collective commitments to reduce greenhouse gas emissions, foster new low-carbon ways of living, reduce individual and community ecological footprints, and support those most vulnerable to adapt to the impacts of climate change. Trust Council also recognizes that new development models must be established to transition to more compact, energy efficient, and appropriately situated development that is carefully planned and managed to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage, now and into the future.

Affordable Housing: The Trust Area is facing an acute shortage of diverse and affordable housing options needed to support the long-term sustainability and resilience of Trust Area communities. The Canada Housing and Mortgage Corporation considers housing to be 'affordable' when it costs less than 30% of before-tax household income. Housing is not affordable when it costs so much that individuals and families have trouble paying for other necessities such as food, health and transportation. For renters, shelter costs include rent and any payments for electricity, fuel, water and other municipal services. For owners, shelter costs include mortgage payments (principal and interest), property taxes, and any condominium fees, along with payments for electricity, fuel, water and other municipal services. In the Trust Area, factors such as rising real estate prices and building costs, an increase in short-term rentals paired with a growing lack of long-term rentals, changing demographics, and increasing numbers of people wanting to move to the islands, are all significantly affecting the availability, affordability, and suitability of housing options across the Trust Area. An increasing percentage of island workers are thus forced to commute from off-island locations. Seniors are finding it challenging to age in place. Socio-economic disparities are widening. In this context, Trust Council acknowledges the need for multijurisdictional and integrated approaches to address these community housing needs in a manner that is appropriate to the Trust Area and its unique amenities and environment.

Commented [DH58]: CMHC definition of affordable housing added here

6.1 Rural Island Planning Policies

Commitments of Trust Council

- 6.1.1 It is Trust Council's policy that the rural characteristics of islands in the Trust Area, including the scenic value of rural landscapes, opportunities for nature connection, and low levels of noise and light pollution, are unique amenities that are to be preserved and protected in accordance with the Islands Trust Object. (5.1.1-5.1.3)
- 6.1.2 It is Trust Council's policy that all development in the Trust Area, of any scale or for any purpose, should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)
- 6.1.3 It is Trust Council's policy that growth, development, and economic opportunities in the Trust Area should be small scale, sustainable, climate resilient, compatible with community character, and in alignment with the Islands Trust Object. (5.2.1, 5.7.1)
- 6.1.4 Trust Council shall strive to identify, monitor, and address the impacts of climate change on Trust Area communities through climate vulnerability assessments, adaptive management approaches, and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 6.1.5 It is Trust Council's policy that recreational activities, trails, and active transportation networks in the Trust Area should be small scale, appropriately located, and sustainable, and should safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.5.1)
- 6.1.6 It is Trust Council's policy that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to, and should not be located in, the Trust Area. (5.5.2)
- 6.1.7 It is Trust Council's policy that there should be public access, on each major island in the Trust Area, to beaches and areas of recreational significance, while not compromising Indigenous cultural heritage or First Nations access to coastal and marine harvesting areas, or the environmental integrity of terrestrial and aquatic ecosystems. (5.5.5)

Commented [DH59]: ...copied from housing section and broadened to all development

Commented [DH60]: Refined and added back "compatible with community character" (from original Policy Statement)

Commented [DH61]: Added nature-based solutions

Commented [DH62]: Added "appropriately located"

Directive Policies for Local Trust Committees and Island Municipalities

- 6.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that growth and development, of any scale or for any purpose, is compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)
- 6.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the protection of tree cover, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area. (5.1.3, 5.2.2)
- 6.1.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies related to the aesthetic, environmental, and social impacts of development. (5.2.3)

Commented [DH63]: Refined/moved here from 6.2 as it is broader than housing

Commented [DH64]: Removed 'views' from this list as this often entails tree-cutting on private lots

- 6.1.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources, and community character. (5.2.4)
- 6.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, establish appropriate density limits for efficient and sustainable use of the land base that help to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.2.5)
- 6.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards. (5.2.6)
- 6.1.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations, types, and safe public access to:
- recreational facilities;
 - bicycle, pedestrian, and equestrian trail systems; and
 - community marinas, boat launches, docks, and anchorages that are small scale, sustainable, and that do not compromise the integrity of protected areas, terrestrial and aquatic ecosystems, Indigenous cultural heritage, or Indigenous access to coastal and marine harvesting areas. (5.5.4-5.5.7)
- 6.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit destination gaming facilities such as casinos and commercial bingo halls. (5.5.3)
- 6.1.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing economic opportunities that are compatible with sustainability and protection of community character. (5.7.2)
- 6.1.17 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing their community's long-term needs for educational, institutional, community, and health-related facilities and services, as well as cultural and recreational facilities and services. (5.8.6)
- 6.1.18 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce the climate vulnerability of communities, including nature-based solutions and actions that prioritize:
- protection of the carbon capture and storage capacity of natural areas;
 - low-carbon housing, buildings, transportation, and agriculture;
 - preservation, protection, and restoration of biodiversity;
 - freshwater sustainability;
 - soft shoreline and foreshore protections; and
 - wildfire risk mitigation (new)

Commented [DH65]: Changed from "shall...strive for efficient and sustainable use of the land base without exceeding density limits defined in their official community plans"

Commented [DH66]: Added nature-based solutions

Commented [DH67]: Added "soft"

Coordination Policies for Trust Council

- 6.1.19 Trust Council shall coordinate with, and advocate to, regional districts, improvement districts, and provincial and federal government agencies to adapt their policies and support systems to safeguard the rural island character, sustainability, and resilience of Trust Area communities, in accordance with the Islands Trust Object. (new)
- 6.1.20 Trust Council shall coordinate with, and advocate to, government agencies, non-governmental organizations, communities, property owners, residents, and visitors to help develop and adopt climate mitigation and adaptation strategies, action plans, and measures that are appropriate to the unique strengths and vulnerabilities of rural islands in the Trust Area. (new)
- 6.1.21 Trust Council shall advocate to provincial government agencies to work with local communities through public consultation processes to evaluate and modify road construction and road system proposals to encompass the environmental, economic, and social values of the community. (5.3.9)
- 6.1.22 Trust Council shall advocate to property owners, residents, and visitors to reduce the burning of wood and fossil fuels by adopting sustainable alternative technologies. (5.1.4)
- 6.1.23 Trust Council shall advocate to government agencies, non-governmental agencies, property owners, residents, and visitors to use renewable sources of energy within the Trust Area. (5.8.8)

Commented [DH68]: Added "communities"

6.2 Housing Policies

Commented [DH69]: This entire section has been slightly refined since draft 1.0

Commitments of Trust Council

- 6.2.1 It is Trust Council's policy that all housing in the Trust Area should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area.
- 6.2.2 It is Trust Council's policy that community sustainability and resilience are supported by the availability of diverse and affordable housing that cater to a range of age groups and income levels. (5.8.6)
- 6.2.3 Trust Council commits to foster a strategic, multijurisdictional, equitable, and integrated approach to addressing the diverse housing needs of Trust Area communities, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing.

Commented [DH70]: New commitment added

Directive Policies for Local Trust Committees and Island Municipalities

- 6.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to address housing needs in their planning area by identifying appropriate locations where density increases could support safe, secure, and affordable housing, while safeguarding protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. (new)
- 6.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and assess the impacts of short-term rentals of dwellings on the availability of safe, secure, and affordable housing in their planning area and, where necessary, regulate and limit the number of short-term rentals accordingly. (new)
- 6.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate floor area and lot coverage limits for residential development in their planning area, in order to effectively minimize greenhouse gas emissions, cumulative effects, biodiversity loss, climate vulnerability, and destruction of Indigenous cultural heritage. (new)

Commented [DH71]: Refinements: added "in their planning area" and replaced "affordable housing developments" with just "affordable housing"

Commented [DH72]: Replaced "residential dwellings" with just "dwellings"

Commented [DH73]: Replaced "new residential development" with just "residential development"

Coordination Policies for Trust Council

- 6.2.7 Trust Council shall coordinate with, and advocate to, other government agencies, non-governmental organizations, and Trust Area communities, to foster safe, secure, and affordable housing in the Trust Area, in alignment within the Islands Trust Object, and respectful of the integrity of the environment and Indigenous cultural heritage in the Trust Area. (new)
- 6.2.8 Trust Council shall advocate to other government agencies, non-governmental organizations, and property owners to foster safe, secure, and affordable housing for Indigenous Peoples in the Trust Area, in alignment with the Islands Trust Object and respectful of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)

Commented [DH74]: Changed "property owners" to "Trust Area communities"

6.3 Transportation Policies

Commitments of Trust Council

- 6.3.1 It is Trust Council's policy that community sustainability and resilience are supported by appropriately situated public and active transportation networks that serve to reduce greenhouse gas emissions, support electric vehicles and electric bicycles, and promote health and well-being. (new)
- 6.3.2 It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel⁸. (5.3.2)
- 6.3.3 It is Trust Council's policy that local trust committees and island municipalities should be consulted and involved in decision-making related to the provision of transportation and ferry services, utilities, or facilities that may affect the sustainability and resilience of communities in their planning areas. (5.3.1)

Commented [DH75]: Added "support electric vehicles and electric bicycles"

Directive Policies for Local Trust Committees and Island Municipalities

- 6.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, foster the establishment of appropriately situated public and active transportation networks, including but not limited to bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use and support a transition to electric vehicle and electric bicycles. (5.3.7)
- 6.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that road location, design, construction, and systems do not adversely impact the integrity of protected area networks, contiguous forests, watershed ecosystems, freshwater networks, groundwater recharge areas, agricultural lands, coastal and marine areas, or Indigenous cultural heritage in the Trust Area. (5.3.5)
- 6.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, develop a classification system of rural roadways, including scenic or heritage road designations, in recognition of the Islands Trust Object. (5.3.4)
- 6.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate areas for the landing of emergency helicopters. (5.3.6)

Commented [DH76]: Added "support a transition to electric vehicles and electric bicycles"

Coordination Policies for Trust Council

- 6.3.8 Trust Council shall advocate to provincial and federal agencies to ensure safe shipment of materials that are hazardous to the environment. (5.3.8)
- 6.3.9 Trust Council shall advocate to provincial government agencies to work together with local communities through public consultation processes to evaluate and modify road construction, road system proposals, and active transportation networks to address the environmental, economic, and social values of communities in the Trust Area. (5.3.9)
- 6.3.10 Trust Council shall advocate to provincial government agencies in support of the electrification of ferries in the Trust Area. (new)

⁸ ...with the sole exception of the existing bridge between North and South Pender Islands

6.4 Waste Disposal Policies

Commitments of Trust Council

- 6.4.1 It is Trust Council's policy that it is acceptable for waste originating in the Trust Area to be safely disposed of within the Trust Area. (5.4.1)
- 6.4.2 It is Trust Council's policy that:
- neither hazardous nor industrial waste should be disposed of in the Trust Area;
 - local recycling operations should be established; and
 - local programs for chipping of wood waste and disposal of hazardous wastes should be established. (5.4.2)
- 6.4.3 It is Trust Council's policy that there should be minimal burning of solid waste in the Trust Area. (5.4.3)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify acceptable locations for the disposal of solid waste. (5.4.4)

Coordination Policies for Trust Council

- 6.4.5 Trust Council shall coordinate with, and advocate to, government agencies, corporations, property owners, and residents to contribute to the reduction of greenhouse gas emissions by reducing waste, and to use innovative technologies and safe alternatives for disposal of sewage effluent. (5.4.5)



Islands Trust

ISLANDS TRUST

POLICY STATEMENT

Commented [DH1]: This annotated version of the 2003 Policy Statement highlights policies that have been significantly moved or excluded in the new draft Policy Statement. Policies or sections that have been removed/excluded have been highlighted in yellow in the comments below. Other amendments/updates to the transferred text and new additions are highlighted in the new document.

CONSOLIDATED - APRIL, 2003

ISLANDS TRUST COUNCIL

BYLAW NO. 17

**AS AMENDED BY ISLANDS TRUST COUNCIL
BYLAW NOS. 42, 48, 53 AND 87**

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

Commented [DH2]: Due to the number of amendments required, the new Policy Statement will be an entirely new Bylaw No. 183 (not a series of amendments to the former Policy Statement)

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

<u>Bylaw No.</u>	<u>Amendment No.</u>	<u>Adoption Date</u>
Bylaw No. 42	Amendment No. 1/96	November 4, 1996
Bylaw No. 48	Amendment No. 1/97	March 6, 1998
Bylaw No. 53	Amendment No. 1/98	December 4, 1998
Bylaw No. 87	Amendment No. 1/02	December 6, 2002

Commented [DH3]: The new Policy Statement will be a new Bylaw No. 183

ISLANDS TRUST COUNCIL

BYLAW NO. 17

A BYLAW TO ADOPT A POLICY STATEMENT FOR THE TRUST AREA

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act* S.B.C. 1989 c.68, enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as "The Islands Trust Policy Statement Bylaw, 1993".

APPLICATION

2. This Bylaw applies to the Trust Area, as defined in Schedule A of the *Islands Trust Act* S.B.C. 1989 c.68.

ORGANIZATION

3. Parts I, II, III, IV, and V and Schedule 1 of the "Islands Trust Policy Statement" attached to and forming part of the bylaw are hereby adopted as the trust policy statement pursuant to S.13(1) of the *Islands Trust Act*.

READINGS

READ A FIRST TIME THIS 31ST DAY OF OCTOBER, 1993

READ A SECOND TIME THIS 31ST DAY OF OCTOBER, 1993

READ A THIRD TIME THIS 31ST DAY OF OCTOBER, 1993

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS PURSUANT TO SECTION 13(2)(c) OF THE *ISLANDS TRUST ACT* THIS 9TH DAY OF JUNE, 1994

RECONSIDERED AND FINALLY ADOPTED THIS 11TH DAY OF JUNE, 1994

Gordon McIntosh
Secretary

Graeme Dinsdale
Chairperson

Commented [DH4]: The new Policy Statement will be a new Bylaw No. 183

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ISLANDS TRUST COUNCIL BYLAW NO. 17: A BYLAW TO ADOPT A POLICY STATEMENT FOR THE TRUST AREA

Commented [DH5]:

A new Table of Contents and slightly amended organizational structure to the new Policy Statement document strives for a more streamlined and efficiently categorized approach, with new sections devoted to Heritage and Housing. Significant changes include:

- Introduction sections now included as Part 1 of the bylaw
- Moved 'The Islands Trust Object and its Meaning' to Part 1 'Introduction'
- New Part 3 on 'Regional Governance' including former 'Guiding Principles for Trust Council'
- Consolidated Part 4 combining former Parts 3 'Ecosystem Preservation and Protection' and 4 'Stewardship of Resources'
- New Part 5 on 'Heritage Preservation and Protection'
- New Section 6.2 on Housing Policies

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INTRODUCTION

HISTORY AND CONTEXT

History of the Trust Area

The “Trust Area” encompasses, generally, the islands and waters between the Mainland and British Columbia and Southern Vancouver Island, with the exception of lands and waters within adjacent municipal boundaries and boundaries of Indian Reserves.

The Trust Area is a unique and special place -- a scenic archipelago of 13 major islands and more than 450 smaller islands. The Area is drier and warmer than most surrounding areas, and is rich in resources and cultural history. The Trust Area provides habitats for an exceptional variety of species: more than 200 types of migratory and resident birds, numerous species of fish and diverse marine and intertidal life, terrestrial wildlife and vegetation. Outstanding scenery and recreational resources include panoramic viewpoints, sheltered bays with warm sand or pebble beaches and protected marine waterways and anchorages that contribute to the Trust Areas beauty and appeal.

This unique combination of resources and amenities has attracted people to the Trust Area since the end of the Ice Age. Aboriginal peoples used the Area extensively for summer encampments and for fishing, hunting and berry-picking. Sunny valleys and suitable soils later supported homesteading and agriculture-related settlement. Eventually, the traditional activities of fishing and shellfish harvesting were supplemented by more extensive farming, logging, recreation-related activities and, most recently, increased residential settlement.

Surrounding areas have also attracted growing populations. By 1960s, 50 per cent of the total population of British Columbia resided in areas adjacent to the Trust Area. Pressure for residential development of islands in the Trust Area escalated. In 1969, when it became apparent that the Trust Area’s highly-valued environment could be irreversibly damaged by unrestrained residential development, the provincial government imposed a temporary freeze on subdivision of land until the island communities could adopt plans and regulations to control growth.

Establishment of the Islands Trust

The significance and sensitivity of the Trust Area, and the need for protective measures was internationally recognized more than 20 years ago. In 1973, an International Joint Commission proposed that the islands and waters adjacent to the British Columbia-Washington State border be protected as an international park in order to maintain water quality and to preserve and protect marine and land-based wildlife habitats and archaeological and historical sites.

At the same time, concerns were being raised at the provincial level. In 1972 an all-party special committee of the legislature was established to investigate the unique problems facing the Trust Area. The committee concluded that pressures arising from the Area’s proximity to major urban centres were damaging the very features that made the Trust Area so attractive to residents and visitors.

In response to these findings, the provincial government enacted the *Islands Trust Act* in 1974. The Act established the Islands Trust as a unique land-use planning agency, acting for residents of both the Trust Area and the province generally, and having a special conservation-oriented responsibility - to preserve and protect the Trust Area and its unique amenities and environment.

Commented [DH6]: Moved to 1.4 The Islands Trust Object and its Meaning and updated

Commented [DH7]: Removed inaccurate and offensive language related to the history of First Nations in the area.

Commented [DH8]: Moved to 1.2 Establishment of the Islands Trust

Increasing Pressure and Amendments to the *Islands Trust Act*

Pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by 60 per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the Act during this period, giving the Islands Trust community planning and land-use authority comparable to that of a regional district under the *Municipal Act*. Aware of the urgent need for plans to guide decisions on growth management and land-use, the Trust Area's island communities developed Official Community Plans. Pressure for residential development continued, however, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Trust Area. That review focused on public opinion of the Islands Trust and its role. The results showed overwhelming public support for both the Islands Trust and its object, and suggested ways in which the Trust and its legislation could be strengthened. In response, a redrafted *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the redrafted Act, the Islands Trust retained its original authority and its dual responsibility to both Trust Area residents and other British Columbians. The new legislation also amended the structure of the Islands Trust and greatly broadened its functions and responsibilities.¹ One of the most notable changes was the assignment of a regional-level planning function to the Islands Trust Council.

Commented [DH9]: Simplified and combined with 1.2 Establishment of the Islands Trust

Present Context

The Trust Area is situated in the heart of the Georgia Basin-Puget Sound bioregion. Sustainability of the region's physical environment, native species and quality of life are threatened by low-density urban sprawl and rapid population growth.² Approximately five million people presently live in the areas surrounding the Trust Area. Populations on the Lower Mainland, on Southern Vancouver Island and around Puget Sound are growing much more rapidly than in other regions of the United States and Canada.³ Projections indicate that if trends continue, the total population of the region will double in 25 years to over 10 million.

The Trust Area continues to experience extreme pressure from population growth and tourism. With a population increase of 26 per cent between 1986 and 1991, it is one of the fastest-growing areas in the Province and Canada. Increasing numbers of tourists are also travelling to and through the Trust Area. The number of passengers on the main ferry routes through the Area increased by 44 percent between 1986 and 1992, and by 37 per cent on routes to Trust Area islands. Most visitors come to islands during the summer months when demand for fresh water is highest and water supplies are lowest, placing pressure on limited water supplies.

Public and private concern continues for the long-term well-being of the Trust Area. Increasing numbers of people from the rapidly growing surrounding urban areas can be expected to be attracted to the Trust Area as a place of residence and recreation. Accelerating negative impacts accompanying development in the surrounding urban regions - pollution of air and marine waters, discharge of pulp mill effluent, disposal of waste, ocean dumping and spills associated with marine shipping - threaten the Trust Area's environment, amenities and fragile ecosystems.

Commented [DH10]: Updated and removed time sensitive statistics

Commented [DH11]: GENERAL AMENDMENTS: REMOVED ALL FOOTNOTES except where there was an exception to a policy to be noted. DEFINITIONS were moved to the preamble sections of each chapter for ease of reference and fuller interpretive context (and to comply with new directions around definitions in accordance with the *Declaration on the Rights of Indigenous Peoples Act*). TIME SPECIFIC REFERENCES were removed throughout the document.

¹ The present structure of the Islands Trust and the functions of its corporate bodies are described in a brochure available from the offices of the Islands Trust.

² 1993 report of the BC Round Table on the Environment and the Economy.

³ BC Round Table on the Environment and the Economy, Sustainability in the Georgia Basin/Puget Sound Region, 1992.

The Challenge

The Islands Trust today faces a major challenge. While populations, numbers of visitors and the demand for intensified use and residential development of the Trust Area can be expected to continue to grow, capacities of the Area's resources and systems are limited. Potential for conflict exists: conflict between short and long-term interests and between unlimited use of the Trust Area and ongoing stewardship.

To keep everything in the Trust Area exactly as it is today is impossible. Changes will occur. If the Area's environment and unique character are to be preserved and protected, priorities must be defined and management strategies established. The *Islands Trust Act* identifies the need for leadership in addressing this task and assigns this role to the Islands Trust. The policies of the Islands Trust established today and in the years ahead will be of fundamental importance to the well-being of this highly valued area.

Commented [DH12]: Updated and moved to Part 3 Regional Governance preamble sections

The Islands Trust Policy Statement

The Islands Trust Policy Statement has been developed in response to the need for preservation and protection of the Trust Area and its unique amenities and environment, to the need for leadership in achieving this objective, and to the legislated requirements of the *Islands Trust Act*. Goals and policies contained in the Policy Statement reflect values and concerns for the future of the Trust Area expressed by the public and Trust Council's belief that not only this generation, but also future generations, should have the continued opportunity to enjoy the environment and amenities of this very special place.

Commented [DH13]: Simplified and moved to 1.3 Present Context

ORGANIZATION OF THE ISLANDS TRUST POLICY STATEMENT

The Islands Trust Policy Statement is comprised of Islands Trust Council Bylaw No. 17, and Parts I to V and Schedule 1 of that Bylaw. The introduction is not part of the Islands Trust Policy Statement Bylaw, and is intended simply to provide some background related to the Trust Area, the Islands Trust and the context for development of the Policy Statement.

Part I of the document outlines the purpose of the Policy Statement and the means by which it will be implemented. The important roles of individuals, Trust Council, its Executive Committee, Trust Area communities and municipalities, the Islands Trust Fund Board, other government and non-government agencies, First Nations, property owners, residents and visitors, in implementation of the Policy Statement also clarified in Part I.

Part II of the document defines the Islands Trust's legislated object, provides an interpretation of that object, and identifies principles by which the Islands Trust will be guided in fulfillment of its object.

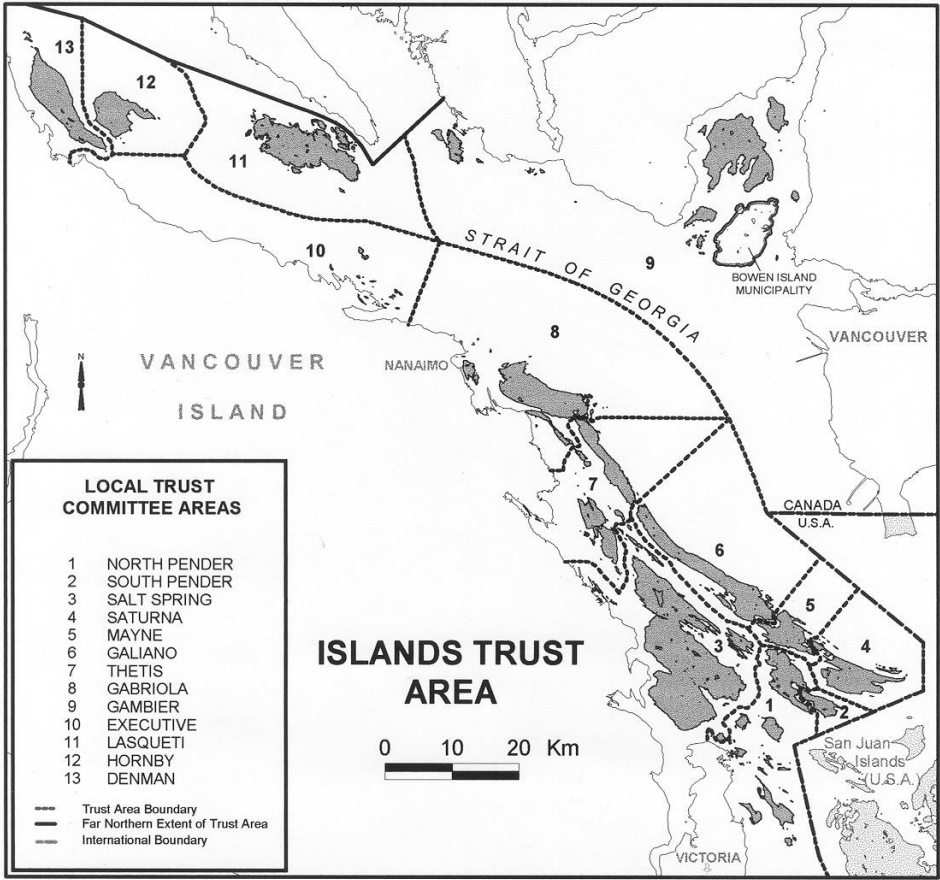
Parts III, IV, and V discuss Trust Council's vision for the future of the Trust Area in terms of goal and policies. Part III focuses on ecosystem preservation and protection, Part IV on stewardship of resources, and Part V on sustainable communities.

Schedule 1 provides definitions for some of the terms used in the document.

Commented [DH14]: REMOVED – extraneous; table of contents provides overview

LOCATION OF THE TRUST AREA

Commented [DH15]: Updated map to reflect 'Salish Sea' and clearer identification of local trust areas and island municipalities



PART I: PURPOSE AND IMPLEMENTATION OF THE TRUST POLICY STATEMENT

Commented [DH16]: See Part 2 of new draft Policy Statement

The purpose of the Policy Statement is to establish a vision for the future of the Islands Trust Area that reflects the values of residents of the Trust Area and of the Province generally. Achieving this vision depends on the actions of many stakeholders. The Policy Statement provides a general strategy for land use planning which translates the broad goals of the Province and the Islands Trust into specific actions to preserve¹ and protect² the Trust Area.

The Policy Statement clarifies the positions and policies of the Islands Trust and provides guidance for the formulation of bylaws, plans and policies. It is a document to be utilized by local trust committees and island municipalities when they are formulating local bylaws, by the Executive Committee of Trust Council when it is reviewing plans and bylaws of local trust committees and island municipalities, and by the Province and other agencies when they are reviewing their own plans and policies for compatibility with those of the Islands Trust.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

ROLES AND RESPONSIBILITIES

The Islands Trust Council cannot effectively implement the Policy Statement without the support of all stakeholders. Assistance, cooperation and collaboration are required from local trust committees, island municipalities, the Trust Fund Board, the Provincial Government, other government agencies, non-government organizations, communities, First Nations, property owners, residents and visitors. In the spirit of the legislated object of the Islands Trust, it is expected that all corporate entities of the Islands Trust will consult with other agencies on matters involving potential conflict between the legislated object of the Trust and the legislated mandate of other agencies.

Role of the Minister of Community Services

The Minister approves the bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust approves a bylaw that has been submitted to them. And the Minister and Ministry staff can facilitate communication between the Islands Trust and other government agencies on policy matters.

¹ Preserve - to maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

² Protect - to maintain over the long-term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.

Role of the Islands Trust Council

The *Islands Trust Act* assigns to the Islands Trust Council the responsibility for development and adoption of the Trust Policy Statement. Recognizing the varying roles and responsibilities of the many stakeholders and its own jurisdiction, Trust Council has included three types of policies in the Policy Statement bylaw:

a) Commitments of Trust Council

These policies state the position or philosophy of Trust Council on various matters. For this category of policy, several introductory phrases are used, for example, "Trust Council holds that", "It is the position of Trust Council that", and "It is Trust Council's policy that"

b) Policies that Direct Local Trust Committees and Island Municipalities

These policies direct local trust committees and island municipalities to address³ certain matters in their official community plans and regulatory bylaws. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy. Directive policies commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address"

c) Recommendations to Other Government Agencies, Non-Government Organizations, Property Owners, Residents and Visitors

These policies serve as recommendations from Trust Council to government agencies, non-government organizations, property owners, residents and visitors regarding decisions or actions that they might undertake in support of the Policy Statement and the Islands Trust object, and specify principles of guidance for protocol agreements between the Trust and other agencies. These policies begin with the phrase "Trust Council encourages"

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. **Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.**

Commented [DH17]: REMOVED: The term "address" was removed/edited throughout the document such that the specific intent of each policy and directive verbs could be more clearly expressed (without changing the intent or prescriptiveness of the policy). Note definition of 'address' in footnote below.

Commented [DH18]: Updated to "Coordination Policies for Trust Council" to reflect Trust Council's jurisdictional powers (as noted in Sections 8 and 9 of the *Islands Trust Act*) related to coordination, advocacy, and making recommendations to the Province. More directive verbs used for emphasis.

³ Address - direct attention to matters in a way that implements the policy of Trust Council.

Role of the Executive Committee

The Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by the Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" a directive policy. If there is no official community plan in place for an island municipality, then the Executive Committee is required to review all bylaws of the municipality, and no bylaw that is contrary to a directive policy in the Policy Statement can be approved.

The Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Trust Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws. While directive policies identify matters that must be addressed in official community plans and regulatory bylaws, such policies do not stipulate the specific policies and regulations to be included because the social and environmental characteristics of the islands vary. However, where a certain policy requires a local trust committee to address a particular matter, the official community plan must contain policies that implement the policy stated by Trust Council or the plan must set out explicitly the reasons and justifications for local policies that do not do so. Each local trust committee works with its island community to develop policies and regulations to suit local needs, while still supporting the Islands Trust object and the Policy Statement. Local trust committees are not required to comply with any policy in the Policy Statement not stated as a directive policy.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires a municipality to address a particular matter, the official community plan must contain policies that implement the policy stated by Trust Council unless the municipality sets out explicitly in the plan the reasons and justifications for local policies that do not do so.

Role of the Islands Trust Fund Board

The *Islands Trust Act* assigns the Islands Trust object to the Trust Fund Board, as well as to Trust Council and the local trust committees. Although the Board does not take direction from Trust Council, it can support the policies of the Policy Statement through, for example, the acceptance of voluntary donations of property and covenants, the purchase of lands and through education and communication initiatives.

Role of Other Government and Non-Government Organizations

Government agencies and non-government organizations can contribute greatly to the preservation and protection of the environment and amenities of the Trust Area through cooperative actions based on the Policy Statement. Cooperative actions such as protocols and mutually supportive strategies and action plans are necessary for the sustainability of the Trust Area.

Role of First Nations

First Nations consider the Trust Area to be within their traditional territory. As such, they may have rights to and interests in the Trust Area. Proposed regulations that may affect aboriginal rights will be preceded by meaningful consultation and negotiation of conflicts with known claims.

Role of Property Owners, Residents and Visitors

The assistance and cooperation of property owners, residents and visitors is vital to the preservation and protection of the environment and amenities of the Trust Area and the implementation of the Policy Statement. Individuals have the opportunity to participate in local planning and to work with other members of the community and the trustees to develop official community plans and bylaws that address local needs and support the object of the Islands Trust.

AMENDMENTS AND REVIEW

The Policy Statement bylaw may be amended by the Islands Trust Council with the approval of the Minister of Community Services. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by the Executive Committee and brought forward for the consideration of Trust Council.

The Islands Trust Council may, from time to time, initiate a public review of the entire Policy Statement.

PART II: THE ISLANDS TRUST'S OBJECT AND GUIDING PRINCIPLES

THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* provides the following definition of the purpose of the Islands Trust, which is referred to in the legislation as its “object”:

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“The object of the Trust 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, other persons and organizations and the government of British Columbia.”

The Islands Trust has responsibility for conservation⁴ through land use planning and regulation and for leadership in stewardship — that is, voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area. It is in this context that the word “stewardship” is used within this document. The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.

The *Islands Trust Act* provides special legislation for preservation and protection of the Georgia Strait-Howe Sound geographic area and creates a conservation-oriented agency to work towards this objective. The object establishes the value of the Trust Area by identifying the need for preservation and protection of the Area. The following sections provide a fuller explanation of the key phrases in the legislated object of the Trust.

“... to preserve and protect the Trust Area and its unique amenities and environment...”

The area of jurisdiction of the Islands Trust is established by Schedule A of the *Islands Trust Act*. The Trust Area is valued and is unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.

“... for the benefit of the residents of the Trust Area and of British Columbia generally ...”

The Islands Trust is responsible to the present and future residents of both the Trust Area and the Province of British Columbia. Their needs can only be met and sustained within the limitations of the natural environment and the island communities of the Trust Area. A balance must be established between the needs of all stakeholders.

“... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of the Province ...”

To achieve its object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations and individuals to

⁴ Conservation - actions, legislation or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or area of human heritage value or character.

ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems⁵ and island communities.

Commented [DH19]: Moved section on "The Islands Trust Object and its Meaning" to 1.4 and updated

GUIDING PRINCIPLES

The following principles, derived from the Islands Trust object and from input received from the public during public forums, will guide Trust Council in its day-to-day planning and decision-making.

- * The primary responsibility of the Islands Trust Council is to provide leadership for the preservation, protection and stewardship of the amenities, environment and resources of the Trust Area.
- * When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment and amenities in the Trust Area.
- * Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard.
- * Trust Council believes that to achieve the Islands Trust object, the rate and scale of growth and development in the Trust Area must be carefully managed and may require limitation.
- * Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area.
- * Trust Council will implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council will report to Council on progress in achieving the goals of the Policy Statement.

Commented [DH20]: Moved to new Part 3: Regional Governance and turned into Regional Governance Policies – i.e. Commitments of Trust Council and some Directive Policies for local trust committees and island municipalities – to give prominence to these regional governance approaches that are critical to the Islands Trust Object.

⁵ Ecosystem - complexes of living organisms interacting with the non-living environment that sustains them. All ecosystems have three fundamentals: composition, structure and function. The composition of ecosystems is defined as an inventory of the living components including humans. The structure of an ecosystem is the physical arrangement of its living and non-living components. Function refers to the exchanges and flows of energy, material or information within and among the living and non-living components of an ecosystem.

PART III: ECOSYSTEM PRESERVATION AND PROTECTION

Commented [DH21]: COMBINED PARTS III and IV; Feedback from engagement processes and TPC working groups to reframe notion of "natural resources" to more integrated ecosystem stewardship.

GOAL: TO FOSTER PRESERVATION AND PROTECTION OF THE TRUST AREA'S ECOSYSTEMS

As humans occupy and modify the Trust Area, ecosystems are subject to various pressures. Protection of these ecosystems is essential if they are to remain healthy and productive for the benefit of future generations.

The principle of sustainability⁶ must be upheld. Protective measures are varied and can include actions ranging from preservation of natural areas⁷ in the form of parks and ecological reserves, to increasing public awareness and understanding of the need for sustainable use⁸ and stewardship⁹ by all landowners.

The task of protecting the Trust Area is particularly challenging because ecosystems do not stop at political boundaries. Cooperative management programs are required to coordinate the actions of all stakeholders. Government, property owners, residents and visitors share responsibility for the preservation and protection of the Trust Area ecosystems.

POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

3.1 Ecosystems

Commitments of Trust Council

3.1.1 Trust Council holds that:

- proactive land use planning is essential for the protection of Trust Area ecosystems,
- protection must be given to the natural processes, habitats¹⁰ and species¹¹ of the Trust Area, including those of the old forests, Coastal Douglas-fir forests, Coastal Western Hemlock, Garry Oak/Arbutus forests, wetlands¹², open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors¹³, lagoons, and kelp and eel grass beds, and

⁶ Sustainable - capable of being maintained indefinitely; capable of meeting the environmental, economic and social needs of current generations without compromising the ability of future generations to meet their needs.

⁷ Natural Areas - areas that have experienced minimal modification by humans.

⁸ Sustainable Use - use of renewable resources which is within the capability of those resources for renewal and which conserves the ecological processes that support the use.

⁹ Stewardship - voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area.

¹⁰ Habitat - the place or situation in which a human, animal or plant lives.

¹¹ Trust Area Species - species native to the Trust Area, dependent on the Trust Area for all or part of their life cycle, or using the Trust Area seasonally or for migratory purposes.

¹² Wetland - land that has the water table at, near, or above the land's surface or which is saturated for a long enough period to promote aquatic processes.

¹³ Drift Sector - an integrated and independently operating beach system or erosion-transportation-accretion operating along the coastline.

- planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area species and habitats.

3.1.2 It is Trust Council's policy to work towards the establishment of a network of protected areas that preserves representative ecosystems in their natural state and in sufficient size and distribution to sustain their ecological¹⁴ integrity.

Directive Policies

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.

3.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.

Recommendations

3.1.6 Trust Council encourages all government agencies and non-government organizations to consider both monetary and non-monetary costs when making resource management and land use decisions.

3.1.7 Trust Council encourages the Provincial government and the government of Washington State to proceed with their proposal for a joint environmental monitoring system for the Georgia Basin Region.

3.1.8 Trust Council encourages the Provincial government to establish property tax incentives for conservation or habitat protection.

3.1.9 Trust Council encourages actions and programs of other government agencies which:

- place priority on the side of protection for Trust Area ecosystems when judgment must be exercised,
- protect the diversity of native species and habitats in the Trust Area, and
- prevent pollution of the air, land and fresh and marine waters of the Trust Area.

3.1.10 Trust Council encourages the Provincial government to enforce standards for control of emissions polluting the air of the Trust Area.

¹⁴ Ecological - related to the interrelations among plants, animals (including humans) and their environment.

Commented [DH22]: REMOVED as per direction from TPC working group on climate change and engagement feedback – general desire to move away from commodification and/or monetization of nature

Commented [DH23]: REMOVED – time sensitive project, inappropriate for general nature of Policy Statement

Commented [DH24]: REMOVED – accomplished through Natural Area Protection Tax Exemption Program (NAPTEP) regulation

Amend
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- 3.1.11 Trust Council encourages agents of the government of British Columbia or the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, acquisitions, conservation covenants and careful management.

3.2 Forest Ecosystems

Commitment of Trust Council

- 3.2.1 It is Trust Council's policy that:

- forest ecosystems in the Trust Area should be protected, and
- the remaining stands relatively undisturbed Coastal Douglas fir, Coastal Western Hemlock, Garry Oak and Arbutus should be preserved.

Directive Policy

- 3.2.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems¹⁵ within their local planning areas from potentially adverse impacts of growth, development and land-use.

Recommendation

- 3.2.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary donation, acquisition, conservation covenants and careful management.

3.3 Freshwater and Wetland Ecosystems and Riparian Zones¹⁶

Commitment of Trust Council

- 3.3.1 Trust Council holds that:

- the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated, and
- the natural wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled or degraded.

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Directive Policy

- 3.3.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

¹⁵ Unfragmented Forest Ecosystem - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

¹⁶ Riparian Zone - relating to the bank of a river, lake, stream or watercourse.

Recommendation

- 3.3.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, watercourses, wetlands, riparian zones and aquatic wildlife habitats through voluntary donation, acquisition, conservation covenants and careful management.

3.4. Coastal and Marine Ecosystems

Commitments of Trust Council

- 3.4.1 It is the position of Trust Council that development should not be allowed within a line drawn 300 metres offshore or mid-channel (whichever is less) of any island or islet in the Trust Area owned entirely by the Crown or affected by Order in Council 467¹⁷.

Commented [DH25]: REMOVED: concerns relating to First Nations rights

Amend
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- 3.4.2 It is Trust Council's policy that marine areas be protected and coastal zone management principles be defined in consultation with agents of the government of British Columbia, the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers.

- 3.4.3 Trust Council holds that artificial reefs should not be developed in the Trust Area.

Interp. Memo
Mar 7/03

Interpretation Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.

Directive Policies

- 3.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
- 3.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

Recommendations

- 3.4.6 Trust Council encourages the Provincial and Federal governments to develop existing and new programs such as "harvest refugia", which protect and enhance the populations of native marine species of the Trust Area.
- 3.4.7 Trust Council encourages the Provincial and Federal governments to research the impacts of the introduction of new marine species into the marine water of the Trust Area before such species are introduced.
- 3.4.8 Trust Council encourages the Federal and Provincial governments to develop and adopt legislation that regulates sewage discharge from shores and boats and addresses its detrimental impact on marine or coastal ecosystems.

¹⁷ Order in Council 467 - Provincially established legislation that reserves certain Crown lands, including lesser islands and islets in the Trust Area from disposition under the *Land Act*.

PART IV: STEWARDSHIP OF RESOURCES

GOAL: TO ENSURE THAT HUMAN ACTIVITY AND THE SCALE, RATE AND TYPE OF DEVELOPMENT IN THE TRUST AREA ARE COMPATIBLE WITH MAINTENANCE OF THE INTEGRITY OF TRUST AREA ECOSYSTEMS.

With responsible management, the natural resources of the Trust Area can be used long into the future. In the long term, it is less costly to use resources sustainably than to have to replace or rehabilitate them once they are depleted. Indiscriminate use or development of natural resources can threaten the island lifestyles and environments that are valued by the people who live in and visit the Trust Area.

Commented [DH26]: COMBINED PARTS III and IV; Feedback from engagement processes and TPC working groups to reframe notion of "natural resources" to more integrated ecosystem stewardship.

POLICIES FOR STEWARDSHIP OF RESOURCES

4.1 Agricultural Land

Amend
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Commitments of Trust Council

- 4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.
- 4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.
- 4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.

Commented [DH27]: REMOVED: A statement of concern for some First Nations; Feedback that agriculture is not a "traditional" activity for First Nations and has had adverse impacts on First Nations interests (environmental impacts compromising Indigenous food harvesting in coastal and marine areas, impacts to traditional hunting grounds, etc.). Other general concerns expressed by Islands Trust Conservancy staff about impacts of agricultural activity and livestock on sensitive ecosystems, noting downstream effects, invasive species, impacts to natural areas, etc.

Directive Policies

- 4.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
- 4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
- 4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

Amend
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BL 48

- 4.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.

Commented [DH28]: REMOVED: Obscure policy that has not been applied; intent unclear

Recommendations

- 4.1.10 Trust Council encourages the Ministry of Transportation to ensure that, where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land.
- 4.1.11 Trust Council encourages the British Columbia Land Reserve Commission to approve applications from property owners for inclusion of their land with potential for agriculture in the Provincial Agricultural Land Reserve.
- 4.1.12 Trust Council encourages the Provincial government and the British Columbia Assessment Authority to:
- retain a separate farm class to provide significant property tax incentives;
 - ensure that the threshold for farm income necessary for farm class status is appropriate to agriculture within the Trust Area; and
 - acknowledge that the total land area subject to the farm class may include land left uncultivated.

Commented [DH29]: REMOVED: due to First Nations concerns and feedback from Islands Trust Conservancy staff regarding ALR lands sometimes compromising First Nations interests, protected area networks and conservation-oriented land securement strategies.

Amend
Dec
4/98
BL 53

4.2 Forests

Commitments of Trust Council

- 4.2.1 Trust Council recognizes that forestry is a traditional land use in the Trust Area, and supports sustainable forestry as an appropriate form of land use.
- 4.2.2 It is the position of Trust Council that sustainable forestry depends on maintaining and, where necessary, restoring the ecological integrity of forests.
- 4.2.3 It is the position of Trust Council that to achieve sustainable forestry, forest owners should undertake planning to address the integrity of forest ecosystems, including monitoring and evaluation to modify forestry plans and activities as needed.
- 4.2.4 It is the position of Trust Council that forest cover is a representative characteristic of the Trust Islands and should be maintained.
- 4.2.5 It is the position of Trust Council that the aesthetic value of forest land should be protected.

Commented [DH30]: REMOVED: similar concerns as in agriculture section to framing as "traditional" or "appropriate"; generally reframing forestry references to "sustainable forest harvesting".

Directive Policies

- 4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
- 4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:
- the retention of large land holdings and parcel sizes for sustainable forestry use, and
 - the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.

- 4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.

Recommendations

- 4.2.9 Trust Council encourages the Provincial government to adopt mechanisms that will ensure full and meaningful participation of communities in decisions concerning the use of forest land.
- 4.2.10 Trust Council encourages the Provincial government to implement education and extension programs to promote sustainable forestry and the protection of forest ecosystems.
- 4.2.11 Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that establish forestry practices to protect the ecological integrity on a scale of forest stands and landscapes by maintaining and, where necessary, restoring:
- the diversity of forest structure and composition;
 - the physical, chemical, and biotic diversity of soils;
 - natural aquatic and wetland ecosystems;
 - the full range of natural habitats in the forest landscape, including old growth; and
 - connectivity of forest habitats sufficient for the dispersal needs of native species.
- 4.2.12 Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that will reduce invasive non-native plant species in the forests.
- 4.2.13 Trust Council encourages the Provincial government to designate forest ecosystem reserves, where no extraction will take place, to promote the preservation of native biological diversity.
- 4.2.14 Trust Council encourages the Provincial government, prior to giving approval to cutting plans, to require that the applicant identify those elements of the forest needed to maintain sustainable forest land use.
- 4.2.15 Trust Council encourages the Provincial government to implement property tax incentives for the practice of sustainable forestry.
- 4.2.16 Trust Council encourages the Provincial Ministry of Forests, when developing specific forest tenures, to assign to Trust Council or Trust Fund Board the holding of areas not to be harvested.

4.3 Wildlife and Vegetation

Recommendations

4.3.1 Trust Council encourages Provincial and Federal government agencies to:

- regulate and monitor the harvesting of the fish, wildlife and vegetation of the Trust Area so as to protect populations and habitats, and
- consult with local trust committees, island municipalities, the communities of the Trust Area and First Nations prior to decisions regarding regulation of hunting or harvesting of Area wildlife or vegetation.

4.3.2 Trust Council encourages Provincial and Federal government agencies to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life and to establish public shellfish reserves in the Trust Area.

Commented [DH31]: Moved Recommendations from this section to Coordination Policies of 4.1.1 – Environmental Integrity Policies

4.4 Freshwater Resources

Commitment of Trust Council

4.4.1 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater.

Directive Policies

4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,
- water quality is maintained, and
- existing, anticipated and seasonal demands for water are considered and allowed for.

4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses¹⁸.

Recommendations

4.4.4 Trust Council encourages island property owners, residents and visitors to adopt conservation practices in their use of freshwater.

4.4.5 Trust Council encourages the Provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands.

4.4.6 Trust Council encourages the Provincial government to adopt legislation that protects the sustainability and quality of the groundwater of the Trust Area.

4.4.7 Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies that promote efficient use of freshwater resources, including cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices.

¹⁸ Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and the maintenance of water quality in lakes and streams and wetlands.

4.5 Coastal Areas and Marine Shorelands¹⁹

Commitments of Trust Council

- 4.5.1 It is Trust Council's policy that aquaculture²⁰ is a valuable activity in the Trust Area if compatible with maintenance of ecosystems and community character.
- 4.5.2 Trust Council holds that finfish farms should not be located in the marine waters of the Trust Area.
- 4.5.3 It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.
- 4.5.4 It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.
- 4.5.5 It is Trust Council's policy that development should be directed to sites away from:
- areas of environmental sensitivity, and
 - areas of naturally occurring stocks of clams or oysters.
- 4.5.6 It is Trust Council's policy that aquaculture should be directed to sites away from:
- areas of recreational significance,
 - areas where an aquaculture operation would conflict with established or designated upland land uses, and
 - areas where an aquaculture operation would conflict with established or designated anchorage or moorage.
- 4.5.7 It is the position of Trust Council that aquaculture related development, activity, buildings or structures should not result in site alteration²¹.

Directive Policies

- 4.5.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
- 4.5.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
- 4.5.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.

¹⁹ Marine Shorelands - lands immediately adjacent to the marine shorelands.

²⁰ Aquaculture - the growing and cultivation of aquatic plants or shellfish, for commercial purposes on or under the foreshore or in the sea.

²¹ Site Alteration - includes, but is not limited to substrate modification or the use of metal plates or pipes.

- 4.5.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

4.6 Soils²² and Other Resources

Commitments of Trust Council

- 4.6.1 Trust Council holds that there should be no extraction of peat, metals, minerals, coal or petroleum resources in the Trust Area.
- 4.6.2 Trust Council holds that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area.

Directive Policy

- 4.6.3 Local trust committees and island municipalities shall, in local bylaws relating to soil removal and deposit, address the protection of productive soils.

²² Soils - the entire layer of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act* or the *Mining Placer Act*.

PART V: SUSTAINABLE COMMUNITIES²³**Commented [DH32]:** See Part 6 of new draft Policy Statement**GOAL: TO SUSTAIN ISLAND CHARACTER AND HEALTHY COMMUNITIES**

Communities within the Trust Area are predominantly rural in character and contrast markedly with surrounding urban areas. Each island community has developed somewhat independently of other communities. Residents of all island communities value the safe and supportive nature of their island and their quality of life. Most feel strongly that people of differing age groups and income levels should continue to have the opportunity to reside in island communities.

The health of a community is influenced by numerous factors such as economic security, education, social support systems, the cleanliness and safety of the environment, and the availability of such necessities as educational and social services, transportation, affordable food and housing. Public involvement in decisions that affect a community is also critical to the health of that community. Participation in the decision-making process influences whether an individual or group is able to realize aspirations, satisfy needs or cope with change.

POLICIES FOR SUSTAINABLE COMMUNITIES**5.1 Aesthetic Qualities****Commented [DH33]:** Moved policies to 6.1 Rural Island Planning Policies**Commitments of Trust Council**

- 5.1.1 Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.
- 5.1.2 It is Trust Council's policy that the intensity of noise and lighting in and through the Trust Area should be compatible with community character.

Directive Policy

- 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.

Recommendation

- 5.1.4 Trust Council encourages property owners, residents and visitors to reduce the burning of wood and fossil fuels by adopting alternative or innovative technologies.

5.2 Growth and Development**Commented [DH34]:** Moved policies to 6.1 Rural Island Planning Policies**Commitments of Trust Council**

- 5.2.1 Trust Council holds that growth and development in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.2 Trust Council holds that tree cover on the islands is of great importance and should be preserved.

Amend
Mar 6/98
BL 48

²³ Sustainable Communities - human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment.

Directive Policies

- 5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
- 5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
- 5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

5.3 Transportation and Utilities

Commitments of Trust Council

- 5.3.1 Trust Council holds that local trust committees and island municipalities should be consulted and involved in the decision-making process regarding provision of utilities, transportation services or facilities that might affect land use in their local planning areas.
- 5.3.2 It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel, notwithstanding the existing bridge between North and South Pender Islands.

Directive Policies

- 5.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
- 5.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
- 5.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
- 5.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.

Recommendations

Commented [DH35]: REMOVED "and Utilities" as all of the policies pertain to Transportation

Amend
Nov 4/96
BL 42

Amend
Nov 4/96
BL 42

5.3.8 Trust Council encourages Provincial and Federal agencies to ensure safe shipment of materials hazardous to the environment.

Amend
Nov 4/96
BL 42

5.3.9 Trust Council encourages the Ministry of Transportation and local communities to work together through a public consultation process to evaluate and modify road construction and road system proposals to encompass the environmental, economic and social values of the community.

5.4 Disposal of Waste

Commitments of Trust Council

5.4.1 It is Trust Council's policy that the safe disposal in the Trust Area of waste originating in the Trust Area is acceptable.

5.4.2 It is Trust Council's policy that:

- neither hazardous nor industrial waste should be disposed of in the Trust Area,
- local recycling operations should be established, and
- local programs for chipping of wood waste and disposal of hazardous wastes should be established.

5.4.3 It is Trust Council's policy that there should be a reduction in the burning of solid waste in the Trust Area.

Directive Policy

5.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

Recommendation

5.4.5 Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies and safe alternatives for disposal of sewage effluent.

5.5 Recreation

Commitments of Trust Council

5.5.1 It is Trust Council's policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.

Amend
Mar 6/98
BL 48

5.5.2 Trust Council holds that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to and should not be located in the Trust Area.

Commented [DH36]: Moved policies to 6.1 Rural Island Planning Policies

Directive Policies

Amend
Mar 6/98
BL 48

- 5.5.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
- 5.5.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:
- the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and
 - the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
- 5.5.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:
- the identification of sites providing safe public access to beaches,
 - the identification and designation of areas of recreational significance, and
 - the designation of locations for community and public boat launches, docks and anchorages.
- 5.5.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
- 5.5.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.

5.6 Cultural and Natural Heritage²⁴**Commitment of Trust Council**

- 5.6.1 Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and property of natural, historic, cultural, aesthetic, educational or scientific heritage value²⁵ or character²⁶ — should be identified, preserved, protected and enhanced.

Directive Policies

- 5.6.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
- 5.6.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.

²⁴ Heritage - a place, feature or event of cultural, biological, archaeological, paleontological or geological significance.

²⁵ Heritage Value - historical, cultural, aesthetic, educational or scientific worth or usefulness of property or an area.

²⁶ Heritage Character - the overall effect produced by traits or features which give property or an area a distinctive quality or appearance.

Commented [DH37]: Moved policies to NEW PART 5: Heritage Preservation and Protection

5.7 Economic Opportunities**Commitment of Trust Council**

- 5.7.1 Trust Council holds that economic opportunities should be compatible with the conservation of resources and protection of community character.

Directive Policy

- 5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

5.8 Health and Well-being**Commitments of Trust Council**

- 5.8.1 Trust Council holds that public participation should be part of the decision-making processes of all levels of government.
- 5.8.2 It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.
- 5.8.3 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.
- 5.8.4 Trust Council holds that island municipalities shall, in all of their actions have regard for the Trust Policy Statement and the object of the Islands Trust.
- 5.8.5 It is the position of Trust Council that the development and maintenance of healthy communities in the Trust Area through the process described in the Provincial Ministry of Health's "Healthy Communities Program" should be encouraged.

Directive Policies

- 5.8.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

Recommendations

- 5.8.7 Trust Council encourages Provincial, Federal and local governments to provide information and databases to local trust committees and communities to assist them in land use planning.
- 5.8.8 Trust Council encourages government agencies, corporations, property owners, residents and visitors to use renewable sources of energy within the Trust Area.

Commented [DH38]: Moved policies to 6.1 Rural Island Planning Policies

Commented [DH39]: Moved policies to 6.1 Rural Island Planning Policies

Commented [DH40]: REMOVED: time-sensitive project, inappropriate to general nature of the Policy Statement

Commented [DH41]: Moved to new section 6.2 devoted to Housing Policies

Commented [DH42]: REMOVED: unclear what the intent of this policy is

Amend
Nov 4/96
BL 42

SCHEDULE I

DEFINITIONS

Address - direct attention to matters in a way that implements the policy of Trust Council.

Aquaculture - the growing and cultivation of aquatic plants or shellfish, for commercial purposes on or under the foreshore or in sea.

Conservation - actions, legislation or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or areas of human heritage value or character.

Drift Sector - an integrated and independently operating beach system of erosion-transportation-accretion operating along the coastline.

Ecological - related to the interrelations among plants, animals (including humans) and their environment.

Ecosystem - complexes of living organisms interacting with the non-living environment that sustains them. All ecosystems have three fundamentals: composition, structure and function. The composition of ecosystems is defined as an inventory of the living components including humans. The structure of an ecosystem is the physical arrangement of its living and non-living components. Function refers to the exchanges and flows of energy, material or information within and among the living and non-living components of an ecosystem.

Habitat - the place or situation in which a human, animal or plant lives.

Heritage - a place, feature or event of historical, cultural, aesthetic, educational or scientific significance.

Heritage Character - the overall effect produced by traits or features which give property or an area a distinctive quality or appearance.

Heritage Property - property or areas that have historical, cultural, aesthetic, educational or scientific value or character.

Heritage Value - historical, cultural, aesthetic, educational or scientific worth or usefulness of property or an area.

Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and maintenance of water quality in lakes and streams and wetlands.

Marine Shorelands - lands immediately adjacent to the marine shoreline.

Natural Areas - areas that have experienced minimal modification by the human species.

Order in Council 467 - Provincially established legislation that reserves certain Crown lands, including lesser islands and islets in the Trust Area, from disposition under the *Land Act*.

Preserve - to maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

Protect - to maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.

Renewable Resources - resources that are capable of being replaced by natural ecological cycles within reasonable human time frames.

Riparian Zone - relating to the bank of a river, lake, stream or watercourse.

Site Alteration - includes, but is not limited to substrate modification or the use of metal plates or pipes.

Soil - the entire layer of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act* or the *Mining Placer Act*.

Stewardship - voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area.

Sustainable - capable of being maintained indefinitely; capable of meeting the environmental, economic and social needs of current generations without compromising the ability of future generations to meet their needs.

Sustainable Communities - human communities that have achieved a balance between environmental, economic and social systems and that respect the carrying capacity of the supporting environment.

Sustainable Use - use of renewable resources which is within the capacity of those resources for renewal and which conserves the ecological processes that support the use.

Trust Area Species - species native to the Trust Area, dependent on the Trust Area for all or part of their life cycle, or using the Trust Area seasonally or for migratory purposes.

Unfragmented Forest Ecosystems - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

Wetland - land that has the water table at, near, or above the land's surface or which is saturated for a long enough period to promote aquatic processes.

Commented [DH43]: REMOVED SCHEDULE 1 – DEFINITIONS. Key interpretations of terms were moved to the preamble sections of each chapter for ease of reference and fuller interpretive context (and to comply with new directions around definitions in accordance with the *Declaration on the Rights of Indigenous Peoples Act*).

From: Cassandra Rahmann on behalf of information
Sent: Thursday, May 27, 2021 9:47 AM
To: Lori Foster
Subject: FW: 2021 UBCM Convention – Meeting Requests with Premier Horgan and Provincial Cabinet Ministers and the Minister of Municipal Affairs
Attachments: Premier Horgan_Mayors and Regional District Chairs.pdf; Minister Osborne_Mayors and Regional District Chairs.pdf

Hi Lori, in case this has not come to execadmin 😊

Many thanks,

Cassandra Rahmann (*she/her/hers*)

Administrative Assistant

Islands Trust

200-1627 Fort Street | Victoria BC V8R 1H8

T 250.405.5151 | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1.800.663.7867 | 604.660.2421

Facebook [@IslandsTrust](https://www.facebook.com/IslandsTrust) | Twitter [@islands_trust](https://twitter.com/islands_trust)

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

From: MUNI UBCM Meeting Requests MUNI:EX <MUNI.UBCM.MeetingRequests@gov.bc.ca>
Sent: Tuesday, May 25, 2021 9:18 AM
To: MUNI UBCM Meeting Requests MUNI:EX <MUNI.UBCM.MeetingRequests@gov.bc.ca>
Subject: 2021 UBCM Convention – Meeting Requests with Premier Horgan and Provincial Cabinet Ministers and the Minister of Municipal Affairs

This message is being sent by the Ministry of Municipal Affairs (MUNI) to all Union of BC Municipalities (UBCM) Mayors and Regional District Chairs on behalf of the Honourable John Horgan, Premier, and the Honourable Josie Osborne, Minister of Municipal Affairs.

Subject: 2021 UBCM Convention – Meeting Requests with Premier Horgan and Provincial Cabinet Ministers and the Minister of Municipal Affairs
Intended Recipient(s): Mayors/Regional District Chairs/Islands Trust Chair/CAOs and cc: General Email
Attachments: Two (2) plus message below

If you have received this message in error please forward it to the appropriate person in your office.

MESSAGE:

Please see the attached letters from Premier Horgan and Minister Osborne with regards to this year's UBCM Convention. These letters outline the process for requesting a meeting with the Premier and Cabinet Ministers.

Further details on the process for requesting meetings with provincial ministry, agency, commission and corporation (MACC) staff will be sent by MUNI staff.



For requesting meetings with the Premier and Cabinet Ministers (not including Minister of Municipal Affairs) please use the online form at:

<https://UBCMreg.gov.bc.ca>

(invitation code: **MeetingRequest2021** is case sensitive)

If you have questions please contact the Premier's UBCM Meeting Request Coordinator, Marlene Behrens by email at: UBCM.Meetings@gov.bc.ca or by phone: 250 213-3856.

Please note as in previous years, meetings with the Minister of Municipal Affairs are scheduled directly with that Ministry.



For requesting meetings with the Minister of Municipal Affairs, please use the online meeting request form at:

[Minister of Municipal Affairs Meetings](#)

If you have questions, please contact the MUNI Minister's Meeting Coordinator, Katie Carrothers by email at: MUNI.UBCM.MeetingRequests@gov.bc.ca or by phone at 236 478-0537.

Thank you.

Note: Contact information is provided by CivicInfo BC. To ensure you receive all relevant communications please ensure the contact information for your organization is updated regularly.



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** June 23, 2021
From: Sue Ellen Fast, Bowen Island Municipal Trustee **Date Prepared:** June 17, 2021
SUBJECT: Old Growth in Islands Trust Area

RECOMMENDATIONS:

1. That Executive Committee request the chair to write a letter to Minister Conroy expressing support for the expedient and resourced implementation of the 14 recommendations in the report titled “A Strategic Review of How British Columbia Manages for Old Forests Within its Ancient Ecosystems” written by Registered Professional Foresters Garry Merkel and Al Gorley.
2. That Old Growth information be circulated to Trustees.

ISLANDS TRUST CONSERVANCY MANAGER COMMENTS:

Old and mature forests are important habitats for a broad variety of species and are essential to the survival of many species, such as Marbled Murrelet and Western Screech Owl. With approximately 13,500 ha of unprotected forest stands older than 80 years in age in the Islands Trust Area, opportunities for good management of older forests are key to maintaining habitat for plants and animals in the Islands Trust Area. These forests are also important to ecosystem services, such as water filtration and storage.

PURPOSE:

1. To advance the preserve and protect mandate of the Islands Trust by encouraging the Province to enact the Strategic Review’s recommendations regarding Old Growth forest in the Islands Trust Area.
2. To share summarized information with Trustees about Old Growth as a current events and media topic.

BACKGROUND:

Old Forest aka Old Growth occurs in the Islands Trust Area including Bowen, Galiano, Gambier, Lasqueti, Mayne, North Pender, Salt Spring, Saturna, South Pender and Thetis Islands. Last week Squamish Nation called for an old-growth logging moratorium in its territory, as some other Vancouver Island First Nations had done. A new video was published a week or two earlier advocating

for protection of the Old Growth on Gambier Island. District of Tofino copied local governments in BC including Bowen Island Municipality on its letter to Minister Conroy: <https://bowenisland.civicweb.net/document/245314/210511%20District%20of%20Tofino%20re%20Implementation%20of%20Old.pdf?handle=D7B4E74A621345B0969949D76D2C4A82>

The letter supports the implementation of the recommendations in the report titled “A Strategic Review of How British Columbia Manages for Old Forests Within its Ancient Ecosystems” (the Strategic Review) written by Registered Professional Foresters Garry Merkel and Al Gorley: <https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/forestry/stewardship/old-growth-forests/strategic-review-20200430.pdf>

Last week, I asked Islands Trust Conservancy (ITC) Manager Emmings questions about Old Growth to inform conversations among Bowen Municipal Councilors. Here are her answers, below:

1. Is “Old Forest” the brown areas on Islands Trust’s Sensitive Ecosystem Maps, such as <https://islandstrust.bc.ca/wp-content/uploads/2020/05/Bowen.pdf>?

ITC Manager: Correct

2. Is this “Old Forest” (>250 years) designation the same as “Old Growth” as defined on p.9 of the Strategic Review, i.e. “a generic term to describe forests with old trees. In British Columbia, for management purposes, this is usually described according to the age of the trees (usually 250+ years on the coast...)”?

ITC Manager: Correct, although it’s also interesting to note that the Sensitive Ecosystems Inventory done as a collaboration between the Province and Federal governments in the early 1990s, updated in 2004 using 2002 air photos, uses “Older Forest” as the category and sets it as stands of 100 years.

3. Is the following statement from p.26 of the ITC’s current Regional Conservation Plan accurate? “Less than one percent of the Islands Trust Area remains in Old Growth forest, indicating that almost all of the Islands Trust Area has been logged at some point in time. Remaining old forests are very important components of the landscape as are mature forests which have many of the same structural components, including remnant Old Growth trees.”

ITC Manager: Correct

4. Is the following term from the Strategic Review, p.33, understood in the same way at the Islands Trust? “Old Growth Management Area” is an area that is set aside and specially managed for old forest values. They may be used to retain intact areas, or they may be harvested in future. They can be moved by the province.

ITC Manager: This is my understanding of OGMA’s. We have now incorporated OGMA’s into our mapping and they appear on newer materials – e.g. the Bowen Island Profile at <https://islandstrust.bc.ca/wp-content/uploads/2019/12/Bowen-Island-LTA-Profile-1.pdf>

5. In the Islands Trust, are “Old Forest” (>250 years) and “Mature Forest” (>80–250 years) stands relatively high in biodiversity and relatively healthy, and more similar to Old Growth in many ways than usual second growth in coastal BC? (Despite the island effect of fewer species before logging, because logging was mostly carried out selectively with low impact methods such as individual trees, horses, no big roads, and no clear cuts).

ITC Manager: I have not examined all island forests, but this matches my observations for Mature Forests in many areas of the Islands Trust. Most logging that occurred in these forests predates chainsaws and more mechanized techniques, therefore most logging was selective in nature. Having said that, in some areas trees were dragged out down creek beds, which has created some significant damage to waterways in our area.

6. Are there are Old Growth stands with high conservation value in the Islands Trust Area that are also high productivity targets for harvesting? Where?

ITC Manager: All of the Old Growth stands in the ITA have high conservation value and I suspect that those in unprotected areas would be susceptible to harvesting. Exceptions might occur in hard to access sites or in areas where old growth is poor quality for harvest (i.e. on poor growing sites). Currently in the ITA there are 9,613 ha of Old and Mature forests on private lands, and 3,941 ha on Crown lands without any protected status that I'm aware of. The island profiles within the Regional Conservation Plan for islands with Old Forest, including Bowen, Galiano, Gambier, Lasqueti, Mayne, North Pender, Salt Spring, Saturna, South Pender and Thetis indicate the amount of Old Forest that remains unprotected.

IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: As well as the mandate of the Islands Trust, Trust Council's Strategic Plan includes "Preserve, protect and advocate for forest and terrestrial ecosystems".

IMPLEMENTATION/COMMUNICATIONS: A letter to the province and an email to Trustees is proposed.

FIRST NATIONS: The letter would not be at variance with Squamish Nation's call for a moratorium. Support for First Nations involvement is referenced and reflected in the Strategic Review.

CLIMATE CHANGE: Carbon storage is referenced and reflected in the in the Strategic Review. Managing wildfire risk in the Islands Trust Area may include management of forests to mimic Old Growth or to accelerate progression of forests to an Old Growth condition.

Prepared By: Sue Ellen Fast, Vice Chair

Reviewed By / Date: Kate Emmings, June 18, 2021

To: Executive Committee For the Meeting of: May 26, 2021
From: Vice Chair Rogers Date Prepared: May 19, 2021
SUBJECT: Islands Trust Act (s.8 (2)(e) re: communicating with Province-

For Executive Committee Discussion and Consideration

I've been pondering how the Trust could more effectively communicate our needs to the Province. My experience is that there appear to be 3 ways we communicate:

- a) Informal communication and consultation through senior staff and occasionally elected leadership. This is probably an effective way to communicate but likely is restricted to responding to specific issues as they arise and ways we can assist each other and collaborate as opposed to changes in policy.
- b) Motions passed through AVICC and UBCM. It's unclear how effective this but it remains a good avenue for issues that would benefit from widespread support across the province.
- c) "Asks" from Trust Council in the form of motions and a letter. Again this requires a lot of resources and time under a) to shepherd through the province but they are "asks".

I may be missing some methods.

What it appears we don't do is exercise our authority under s. 8 (2) (e) of the Islands Trust Act which reads as follows:

(2) For the purpose of carrying out the object of the trust, the trust council may

(e) make recommendations to the Lieutenant Governor in Council respecting the determination, implementation and carrying out of policies for the preservation and protection of the trust area and its unique amenities and environment,

As the Lieutenant Governor in Council is the Cabinet, this is a specific "responsibility" of the Trust Council that would appear to be somewhat different than the ways that the Trust has gone about trying to influence policy.

My reading of this section is that it was intended to reflect an attitude that the needs of the Trust Area would evolve and change over time, issues would arise that may have been unforeseen or have been accentuated and that it was the Trust's legislated responsibility to serve as an advisor the Province in its role of overseeing and assisting in the achieving of the object of the Trust. This is an important role as the Trust is the organization that is on the ground and the section emphasizes the fact that preservation and protection of the Trust is for the benefit of all residents of British Columbia.

I would like to explore how to activate this responsibility. I imagine a scenario where in addition or complementary to or separate from our Annual report we would choose and make a number of

recommendations to the Cabinet (**note ... not just our Minister or a particular Minister**) that would have been chosen by Trust Council. We could gather those throughout the year and then have a session where the most important ones could be vetted somehow and then presented. These could be political, scientific, monetary or otherwise.

I recognize this may require some resources, a discussion about a process (Committee?) and there may be considerations I had not thought of so bring it to EC first for discussion and any direction to staff before something more thoroughly thought through might go to Trust Council.

From: Sue Ellen Fast
Sent: Sunday, June 13, 2021 5:07 PM
To: EC
Subject: Fwd: Trails Strategy for BC- report on what we heard from local governments

For TC review next EC meeting please -

Sue Ellen

Sue Ellen Fast (she/her)
Nexwlélexm / Kwílàkm (Bowen Island) Trustee | Municipal Councillor | Islands Trust Vice Chair

sfast@islandtrust.bc.ca sfast@bimbc.ca

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

Thankful to live and work in the treaty and territories of the BOKEĆEN, Cowichan Tribes, Halalt, Homalco, K'ómoks, Klahoose, Ts'uubaa-asatx, Lək'wəŋən (SXIMELEL, Songhees, T'Sou-ke), Lyackson, MÁLEXEL, Penelakut, Qualicum, Scia'new, səliłwətaʔl, SEMYOME, shíshálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, STÁUTW, Stz'uminus, Tla'amin, scəwəθən məsteyəxʷ, We Wai Kai, Wei Wai Kum, WJOLELP, WSIKEM, and xʷməθkʷəy̓əm.

Begin forwarded message:

From: Sue Ellen Fast <sfast@islandtrust.bc.ca>
Subject: Re: Trails Strategy for BC- report on what we heard from local governments
Date: May 20, 2021 at 12:31:53 PM PDT
To: Peter Luckham <pluckham@islandtrust.bc.ca>
Cc: Laura Patrick <lpattick@islandtrust.bc.ca>, EC <ec@islandtrust.bc.ca>

Islands Trust should also be included in the consultation - sheesh.
First Nations are recognized in this report and apparently had a different consultation.
Unless Clare's team responded on behalf of all LTCs?
Sue Ellen

On May 20, 2021, at 9:06 AM, Peter Luckham
<pluckham@islandtrust.bc.ca> wrote:

Hmmm yes we/I do raise this on a regular basis, this is indeed another case in point.

Staff advice on how we might influence recognition of First Nations and the Islands Trust in publications when referring to local government is worthy of consideration.

Peter Luckham, Chair Trust Council
Trustee, Thetis Island
Islands Trust
#200 1627 Fort Street
Victoria, B.C. V8R 1H8
Home Phone: (250) 210-2553
Office Fax: (250) 405-5155
www.islandstrust.bc.ca
Preserving and protecting over 450 islands
and surrounding waters in the Salish Sea
On 5/20/2021 8:54 AM, Laura Patrick wrote:

You know – a major step forward would be for the province and UBCM to recognize the Islands Trust in its reporting. Can we advocate for that?

From: Trails Strategy DO NOT REPLY:FLNR:EX
[<mailto:Trails.Strategy.DoNotReply@gov.bc.ca>]
Sent: Thursday, May 20, 2021 8:35 AM
To: Trails Strategy DO NOT REPLY:FLNR:EX
Subject: Trails Strategy for BC- report on what we heard from local governments

Hello,

In the summer of 2020, a survey was sent to local government staff and elected officials seeking input on a comprehensive review of the Trails Strategy for BC. The survey was live between late May and early July 2020. In total, 233 individuals representing 145 different municipalities and regional districts completed the survey. Please find attached a summary of what we heard from that engagement process.

In addition to local governments, numerous other engagements were undertaken in support of the review of the Strategy. The engagement was completed in a partnership between Recreation Sites and Trails BC (RSTBC) and the Provincial Trails Advisory Body (PTAB). The engagements have been completed as a means of informing a comprehensive review of the Trails Strategy for British Columbia to ensure the continued relevance of the strategy to recreationalists, communities, First Nations, the tourism sector, and the Province. The review included:

- background research,
- a literature review of the benefits of trails,

- over 40 interviews with representatives from provincial ministries, non-profits, and recreation clubs and associations,
- a survey of over 200 local government representatives,
- focus group webinars with recreation sector interests,
- a public survey of over 5,900 British Columbians, and
- a separate government-to-government engagement process with all First Nation governments in BC.

The province continues to review the results of the review of the Strategy. Recommendations will be made to update the strategy based on findings from the research and engagements. Recommendations will provide direction for formally updating the strategy to reflect the broad viewpoints of the First Nations and various stakeholders involved in the engagement processes. Once RSTBC receives the mandate to proceed with the recommended changes, the Trails Strategy will be updated and implemented to improve trail development, management and maintenance across the province. A new draft version of the strategy is expected to be complete by the end of 2021.

It is important to note that the Trails Strategy engagement process was conducted during the COVID-19 pandemic. During that time, a significant increase in trail-based recreation was noted likely due to outdoor trail use being an acceptable, healthy, and popular activity to engage in while adhering to social distancing protocols. This trend of increasing recreation trail use is expected to continue even after the pandemic is over owing to the large number of people that have been introduced to the benefits of British Columbia's extensive trail network.

Thank you to all those who participated in the Trails Strategy review process. Your contributions will result in a significant improvement to the management of BC's world-class natural amenities and trails networks.

Related Links:

- Trails Strategy for BC <https://www2.gov.bc.ca/assets/gov/sports-recreation-arts-and-culture/outdoor->

[recreation/camping-and-hiking/rec-sites-and-trails/trail-strategy.pdf](https://www2.gov.bc.ca/gov/content/sports-culture/recreation/camping-hiking/sites-trails/program/policies-strategies/prov-trail-strategy)

- Trails Strategy Public engagement 'what we heard' report <https://www2.gov.bc.ca/gov/content/sports-culture/recreation/camping-hiking/sites-trails/program/policies-strategies/prov-trail-strategy>
- The Provincial Trails Advisory Body <https://www.orcbc.ca/provincial-trails-advisory-body/>

Thank you,

Recreation Sites and Trails BC



From: Sue Ellen Fast
Sent: Sunday, June 13, 2021 6:16 PM
To: EC
Subject: Fwd: New tools for conduct - public hearings and electeds

Two related topics for next EC meeting agenda, please:

1. Conduct in Public hearings - new tools from New West that I will ask Heather to adapt and add into my script for public hearings that I chair, eg their guidelines for comments: <https://www.newwestcity.ca/publicnotices>

Vancouver Sun article about the new approach: https://vancouver.sun.com/opinion/jennifer-wolowic-a-marvel-of-a-public-hearing-in-new-westminster?fbclid=IwAR2ZsV0SpEQLQZgnplYn8kCg_Kx7BKekaWfYOOh4EHmwmJrfMz3i6EJKFJk

And here's the video of the public hearing described in the article: https://newwestcity.ca.granicus.com/MediaPlayer.php?view_id=1&clip_id=1172&fbclid=IwAR0CXY8HoWo-qiydjl8hcqIcSduXSdygBKBPEWeA77gtmV7clW1-l9NoDcw

The whole intro is interesting, or start at:

4:00 minute mark for the new respect/conduct rules.

12:50 min for the second affordable housing proposal to see the new guidelines flashed up on the screen

24:50 min the mayor begins call for speakers, including that elected folks will be stepping in if they hear comments that are not respectful. First speaker supports, she is Chief Rhonda Larrabee who mentions her support, ceremony, and that they will have an office there:

<https://www.newwestrecord.ca/local-news/qayqayt-chief-rhonda-larrabee-named-douglas-college-honorary-fellow-3863826>

2. Conduct of elected officials: I would like to discuss this tweet from Minister Osborne back in April: [BC's #localgov](#) have a new resource with tools & practical ideas to help prevent conduct issues, so elected officials remain accountable & better serve the people in their communities.

This guide has been developed with our partners [@UBCM](#). [@LGMABC](#)

More: <https://tinyurl.com/4jfs2z3p>

Sue Ellen

Sue Ellen Fast (she/her)

Nexwłélexm / Kwılákm (Bowen Island) Trustee | Municipal Councillor | Islands Trust Vice Chair

sfast@islandstrust.bc.ca sfast@bimbc.ca

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

Thankful to live and work in the treaty and territories of the BOKEĆEN, Cowichan Tribes, Halalt, Homalco, K'ómoks, Klahoose, Ts'uubaa-asatx, Lək'wəŋən (SXIMELEE, Songhees, T'Sou-ke), Lyackson, M'ALEXEL, Penelakut, Qualicum, Scia'new, səliłwətaʔl, SEMYOME, shishálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, ST'ÁUTW, Stz'uminus, Tla'amin, scəwəθən məsteyəxʷ, We Wai Kai, Wei Wai Kum, WJOLELP, WSIKEM, and xʷməθkʷəy̓əm.

Begin forwarded message:

From: Sue Ellen Fast <sefast3@icloud.com>

Subject: New tools for conduct issues

Date: April 22, 2021 at 9:13:57 PM PDT

To: EC <EC@islandstrust.bc.ca>

Minister

Osborne: https://mobile.twitter.com/Josie_Osborne/status/1385392384368812033

Sue Ellen Fast

Bowen Island Trustee | Municipal Councillor | Islands Trust Vice Chair

sefast@bimbc.ca sfast@islandstrust.bc.ca

[604 833-2418](tel:6048332418)

*Feeling fortunate to live in beautiful Átl'ka7tsem / Howe Sound in the territory of
Squamish Nation*



June 17, 2021

Ref: 267370

Dear Chief Administrative Officers and Corporate Officers:

[B.C.'s four-step restart plan](#) to bring B.C. back together was announced on May 25, 2021. The plan is focused on protecting people and safely getting life back to normal. Each step includes gradual changes for organized gatherings and workplaces. I encourage you to review the plan to begin to consider the impact on your operations, including for council and board meetings.

The purpose of this letter is to provide information to local governments of the current rules for council and board meetings, and to highlight the gradual shift to operations that will take place over the next weeks and months – in particular, for council and board meetings – as circumstances related to the pandemic ease.

As announced June 15th, B.C. is in Step 2 of our restart plan, meaning that indoor seated organized gatherings of up to 50 people are now permitted. As a result, local governments should begin planning and making best efforts to transition to limited in-person public attendance at in-person public hearings, council meetings and board meetings, as long as those hearings and meetings adhere to a local government's COVID Safety Plan and the provisions of the PHO Gatherings and Events Order that govern organized gatherings. Within that, we recognize that local governments' decisions around transitioning to in-person public attendance will depend on the unique circumstances in each community. Masks also continue to be mandatory for indoor public settings in Step 2.

In addition to following their COVID Safety Plans, local governments' events must continue to adhere to the rules for organized gatherings for each step of the restart plan, including the maximum number of people permitted. To be clear, 'maximum number of people' includes all elected officials, staff members, and members of the public present at a meeting or hearing.

...2

Local governments can continue to hold electronic meetings and electronic hearings under the authority of the COVID Related Measures Act (CRMA) including, [Ministerial Order M192](#). In support of the restart plan, the ministry recommends that local governments also begin to prepare for the interim steps needed after M192 under CRMA expires (90 days after the end of the state of emergency). While it is not yet possible to provide a date for the end of the state of emergency due to the changing nature of the pandemic, based on the information and data outlined in the restart plan, local governments will want to prepare for the end of the state of emergency. I will provide further communications with local governments when a firm date is confirmed.

Under CRMA

- Local governments must continue to make “best efforts” based on local circumstances to inform the public of meetings and provide alternative ways for the public to provide comment on agenda topics (e.g. email, letter, phone), participate electronically (if available) or attend in-person (if PHO health and safety requirements and guidelines can be met).
- Local governments may wish to review and confirm their current status of meetings, and if required develop a new resolution with respect to open and electronic meetings, and state how you will continue to meet the principles of openness, transparency and accountability under the current circumstances.
- All other rules prescribed in legislation or local government procedure bylaws continue to apply such as: notice requirements, voting rules, and recording of meeting minutes.

Updated information for local governments operating under CRMA and M192 can be found here: <https://www2.gov.bc.ca/gov/content/governments/local-governments/governance-powers/covid-19>

As you may be aware, [Bill 10: Municipal Affairs Statutes Amendments Act, 2021](#) passed and includes changes to the electronic meeting rules in the *Community Charter*. Further work to update electronic meeting regulations for the City of Vancouver, regional districts and the Islands Trust will be completed to align meeting rules to ensure that the new, broader electronic meeting authorities apply to all local governments.

Our intention is that the new rules for electronic regular and committee meetings will be brought into force by regulation at the same time as amended electronic meetings regulations and to coincide with the expiration of M192 under CRMA (90 days after the end of the state of emergency). This will allow some time for local governments to consider the new authorities and whether to amend procedure bylaws so the transition between the expiration of M192 and your new procedures is relatively seamless. Further guidance material will be provided shortly to help with the understanding of the new electronic meetings authority.

...3

Please note that under the new rules, local governments are not required to adopt electronic meeting provisions in your procedure bylaw if you do not intend to hold electronic meetings; however, local governments are encouraged to proactively consider whether there are circumstances where the option for electronic meetings may be beneficial for your communities.

If you have any questions regarding council or board meetings or the timelines for the new electronic meeting rules, I encourage you to contact our Governance and Structure Branch. You can reach the Governance and Structure Branch by phone or email at: 250 387-4020 or LGGovernance@gov.bc.ca

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Faganello', with a stylized flourish at the end.

Tara Faganello
Assistant Deputy Minister

Enclosure - Attachment 1: FAQ

pc: Honourable Josie Osborne, Minister of Municipal Affairs
Gary MacIsaac, Executive Director, UBCM
Nancy Taylor, Executive Director, LGMA
Todd Pugh, Executive Director, CivicInfo

Attachment 1: FAQs

Now that the PHO is permitting the public to attend meetings, are local governments required to have in-person public meetings?

Ministerial Order 192 continues to give local governments the flexibility to conduct electronic meetings. However, the Order requires local governments to undertake “best efforts” to provide space for the public to attend open meetings and facilities that enable the public to hear, or watch and hear, meetings if the meeting is held electronically.

What do local governments do if they are unable to provide a place for the public to attend in-person and be physically distant or the technology is not available to support electronic participation at meetings?

If after “best efforts,” local governments are unable to provide space for the public to attend open meetings or provide facilities for the public to hear, or watch and hear electronic meetings, they must pass a resolution stating the basis for why they are unable to do so. The resolution must also include the means by which they are ensuring openness, transparency, accessibility and accountability in respect of the meeting.

When can local governments amend the procedure bylaw to allow for electronic regular and committee meetings?

Local governments must not amend their procedure bylaw until the amendments in Bill 10 have been brought into force by regulation. The new authorities for electronic meetings will be brought into force when M192 expires under CRMA (90 days after the end of the state of emergency). Further guidance on the new authorities will be provided to local governments in the coming weeks.

Do new authorities mean local governments must amend the procedure bylaw?

No. The new rules give local governments the choice and flexibility as to whether to choose to conduct regular or committee meetings electronically once the legislation is in force.

Island Plan

2021



BOWEN ISLAND
🌲 Municipality 🌲



Greetings, everyone.

It is my pleasure to present Island Plan 2021, Council's strategic plan for 2021.

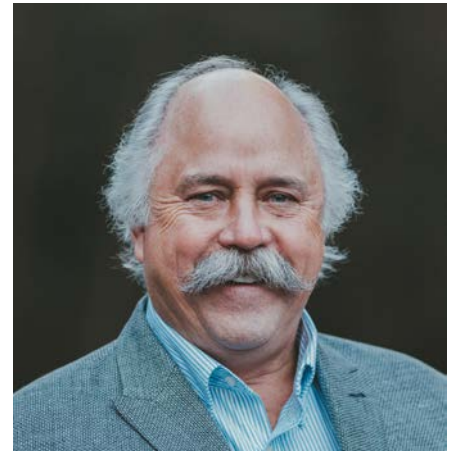
At the time of writing this message, it is just over a year since the onset of the COVID-19 pandemic, and the world has changed. Likewise, some of the priorities we had mapped out before the pandemic were not possible last year, or maybe even this year, but we will still chart a path towards completing them to the best of our ability.

2020 was a strange year for all of us. We did not manage to produce a strategic plan last year, but despite this, we still achieved many accomplishments we are proud of.

Here's a list of some:

- Adopted Bowen's Climate Action Strategy
- Introduced our new Pacific Chorus Frog mascot
- Supported the On-Island Compost Facility project in principle
- Leased parking lot in Snug Cove for public and commuter parking
- Sold two pieces of Community Lands
- Advanced the Fire Hall project to pre-construction
- Activated and maintained EOC and recovery activities in response to COVID-19 pandemic
- Conducted Council meetings electronically with excellent public participation
- Adopted a Short Term Rental Policy to regulate the use of short-term accommodations
- Held a successful referendum for the Community Centre borrowing and progressed Community Centre and Municipal Offices design
- Received significant grant funding to support various municipal projects and initiatives
- Produced and published the Emergency Management Plan and Evacuation Plan
- Completed majority of construction of new Cove Bay Water Treatment Plant and reservoir tank, completed in April 2021
- Stabilized cliff with high rockfall risk along Taylor Road
- Replaced section of watermain in Bluewater that was at high risk of failure
- Completed sustainability assessments of primary water sources, including Grafton Lake and the aquifer supplying the west side water systems
- Completed options analysis and conceptual design for major water system improvements, including potential Eagle Cliff – Cove Bay connection, and upgrades to 4 water systems on the west side of the island
- Established consultation process with Water System Local Advisory Committees and communities
- Replacement and upgrading of Snug Cove Sanitary Pump station mostly completed (completion in March 2021)
- Repair of failed culvert and sinkhole at Honeymoon Creek / Wood Road, stabilized a high-risk road embankment
- Partial repair of failed twin culverts at Killarney Creek / Miller Road. To be completed in August 2021
- Revised project plan and completed design for Phase 1 of the Cross-Island Multi-Use Path. Construction in 2021.
- Maintained essential services to Bowen Island residents

The last Island Plan, published in 2019, mapped out our goals for the 2018-2022 Council term, with a focus on 2019 priorities. We took a holistic approach to ensure the ongoing health and well-being of our community, characterized by our strategic commitments to self-reliance, resilience and responsibility. That approach will carry forward this year as we re-focus on our priorities through a lens of our new social consciousness brought on by the pandemic.





We have our major projects, now in various stages of completion: the Community Centre, having secured financing through a \$7.9 million grant from the Investing in Canada Infrastructure Program, generous community donations and borrowed funds, is about to proceed to tender for construction.

By the time the Centre is built, we will be coming back together to rebuild our social connections and recover from periods of isolation. More than ever, we will need a community space where we can gather, share and reconnect – our island place.

Construction on the Cove Bay Water Treatment Plant is nearly complete and is expected to be commissioned in May. This project will bring fresh, clean drinking water to over 600 connections in the Cove Bay water system through an innovative filtration process.

We've broken ground on the Fire Hall and Emergency Operations Centre on Miller Road, and expect to have occupancy next year in 2022.

The portion of the cross island Multi-Use Path between Bowen Island Community School and Carter Road is currently under construction. This ten-year project will ultimately provide a safer way for islanders of all ages and abilities to walk and cycle across the island.

We've gained momentum on our goals for the Community Lands, supporting the increase of housing stock on the island – Area 1 of Lot 2 sold to a local developer and is now under construction for a new rental housing project. Part of Lot 3 has been sold to the Bowen Island Health Centre, and we are working towards a long-term lease with the Bowen Island Resilient Community Housing (BIRCH) project.

As you will see looking forward, our priorities are ambitious for this next year. While the ultimate goal, as always, is to keep Bowen, Bowen, we are looking forward to a brighter and better future for Bowen Island Municipality and our community.

In closing, I would like to express, once again, how thankful and proud I am of the entire Bowen Island community for their continued diligence and perseverance as we make our way through the challenges of this year. You have shown resilience, compassion and care throughout the multi-faceted struggles caused by the pandemic.

Mayor Gary Ander
April 2021



Vision Statement from the Official Community Plan

Bowen Island is known and loved as a small, friendly, caring community characterized by:

- A population diverse in income, age and lifestyles
- Varied and affordable housing options
- Many people active in community life
- Well-protected natural ecosystems and green spaces
- A vibrant, resilient local economy that enhances social well-being while respecting local, regional and global environment limits
- An ethic of self-reliance, which underpins decisions where conserving land, air, water and energy reduces Bowen's ecological footprint

Mission Statement

In carrying out its mandate, Bowen Island Municipality will work towards conducting operations in a way that:

- Improves the economic, environmental and social well-being for present and future generations
- Encourages and fosters community involvement
- Enhances the small, friendly, caring character of the community
- Maintains an open, accountable and effective operation, and
- Preserves and enhances the unique mix of natural ecosystems and green spaces that Bowen Island possesses



Values as Our Moral Compass

We have adopted a Values Statement that will inform how to approach all matters that come before us, and how to act with integrity in our leadership roles. In decision-making, these core values will act as our moral compass - guiding us to do the right thing.

Our Values Statement contains 10 core values:

1. Accountability - accepting responsibility for our actions
2. Appreciation - recognizing the quality, value and significance of people, places and the natural environment
3. Caring - showing respect, concern and empathy for others
4. Clear thinking - acting intelligently, with a focus on the realities
5. Courage - leading the community with confidence and resolution
6. Creativity - responding imaginatively to opportunities and challenges
7. Honesty - conducting ourselves in a fair and straightforward way
8. Inclusiveness - including, sharing with, and listening to people across the community
9. Moderation - doing and spending neither too much nor too little
10. Resilience - demonstrating the capacity to recover quickly from difficulties

2018 - 2022 Council Vision Statement

In 2022, Council's work has resulted in a more self-reliant, resilient and responsible community. This work has helped create a greater sense of belonging in and commitment to our island home.



Pictured from left: Councillor Rob Wynen, Councillor Maureen Nicholson, Mayor Gary Ander, Councillor Sue Ellen Fast, Councillor David Hocking, Councillor Alison Morse, Councillor Michael Kaile.



Introducing the strategic commitments and priorities for 2021

STRATEGIC COMMITMENT A - SELF-RELIANCE

Enabling living, working and staying on island by ensuring community needs are met through improvements to infrastructure, the economy, housing and municipal services.

1. Advance housing initiatives
2. Advance our major capital projects
3. Plan for our Community Lands
4. Gain rural status

STRATEGIC COMMITMENT B - RESILIENCE

Mitigating risks to our infrastructure and ecosystems, and enhancing our ability to recover from challenges, through municipal actions and intergovernmental relations that recognize our unique island identity.

1. Strengthen our infrastructure and ecosystems through municipal actions
2. Protect our infrastructure and ecosystems through intergovernmental relations
3. Address urgent water management and infrastructure issues
4. Preserve our unique island identity

STRATEGIC COMMITMENT C - RESPONSIBILITY

Ensuring accountability to our citizens, businesses, partners, other levels of government and the natural environment through effective, efficient and timely municipal planning, operations, policies and bylaws.

1. Advance the Asset Management Plan and develop a continuity plan for municipal operations
2. Support collaborative community projects
3. Continue work on dock regulation
4. Address emerging bylaw and policy issues
5. Develop and implement plans to address public safety
6. Continue to implement approved plans and strategies



STRATEGIC COMMITMENT A - SELF-RELIANCE

Priority A1

Advance housing initiatives

What is contemplated, exactly

Continue to work on making Bowen Island a welcoming, long-term home for people of varying income levels, lifestyles and age groups.

Steps to be taken

1. Expand our affordable housing policy to a comprehensive housing policy based on the 2020 housing needs assessment that includes specific targets for housing types.
2. Continue work to identify and address barriers to housing diversity in the Official Community Plan (OCP) and Land Use Bylaw (LUB) and propose revisions.
3. Fund the Affordable Housing Reserve Fund, through the MRDT program revenue, if available.
4. Continue to support the efforts of Bowen Island Resilient Community Housing (BIRCH) in developing their project on Lot 3.
5. Continue to explore options with BC Housing, Metro Vancouver Housing Corporation, not-for-profit housing societies and private developers.
6. Monitor and respond to established and new program opportunities to fund housing supported by other levels of government.
7. Continue community engagement on housing issues, including the Bowen Housing Speaker Series.

Key contacts for this priority

Mayor Gary Ander, Councillor David Hocking, Councillor Maureen Nicholson

Key committees for this priority

Housing Advisory Committee
Mayor's Standing Committee on the Community Lands

The outcome: how it looks on January 1, 2022

Work on identifying and addressing barriers to housing diversity in the OCP and LUB is ongoing. New housing options are available through housing agreements and new housing developments are underway (e.g. BIRCH). A revised housing policy is underway.



STRATEGIC COMMITMENT A - SELF-RELIANCE

Priority A3

Plan for our Community Lands

What is contemplated, exactly

Continue work begun at the 2018 Community Lands Workshop to develop an overall plan for the Community Lands, including the “Old Library Lot,” that reflects economic, social and environmental values and priorities.

Steps to be taken

1. Develop a comprehensive plan for the Community Lands
 - a) Prioritize highest and best community uses of the land and identify lands to be sold, leased, developed through partnerships or held for future needs.
 - b) Include community engagement as part of plan development.
 - c) Rezone and subdivide parcels as required.
2. Consider issuing a formal call for Expressions of Interest to develop identified areas within the Community Lands.
3. Investigate road access options to Lot 2.

Key contacts for this priority

Mayor Gary Ander, Councillor David Hocking,
Councillor Maureen Nicholson

Key committees for this priority

Advisory Planning Commission
Community Economic Development Committee
Finance Advisory Committee
Housing Advisory Committee
Mayor’s Standing Committee on the Community Lands

The outcome: how it looks on January 1, 2022

A comprehensive plan for the Community Lands is underway and is supported by the community. Additional areas within the Community Lands have sold, and the proceeds of the sale are in the Land Opportunity Reserve Fund to pay down the debt on the Community Lands.



STRATEGIC COMMITMENT A - SELF-RELIANCE

Priority A4	Gain rural status
What is contemplated, exactly	Be recognized as rural by the regional, provincial and federal governments and related agencies in order to be eligible for grant funding available to other rural communities in BC.
Steps to be taken	1. Provide input on legislation and regulations related to rural communities regarding eligibility criteria for rural grants. 2. Continue to request exemptions to apply for rural funding programs, and apply for them. 3. Continue to advocate for Rural Status from the federal government by pursuing eligibility for specific federally funded programs. 4. Confirm eligibility for additional provincial rural programs (e.g., Island Coastal Economic Trust).
Key contacts for this priority	Councillor Sue Ellen Fast, Councillor Michael Kaile, Councillor Maureen Nicholson
Key committees for this priority	Community Economic Development Committee Finance Advisory Committee
The outcome: how it looks on January 1, 2022	Bowen Island has made further progress toward gaining rural status and program eligibility at all levels of government.



STRATEGIC COMMITMENT B – RESILIENCE

Priority B1

Strengthen our infrastructure and ecosystems through municipal actions

What is contemplated, exactly

Adopt a policy to embed Conservation Development Principles in municipal planning. Continue to develop our Climate Action Program and continue work on a Site Alteration Bylaw. Begin work on an Ecosystem Protection Policy.

Steps to be taken

1. For Conservation Development Principles:
 - a) Present and draft policy, engage the public and make recommendations to Council.
 - b) Adopt policy.
2. For the Climate Action Program:

Through the Environment and Climate Action Advisory Committee,

 - a) Continue to implement the Climate Action Strategy.
 - b) Continue work on our Community Energy and Emissions Plan (CEEP).
 - c) Continue annual reporting through the Climate Action Revenue Incentive Program (CARIP) on community and municipal efforts to reduce greenhouse gas emissions.
 - d) Continue advancing an on-island composting facility, including funding, permitting and registration, subject to grant approval.
 - e) Continue the Climate Conversations and encourage other community-based initiatives related to climate action.
 - f) Pursue other elements of the committee work plan as approved by Council and as resources permit.
3. For the Site Alteration Bylaw:
 - a) Implement and fund work plan.
 - b) Engage the public.
 - c) Present draft bylaw and recommendations to Council.
4. For Ecosystem Protection:
 - a) Identify possible tools for ecosystem protection.
 - b) Develop ecosystem protection policy.



STRATEGIC COMMITMENT B - RESILIENCE

Priority B1

Strengthen our infrastructure and ecosystems through municipal actions

For Conservation Development: Councillor David Hocking, Manager of Planning and Development

For Climate Action: Councillor David Hocking, Councillor Maureen Nicholson, Manager of Environment & Parks Planning

Key contacts for this priority

For Site Alteration Bylaw: Councillor Sue Ellen Fast, Manager of Environment & Parks Planning, Manager of Planning and Development

For Ecosystem Protection: Councillor Sue Ellen Fast, Manager of Environment & Parks Planning

Key committees for this priority

Advisory Planning Commission
Environment and Climate Action Advisory Committee

The outcome: how it looks on January 1, 2022

Conservation Development Principles are adopted through Council policy and broadly accepted by the community. The Climate Action Program has greater energy, focus and community involvement. Detailed engineering is complete, permitting is underway and finances are secured for an on-island composting facility. A Site Alteration Bylaw has been drafted. An Ecosystem Protection Policy has been drafted.



STRATEGIC COMMITMENT B - RESILIENCE

Priority B2

Protect our infrastructure and ecosystems through intergovernmental relations

What is contemplated, exactly

Work with other levels of government, local First Nations and other organizations to increase protection of our island through changes in land-use designations and regulatory frameworks.

Steps to be taken

1. Continue to oppose industrial-scale logging on Crown Lands, advocating for the removal of Bowen Island from the Timber Supply Area. As needed, liaise with BC Timber Sales, the Ministry of Forests, Lands and Natural Resource Operations, local First Nations and the Islands Trust.
2. Continue to explore the potential for regional park expansion to help ensure ecosystem integrity and long-term protection. Liaise with Metro Vancouver staff, the Regional Parks Committee, the Metro Vancouver Board and local First Nations.
3. Continue to collaborate with the Islands Trust as needed.
4. Continue to work towards a healthy marine ecosystem surrounding Bowen Island through collaboration with Howe Sound Community Forum, Ocean Watch Action Committee, Atl'ka7tsem/Howe Sound Biosphere Region Initiative, Islands Trust, Local First Nations and others.
5. Continue to collaborate with Coastal Douglas Fir Partnership and Islands Trust to aid in protection efforts for sensitive ecosystems on Bowen Island, as needed.

Key contacts for this priority

Councillor Sue Ellen Fast, Councillor David Hocking, Councillor Maureen Nicholson

Key committees for this priority

Environment and Climate Action Advisory Committee
Finance Advisory Committee
Parks, Trails and Greenways Advisory Committee

The outcome: how it looks on January 1, 2022

Bowen Island continues to be excluded from the Timber Supply Area. The options for park expansion have been explored and, if feasible, an action plan for park expansion is in development. Bowen Island has hosted a Howe Sound Community Forum. Bowen Island continues to collaborate with the Islands Trust on matters of mutual interest.



STRATEGIC COMMITMENT B - RESILIENCE

Priority B3

Address urgent water management and infrastructure issues

What is contemplated, exactly

In alignment with the Asset Management Plan, address urgent and high-risk water and infrastructure issues.

Steps to be taken

1. For water management:
 - a) Develop Terms of Reference for water master plan.
 - b) Review water regulations and enforcement.
 - c) Engage consultant.
 - d) Develop plan.
 - e) Provide communications that encourage water conservation principles.
2. For addressing urgent infrastructure:
 - a) Develop a work plan to address infrastructure needs.
 - b) Ensure adequate annual budget provisions and increased reserve contributions to address required water system improvements.

Key contacts for this priority

Director of Engineering
Chief Financial Officer

Key committees for this priority

Environment and Climate Action Advisory Committee
Finance Advisory Committee
Water System Local Advisory Committees

The outcome: how it looks on January 1, 2022

Comprehensive solutions for the most critical water infrastructure issues are in place.



STRATEGIC COMMITMENT B - RESILIENCE

Priority B4

Preserve our unique island identity

What is contemplated, exactly

Revisit and reinvigorate some of the important elements of what makes Bowen, Bowen.

Steps to be taken

1. Continue updating the Snug Cove Design Guidelines for the built environment with the intent of affirming the Arts and Crafts nature of Snug Cove.
2. Complete Heritage Strategic Plan and receive Council approval for implementation.
3. Support Metro Vancouver's community involvement in the next phase of the Davies Orchard Revitalization Project.
4. Complete the Community Economic Development Plan for Bowen Island.
5. Support the Bowen Island Library's Cultural Corner project to activate Snug Cove to increase community use.

Key contacts for this priority

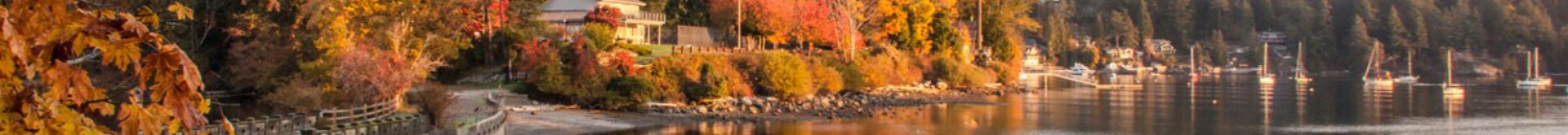
Councillor Sue Ellen Fast, Councillor Maureen Nicholson, Councillor Rob Wynen

Key committees for this priority

Advisory Design Panel
Community Economic Development Committee
Heritage Commission
Public Art Advisory Committee

The outcome: how it looks on January 1, 2022

The updated Snug Cove Design Guidelines are complete. Metro Vancouver has advanced work on the Davies Orchard Revitalization Project. The Heritage Strategic Plan is adopted, and priorities are identified for its implementation. The Community Economic Development Plan is complete and approved by Council. The Cultural Corner project is complete and being used by the community.



STRATEGIC COMMITMENT C - RESPONSIBILITY

Priority C1

Advance the Asset Management Plan and develop a continuity plan for municipal operations

What is contemplated, exactly

Adopt an Asset Management Plan that responds to statutory responsibilities. Develop a plan that addresses the continuity of municipal operations in the event of an emergency.

Steps to be taken

1. Continue work on an Asset Management Plan that addresses long-term maintenance and replacement of municipal infrastructure, including roads, water and sewer, equipment and other infrastructure.
2. Develop a plan for the continuity of municipal operations in the event of an emergency (that is, a Business Continuity Plan).

Key contacts for this priority

Councillor Michael Kaile, Councillor Alison Morse, Councillor Rob Wynen, Chief Administrative Officer, Chief Financial Officer

Key committees for this priority

Finance Advisory Committee

The outcome: how it looks on January 1, 2022

Council and community understand the progress that has been made on the inventory and assessment of municipal infrastructure. As well, levels of service and budget considerations have been considered and the Asset Management Plan has been adopted by Council. A Business Continuity Plan for municipal operations is approved by Council.



STRATEGIC COMMITMENT C - RESPONSIBILITY

Priority C2 Support collaborative community projects

Key contact for this priority Director of Engineering
Manager of Planning & Development
Manager of Recreation & Community Services

Key committees for this priority Finance Advisory Committee
Mayor's Standing Committee on the Community Lands

The outcome: how it looks on January 1, 2022 With municipal support, our partners have made significant progress toward completion of their respective projects.

STRATEGIC COMMITMENT C - RESPONSIBILITY

Priority C3 Continue work on dock regulation

What is contemplated, exactly Continue work on drafting a bylaw that specifies where docks are not permitted.

Steps to be taken

1. Identify criteria.
2. Map areas that meet those criteria.
3. Draft a bylaw to complete phase 2 of dock regulation.
4. Engage the community.

Key contacts for this priority Mayor Gary Ander, Councillor Sue Ellen Fast

Key committees for this priority Advisory Planning Commission
Parks, Trails and Greenways Advisory Committee

The outcome: how it looks on January 1, 2022 Work on dock regulation will be deferred to 2022, but remains a priority for Council.



STRATEGIC COMMITMENT C - RESPONSIBILITY

Priority C4

Address emerging bylaw and policy issues

What is contemplated, exactly Develop policies to address emerging issues.

Steps to be taken

1. For Community Amenity Contributions
 - a) Develop an inventory of potential projects for voluntary support by developers.
2. For Local First Nation relations
 - a) Increase awareness and communications.
 - b) Establish referral process for planning applications.

Key contacts for this priority

Chief Administrative Officer
Chief Financial Officer
Manager of Planning and Development

Key committees for this priority

Advisory Planning Commission
Finance Advisory Committee

**The outcome: how it looks on
January 1, 2022**

An inventory of potential projects for Community Amenity Contribution support has been created. The Municipality has engaged with local First Nations to strengthen our relationship.



STRATEGIC COMMITMENT C - RESPONSIBILITY

Priority C5

Develop and implement plans to enhance public safety

What is contemplated, exactly Implement and update adopted plans and policies.

Steps to be taken

1. For the Emergency Program:
 - a) Assist with business continuity planning for municipal operations.
2. For the Fire Department Core Service Review:
 - a) Continue to implement recommendations from the Core Service Review.
 - b) Develop a five-year strategic plan in coordination with Fire Department members.
 - c) Continue to encourage and implement FireSmart principles and Assessments.
3. For the Community Wildfire Protection Plan:
 - a) Develop and RFP for plan update.
 - b) Engage consultant.
 - c) Adopt and publish plan.
4. Update Fire & Protective Services Bylaw.
 - a) Draft new bylaw compliant with the *Fire Services Act*.
 - b) Adopt bylaw.
 - c) Develop operational procedures.

Key contacts for this priority

Fire Chief
Emergency Program Coordinator
Chief Administrative Officer

Key committees for this priority

Emergency Program Executive Committee

The outcome: how it looks on January 1, 2022

The Community Wildfire Protection Plan is updated. Significant headway has been made in implementing recommendations from the Core Services Review. A new Fire and Protective Services Bylaw is adopted by Council.



STRATEGIC COMMITMENT C - RESPONSIBILITY

Priority C6

Continue to implement approved plans and strategies

What is contemplated, exactly

Monitor progress toward annual goals stated in plans for Community Recreation, Cultural, Parks, Transportation, Climate Action Strategy and Mannion Bay Management Strategy. Adjust longer-term goals as needed and approved.

Steps to be taken

1. Ensure annual goals are reflected in committee work plans.
2. Require annual progress updates from committees to Council, or as requested.
3. Where modifications to approved plans are needed, given changes in conditions, request the approval of Council before proceeding.

Key contacts for this priority

For Community Energy and Emissions: Councillor David Hocking,
Councillor Maureen Nicholson
For Community Recreation: Councillor Alison Morse
For Climate Strategy: Councillor David Hocking
For Culture: Councillor Maureen Nicholson
For Mannion Bay Management Strategy: Councillor Alison Morse
For Parks: Councillor Sue Ellen Fast
For Transportation: Councillor David Hocking

Key committees for this priority

Environment and Climate Action Advisory Committee
Parks, Trails and Greenways Advisory Committee
Recreation and Community Services Commission
Transportation Advisory Committee

The outcome: how it looks on January 1, 2022

Annual goals in approved plans have been met or revised, where appropriate. Progress reporting is an established practice.

2021 Highlights from approved plans

Community Recreation Plan



1. Redevelop community recreation post COVID pandemic
2. Remain a source of connection in the community for physical, mental, emotional health
3. Continue to support the development of the Community Centre
4. Collaborate with and support other community groups on shared community initiatives and services

Staff contact	Manager of Recreation & Community Services
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Cultural Master Plan



1. Continue to move the Public Art Advisory Committee work plan forward with maintenance of current artworks and acquisition of more public art
2. Continue to work collaboratively with the Hearth to build a Community Centre

Bowen Island Arts Council Contact	Executive Director
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2021 Highlights from approved plans

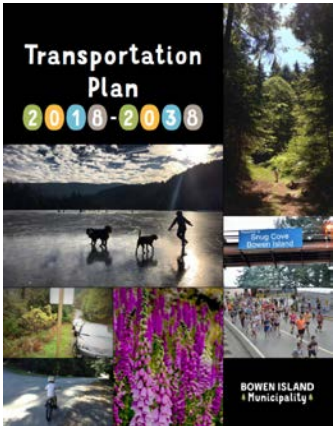
Parks Plan



- 1. Continue to review development proposals in terms of parkland acquisitions and trail connectivity
- 2. Improve ecological, access and interpretive aspects at Headwaters and Quarry Parks
- 3. Develop shoreline protection guidelines

Staff contacts	Parks and Environment Coordinator, Manager of Environment, Parks and Planning
----------------	---

Transportation Plan



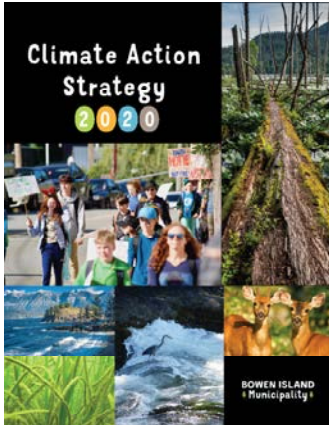
- 1. Complete Phase 1 of the Multi-Use Path
- 2. Develop a plan for the remainder of the cross-island Multi-Use Path
- 3. Continue to investigate options for improving island transit
- 4. Install a community use charging station

Staff contact	Island Community Planner
---------------	--------------------------



2021 Highlights from approved plans

Climate Action Strategy



1. Develop a Conservation Development Principles policy
2. Adopt a Site Alteration bylaw
3. Start work on a Water Master Plan
4. Implement Transportation Plan initiatives that help reduce emissions
5. Liaise with local action groups on climate-related projects

Staff contacts

Manager of Environment, Parks and Planning

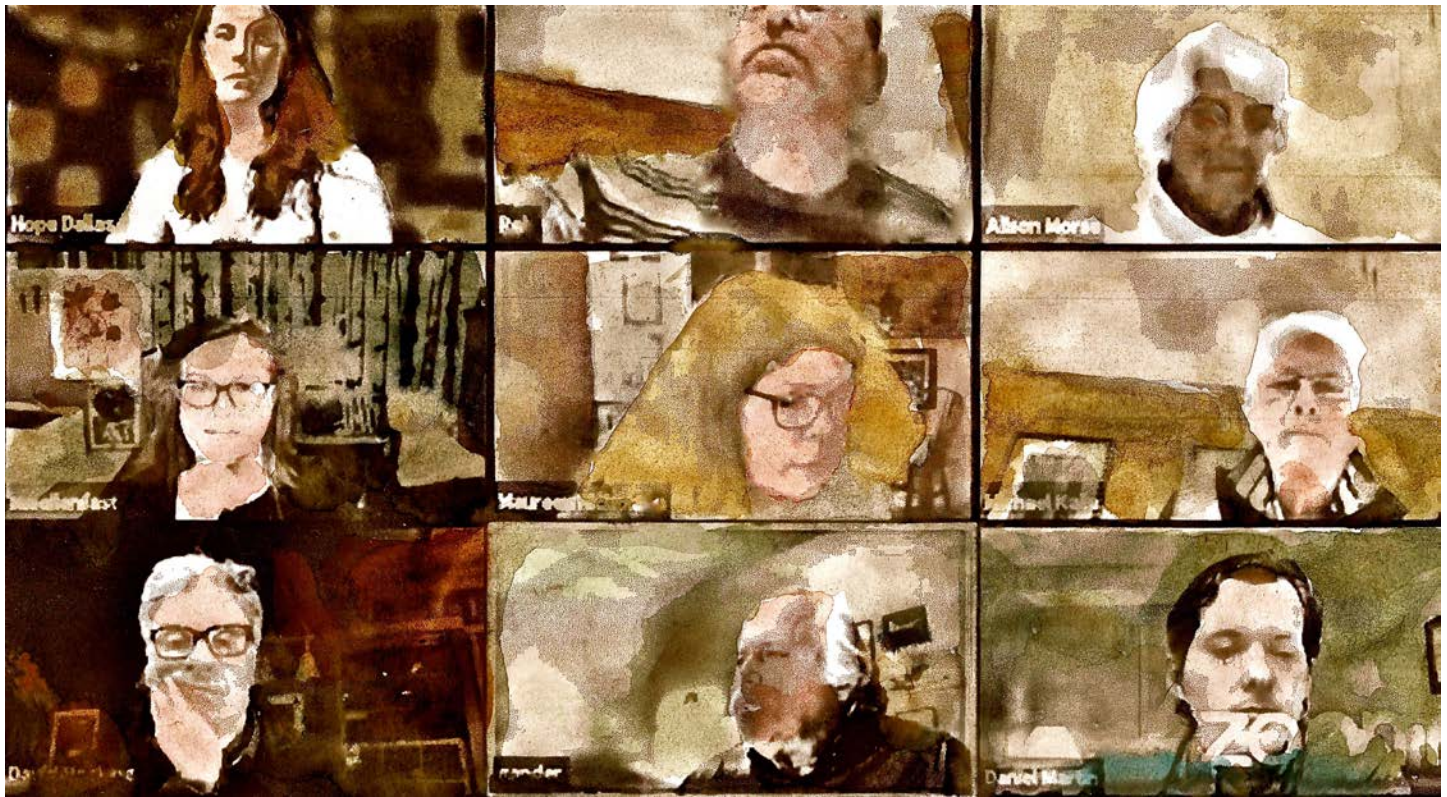
Mannion Bay Management Strategy

1. Continue enforcement of applicable BIM bylaw provisions
2. Liaise with Transport Canada and Coast Guard re: new Wrecked, Abandoned and Hazardous Vessels Act enforcement strategy
3. Continue to work with local action groups on stewardship projects such as eelgrass planting and beach clean-ups

Staff contact

Manager of Environment, Parks and Planning

All approved plans are posted at www.bowenislandmunicipality.ca/reports-publications.



Portrait of a Zoom Council meeting by Ron Woodall



2020 Highlights

1. Adopted Bowen's Climate Action Strategy
2. Introduced our new Pacific Chorus Frog mascot
3. Supported the On-Island Compost Facility project in principle
4. Leased parking lot in Snug Cove for public and commuter parking
5. Sold two pieces of Community Lands
6. Advanced the Fire Hall project to pre-construction
7. Activated and maintained EOC and recovery activities in response to COVID-19 pandemic
8. Conducted Council meetings electronically with excellent public participation
9. Adopted Short Term Rental Policy to regulate the use of short-term accommodations
10. Held successful referendum for the Community Centre borrowing and progressed Community Centre and Municipal Offices design
11. Received significant grant funding to support various municipal projects and initiatives
12. Produced and published the Emergency Management Plan and Evacuation Plan
13. Completed majority of construction of new Cove Bay Water Treatment Plant and reservoir tank, to be completed in April 2021
14. Stabilized cliff with high rockfall risk along Taylor Road
15. Replaced section of watermain in Bluewater that was at high risk of failure
16. Completed sustainability assessments of primary water sources, including Grafton Lake and the aquifer supplying the west side water systems
17. Completed options analysis and conceptual design for major water system improvements, including potential Eagle Cliff – Cove Bay connection, and upgrades to 4 water systems on the west side of the island.
18. Established consultation process with Water System Local Advisory Committees and communities
19. Made progress on replacement and upgrading of Snug Cove Sanitary Pump station mostly completed (completion in March 2021)
20. Repair of failed culvert and sinkhole at Honeymoon Creek / Wood Road, stabilized a high risk road embankment.
21. Partial repair of failed twin culverts at Killarney Creek / Miller Road. To be completed in August 2021
22. Revised project plan and completed design for Phase 1 of the Crosss-Island Multi-Use Path (construction in 2021)
23. Maintained essential services to Bowen Island residents



The 12 Fundamental Goals of the Official Community Plan

The following goals are considered fundamental to our island life, present and future.

1. To preserve and protect the unique amenities and natural environment of Bowen Island for the benefit of Bowen Island residents and, generally, for residents of British Columbia.
2. To recognize the importance of the marine environment and preserve a marine-oriented community and island atmosphere.
3. To provide environmental stewardship strategies, to be followed by residents and visitors alike, that recognize societal responsibilities, as well as the rights of property owners.
4. To minimize Bowen Island's contribution to global climate change.
5. To establish a land use pattern which places high priority on environmental and social factors.
6. To manage growth in a way that is conditioned by the natural environment and respects social and economic diversity.
7. To be inclusive by welcoming residents with varying income levels, lifestyles and age groups.
8. To ensure a healthy community, with residents working together to improve the quality of life.
9. To ensure that a balance is maintained between community well-being and the rights of individual property owners.
10. To foster the creation and maintenance of local employment in island-based sustainable activities.
11. To recognize Snug Cove as the commercial and community heart of Bowen Island, and to provide for the expansion of commercial, residential, and community and cultural uses that will contribute towards a pleasant, walkable village, appropriate in form and scale to a small community.
12. To engage other levels of government and non-governmental organizations to accomplish the objectives and policies of this Official Community Plan.



BOWEN ISLAND Municipality

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Bowen Island BC V0N 1G2

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Photography courtesy of: Leah Darling,
Daryl Deegan, Tristan Deggan, Doug Evans,
Len Gilday, Benjamin Howland, Allison
Isto, Les Meszaros, Peter Robinson, Janice
Skeels, Ron Woodall.



OMBUDSPERSON
BRITISH COLUMBIA

Mr. Peter Luckham
Chair
Islands Trust
200 - 1627 Fort Street
VICTORIA BC V8R 1H8

May 17, 2021



Dear Mr. Luckham,

RE: Quarterly Reports: January 1 – March 31, 2021

This package of documents details the complaint files the Office of the Ombudsperson closed for **Islands Trust** between January 1 and March 31, 2021. No action is required on your part, however we hope that you will find this information useful and share it within your organization.

These reports provide information about the complaint files we closed regarding your organization within the last quarter, including both files we investigated and files we closed without investigation. Files currently open with the office are not included in these reports.

Enclosed you will find detailed reports containing the following:

- A one-page report listing the number of files closed and the category under which they were closed. The categories we use to close files are based on the sections of the *Ombudsperson Act*, which gives the Ombudsperson the authority to investigate complaints from the public regarding authorities under our jurisdiction. A more detailed description of our closing categories is available on our website at: <https://bcombudsperson.ca/assets/media/QR-Glossary.pdf>.
- *If applicable:* Copies of closing summaries written about the complaint files we investigated. These summaries provide an overview of the complaint received, our investigation and the outcome. Our office produces closing summaries for *investigated* files only, and not for enquiries or those complaints we chose not to investigate.
- *If applicable:* A summary of the topics identified in the complaint files closed during the quarter. We track general complaint topics for all complaints we receive, and when applicable, we include authority-specific and/or sector-specific topics for your organization and/or sector. Our office tracks the topics of complaints we investigate and those we close without investigation, but not for enquiries. Because complaints to our office are confidential, we do not share complaint topic information if we received too few complaints to preserve the

complainants' anonymity.

If your organization received too few complaints to produce a summary of complaint topics but you would like further information about the complaints our office received about your organization, our Public Authority Consultation and Training (PACT) Team can provide further details upon request.

Finally, we have been tracking complaints related to the COVID-19 pandemic under the general heading of "COVID-19." If you would like more detailed information about those complaints, please contact our PACT Team.

If you have questions about our quarterly reports, or if you would like to sign up for our mailing list to be notified of educational opportunities provided by our Public Authority Consultation and Training Team, please contact us at 250-508-2950 or consult@bcombudsperson.ca.

Yours sincerely,



Jay Chalke
Ombudsperson
Province of British Columbia

Enclosures



Type of complaint closure	# closed
Enquiries – Many people who contact us are not calling to make a complaint, but are seeking information or advice. These contacts are classified as <i>Enquiries</i> to distinguish them from <i>Complaints</i> , which are requests that our office conduct an investigation.	0
Complaints with No Investigation – Our office does not investigate every complaint it receives. First, we determine whether we have authority to investigate the complaint under the <i>Ombudsperson Act</i> . We also have discretion to decline to investigate for other reasons specified in the <i>Ombudsperson Act</i> .	2
Early Resolution Investigations – Early Resolution investigations provide an expedited process for dealing with complaints when it appears that an opportunity exists for the authority to take immediate action to resolve the issue. Typical issues that are addressed through Early Resolution include timeliness, communication, and opportunities for internal review.	0
Complaint Investigations – When we investigate a complaint we may conclude with a determination that a complaint is not substantiated, or with a negotiated settlement of the complaint, or with public findings and recommendations. We may also exercise discretion to cease investigation for a number of other reasons specified in the <i>Ombudsperson Act</i> .	Total: 0
<i>Reason for closing an Investigation:</i>	
Pre-empted by existing statutory right of appeal, objection or review.	0
Investigation ceased with no formal findings under the <i>Ombudsperson Act</i> .	
More than one year between event and complaint	0
Insufficient personal interest	0
Available remedy	0
Frivolous/vexatious/trivial matter	0
Can consider without further investigation	0
No benefit to complainant or person aggrieved	0
Complaint abandoned	0
Complaint withdrawn	0
Complaint settled in consultation with the authority - When an investigation leads us to conclude that action is required to resolve the complaint, we try to achieve that resolution by obtaining the voluntary agreement of the authority to settle the complaint. This allows matters to be resolved fairly for the complainant and authority without requiring a formal finding of maladministration.	0
Complaint substantiated with formal findings under the <i>Ombudsperson Act</i> .	0
Complaint not substantiated under the <i>Ombudsperson Act</i> .	0
Ombudsperson Initiated Investigations – The Ombudsperson has the authority to initiate investigations independently from our process for responding to complaints from the public. These investigations may be ceased at the discretion of the Ombudsperson or concluded with formal findings and recommendations.	0

The tables below summarize the complaint topics we are tracking for your sector and/or authority and the number of times this topic was identified in the files (investigated and non-investigated complaints) that were closed in the most recent quarter.

If you would like more information on the types of complaints we receive, please contact our Public Authority Consultation and Training Team: email us at consult@bcombudsperson.ca or call us at 250-508-2950.

Sector-Specific Complaint Topics - All Local Government

Business Licensing	4	3%
Bylaw Enforcement	31	21%
Council Member Conduct (incl. Conflict of Interest)	8	5%
Official Community Plan/Zoning/Development	37	25%
Fees/Charges (incl. Taxes)	9	6%
Open Meetings	6	4%
Procurement	3	2%
Services (incl. Garbage, Sewer, Water)	17	11%
Response to Damages Claim	2	1%
Other	32	21%

General Complaint Topics - All Local Government

COVID-19	3	1%
Disagreement with Decision or Outcome	79	35%
Accessibility	2	1%
Delay	11	5%
Administrative Error	6	3%
Treatment by Staff	16	7%
Communication	27	12%
Process or Procedure	71	31%
Review or Appeal Process	1	0%
Employment or Labour Relations	2	1%
Other	10	4%



The Corporation of the District of Central Saanich

May 19, 2021

File No. 0400-70/21

Chief Dr. Nick Claxton
Tsawout First Nation
7728 Tetayut Road
Saanichton, BC V8M 2E4

Dear Chief Claxton,

Re: Tsawout First Nation Claim to LEL,TOS, James Island

At their May 10, 2021 Regular Council meeting, Central Saanich Council received the correspondence dated April 27, 2021 from Councillor Mavis Underwood which advised that the Tsawout First Nation is asserting their claim to LEL,TOS, James Island.

The District of Central Saanich acknowledges the Douglas Treaty rights and Aboriginal rights of the Tsawout First Nation, and supports the Tsawout First Nation's rightful to claim to LEL,TOS, James Island.

We look forward to hearing the results of your claim.

Sincerely,



Brian Barnett
Acting Chief Administrative Officer
and Director of Engineering and Public Works

cc: Mavis Underwood, Councillor (via email)



June 4, 2021

Chair Peter Luckham
Islands Trust
Suite 200, 1627 Fort Street
Victoria, BC V8R 1H8

Dear Chair Luckham:

Re: 2021 AVICC Resolution(s)

UBCM is in receipt of the attached resolution(s) endorsed by your Board. Your resolution(s) received endorsement at the 2021 AVICC Spring Convention.

As such, the resolution(s) will be presented to the UBCM membership for their consideration at the 2021 UBCM Convention.

Please contact Jamee Justason, Resolutions and Policy Analyst, if you have any questions about this process, email: jjustason@ubcm.ca.

Yours truly,

Brian Frenkel
UBCM President

Enclosure

Electronic Permit and Public Hearing Notification

Islands Trust

Whereas the *Local Government Act*, Part 14, Divisions 3 and 8, requires that local governments give notice of public hearings in two consecutive issues of a gazette newspaper, and temporary use permits in one issue of a gazette newspaper;

And whereas many small communities no longer have local newspapers, or a newspaper that meets the definition of gazette in the Interpretation Act:

Therefore be it resolved that AVICC and UBCM call upon the Ministry of Municipal Affairs to update the *Local Government Act* to allow temporary use permit and public hearing notifications to be provided electronically, via an application or website if the local government can demonstrate equal or greater ability to reach relevant constituents than a regular printed local newspaper.

Convention Decision:

From: Michael Dunn <ed@mayneconservancy.ca>
Sent: Tuesday, June 8, 2021 12:38 PM
To: Jenny; Executive Admin
Cc: Caurinus Environmental; Peter Ommundsen; Laura Matthias;
mandy.kellner@gov.bc.ca; liz ciocea
Subject: Re: Bat Friendly Community

Thanks Jenny; I assume this is an action item from the meeting this morning. A couple of points, timing is very good right now as the Trust Council is updating and revising the Trust Area Policy statements so language around embracing the BFC certification could be recommended by this group. The Trust Council has quarterly meetings so targeting one of these as a delegation representing island based community bat programs and supporting organizations would put a proposal forward which should include the checklist of criteria that must be present or intended to be implemented on each Island community in the Trust Area. At the same time, island based bat program coordinators need to develop awareness and communication materials for their Local Trust Committees requesting that they be advocates for the broader initiative put toward the Trust Council. Trust council meetings are June (8-10) too late and September (21-23) possible. The next Trust Council meeting after that would be in the New Year perhaps January.

Just some thoughts.

Michael

On 2021-06-08 12:09 p.m., Jenny wrote:

Greetings

Bat Project coordinators for the BC Bat Community Programs on several of the Islands Trust islands are interesting in asking the Islands Trust to consider voting to become a Bat Friendly Community (BFC) <https://bcbats.ca/get-involved/bat-friendly-communities/> . Are you the correct person to whom I should be corresponding regarding bringing this issue up for a vote? Could you please let me know **how this process of voting to become a BFC would take place under the Trust governance** (as it is different than a city/municipality) and also, who to contact, if you are not the person to ask?

Communities in BC that have voted to be Bat Friendly:

1. Dawson Creek (since 2016/17)
2. Peachland (since 2019)
3. Richmond (since 2020)
4. Delta (since 2021)

Many of the larger Trust islands already have very active bat programs, which do local bat ecology work and the community education about bats, and the Trust is already tasked to protect its important wildlife habitats, so this fits well with the Trust's mandate.

So, what I am asking is **how the actual process of getting a vote for certification of the Islands Trust as a Bat Friendly Community could proceed**. We, as a group of islands, who are interested in this issue, can discuss the components and initiatives regarding what a Bat Friendly Community would entail for the Trust, after we find out how the certification process could proceed within the Island Trust governance.

Looking forward to hearing from you,

Jenny Balke

R.P. Bio

Coordinator Denman Hornby Bat Project, member of BC Community Bat Program

--

Michael Dunn
Executive Director
Mayne Island Conservancy Society
250-539-2535
www.mayneconservancy.ca



Virus-free. www.avast.com

From: noreply.newsondemand@gov.bc.ca <noreply.newsondemand@gov.bc.ca>
Sent: Wednesday, June 9, 2021 8:33 AM
To: Clare Frater <cfrater@islandstrust.bc.ca>
Subject: BC Gov News - B.C. releases plan to prepare for climate change, seeks public input

A yellow banner with a sunburst pattern in the background. The text "Government of B.C." is in a large, bold, dark blue font, and "News on Demand" is in a smaller, dark blue font below it.

Government of B.C.

News on Demand

B.C. releases plan to prepare for climate change, seeks public input

The Province is taking action to help British Columbia prepare for the impacts of climate change and is seeking public feedback on future work as part of the draft Climate Preparedness and Adaptation Strategy.

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Environment and Climate Change Strategy, Government Operations

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<https://news.gov.bc.ca/24644>
June 9, 2021, 8:30 a.m.

British Columbia News

B.C. releases plan to prepare for climate change, seeks public input

Victoria - The Province is taking action to help British Columbia prepare for the impacts of climate change and is seeking public feedback on future work as part of the draft Climate Preparedness and Adaptation Strategy.

"People across British Columbia increasingly understand, first-hand, the serious effects of climate change. Record wildfires, extreme drought and increased flooding all show us that we must prepare and adapt at the same time as we work to reduce and change climate-harming activities," said George Heyman, Minister of Environment and Climate Change Strategy. "Our government is taking action now to build on the important work already underway to understand and prepare for climate change in British Columbia. Public engagement and input is critical to make sure that our strategy best serves and protects people and natural systems in the years to come."

In Phase 1 of the draft Climate Preparedness and Adaptation Strategy, the Province will work with Indigenous Nations and local governments to strengthen community resilience, begin work on a B.C. flood strategy, improve the provincial response to extreme heat and wildfire smoke for people who are unhoused and housing insecure, and assess climate impacts on vulnerable highway culverts and resource roads.

Public consultation on the remaining actions and guiding principles in the draft strategy is open until Aug. 12, 2021, on the government's public engagement website.

"Working together to adapt to climate change is critically important to building a better, more resilient future for everyone," said Lydia Hwitsum, political executive, First Nations Summit and member of B.C.'s Climate Solutions Council. "The Province's draft strategy recognizes that partnerships with First Nations and respect for the rich and diverse knowledge systems Indigenous peoples hold of their territories is central to this work. By working together, we can choose a path that respects First Nations Title and Rights and creates inclusive responses to climate change."

The Province has developed the strategy in collaboration with Indigenous peoples through two working groups and through multiple engagements with Indigenous communities and organizations. Additional input has come from municipalities and regional districts, academics, businesses, non-profits, youth and others.

"Local governments across the province know how important it is to prepare for a changing climate now by building more resilient communities," said Toni Boot, mayor of Summerland and member of the Climate Solutions Council. "The draft provincial adaptation strategy offers important opportunities for new partnerships and increased supports to improve local planning on climate adaptation."

The draft strategy includes proposed actions to expand cultural and prescribed burning to reduce wildfire risks, support nature-based climate solutions, support pilot projects for water supply and demand management and establish an ocean acidification plan, among others.

"By partnering with engineering and geoscience professionals, who are actively figuring out solutions to the challenges our society faces in reducing emissions, the Province is supporting better infrastructure design, a growing role for nature-based solutions and building more resilient communities," said Heidi Yang, CEO,

Engineers and Geoscientists BC. “Integrating climate data into decision-making aligns with the climate adaptation goals of Engineers and Geoscientists BC through our Climate Change Action Plan and is a critical step towards ensuring we are planning ahead using the latest science.”

The Climate Preparedness and Adaptation Strategy is part of the Province’s CleanBC plan. CleanBC is a pathway to a more prosperous, balanced and sustainable future. It supports government’s commitment to climate action in meeting B.C.’s emission targets and building a cleaner, stronger economy for everyone.

Quotes:

Tamara Vrooman, president and CEO, Vancouver Airport Authority, and chair, Canada Infrastructure Bank

“Climate change presents significant risks for businesses and infrastructure in B.C. from increased flooding, wildfires and droughts, among others. By working with partners across sectors and Indigenous knowledge holders, B.C. is helping to build a more resilient future by developing an inclusive plan to prepare for and mitigate climate impacts that will reduce costs and uncertainty in the long run.”

Nancy Olewiler, director, School of Public Policy, Simon Fraser University, and member, Climate Solutions Council –

“Taking early action to prepare for climate change is a smart investment in a better future for people, businesses and communities across the province. The draft climate adaptation strategy outlines necessary initial steps to strengthen our knowledge of climate risks through improved data and support for research institutions that will help reduce the costs of climate-related disasters.”

Aaron Sutherland, vice-president, Western and Pacific, Insurance Bureau of Canada –

“As our climate changes, extreme weather events like flood, wildfire and severe storms are on the rise. Across the country, insured damage from these events now averages \$2 billion annually. British Columbia’s draft Climate Preparedness and Adaptation Strategy is an important step forward in building our resilience and better protecting homes, businesses and communities going forward.”

Quick Facts:

- The draft Climate Preparedness and Adaptation Strategy outlines actions planned to take place from 2022-25. A final version of the strategy is expected for release in early 2022.
- Through StrongerBC, government has invested \$90 million to help the province prepare for climate change and support jobs for people during the pandemic.
- These investments include projects to conserve and restore watersheds and ecosystems through nature-based climate solutions that support more than 1,000 jobs, will reduce the risk of wildfires and create more than 500 jobs in rural communities, and includes projects to upgrade provincial highways and roads to make them more resilient to increased flooding.

Learn More:

To read the draft Climate Preparedness and Adaptation Strategy and provide comments, visit:
www.engage.gov.bc.ca/climatereadybc (<http://www.engage.gov.bc.ca/climatereadybc>)

To read more about climate adaptation in B.C., visit: www.gov.bc.ca/BC-Adapts (<http://www.gov.bc.ca/BC-Adapts>)

To read more about CleanBC, visit: www.cleanbc.ca (<http://www.cleanbc.ca>)
Ministry of Environment and Climate Change Strategy

Media Relations

250 953-3834

Translations

- Climate_Change_Chinese(traditional).pdf ([https://bcgovnews.azureedge.net/translations/releases/2021ENV0042-001112/Climate_Change_Chinese\(traditional\).pdf](https://bcgovnews.azureedge.net/translations/releases/2021ENV0042-001112/Climate_Change_Chinese(traditional).pdf))
- Climate_Change_French.pdf (https://bcgovnews.azureedge.net/translations/releases/2021ENV0042-001112/Climate_Change_French.pdf)
- Climate_Change_Punjabi.pdf (https://bcgovnews.azureedge.net/translations/releases/2021ENV0042-001112/Climate_Change_Punjabi.pdf)

From: Dan Rogers <drogers@islandstrust.bc.ca>
Sent: Wednesday, June 9, 2021 11:26 AM
To: EC <ec@islandstrust.bc.ca>
Subject: FW: Need for tree cutting regulations

FYI EC.

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

Preserving and Protecting Over 450 Islands and the Surrounding Waters in the Salish Sea

I am humbly thankful that I live and work in the territory of the BOŖEĆEN, Cowichan, Halalt, Homalco, K'ómok, Klahoose, Lake Cowichan, Lekwungen, Lyackson, MÁLEXET, Penelakut, Qualicum, Scia'new, selilwitulh, SEMYOME, Shíshálh, Snaw-naw-as, Snuneymuxw, Skwxwú7mesh, SŖÁUTW, Stz'uminus, SXIMELET, T'Sou-ke, Tla'amin, Tsawwassen, We Wai Kai, Wei Wai Kum, WJOŁELP, WSIKEM, and x'məθk'əyəm.

From: ROBERT BROCKLEY [REDACTED]
Sent: Wednesday, June 9, 2021 11:24 AM
To: Scott Colbourne; Kees Langereis; Dan Rogers
Cc: Doug Routley
Subject: Need for tree cutting regulations

Dear Trustees,

The recent sightings of loaded logging trucks and clear-cut harvesting on Gabriola Island has prompted Gabriola Land and Trails Trust (GaLTT) to ponder the Island Trust's current lack of regulatory authority over tree cutting and ecosystem protection and the effects it will have on the future health and sustainability of both our island ecosystems and the Gabriola community. This has prompted GaLTT to submit the attached statement to the Gabriola Sounder for publication in a future edition.

As you know, the human conversion of natural habitat on Gabriola Island is higher than most other Gulf Islands. Frankly, our island is nearing the tipping point for ecological stability, so the urgency to find solutions to continued development pressure and ecological fragmentation is very high.

GaLTT understands this is a complex issue with no simple solutions. However, I know you share our concerns, so I urge you to continue pursuing and supporting local initiatives that are within your current regulatory authority and to encourage the Trust Council to aggressively seek solutions with the provincial government.

Yours truly,

Rob Brockley
President, Gabriola Land and Trails Trust

GaLTT Reflections on the Tree-cutting Issue

Gabriola Land and Trails Trust

The sight of a seemingly endless stream of loaded logging trucks leaving Gabriola Island this spring, coupled with a surge in clearing due to property development, has clearly sparked widespread community concerns and awareness that the Islands Trust currently lacks sufficient regulatory power to effectively uphold its mandate “to preserve and protect the Trust area and its unique amenities and environment” [Island Trust Act, 1974]. The inability of the Islands Trust to regulate tree cutting and ecosystem protection on private lands is not unique to Gabriola; it is a serious problem throughout the Trust Area, where rare and threatened Coastal Douglas-fir (CDF) forests have the highest number of species and ecosystems at risk in the province and some of the most altered and fragmented habitats.

According to the Islands Trust Conservancy, “when ranked for sensitivity to climate change, carbon storage capability, biodiversity habitat, and the degree of human impacts, the CDF is the most important BC ecosystem.” Despite its importance, the CDF ecological zone is the least-protected in BC with <1 % old growth remaining and only 10% of forests older than 120 years.

Gabriola Land and Trails Trust (GaLTT) was formed in 2004 as a non-profit society to conserve and protect natural habitats, develop and maintain a network of public trails, and engage in public education regarding conservation and outdoor recreation issues. As a conservation organization, our volunteer Board shares the concerns of many Gabriolans about the threat that tree-cutting and disturbance of natural habitat poses to healthy and stable ecosystems, even when undertaken in compliance with current laws.

Thankfully, some preliminary steps are being taken to address this longstanding issue. The Islands Trust Council has advocated to the provincial government to grant them the necessary jurisdictional authority to regulate tree cutting in the Trust Area such as enforcement of development permit infractions and much needed amendments to the Private Managed Forest Land Act. Authority for the Islands Trust to regulate clear-cutting and harvesting of the few remaining old growth CDF forests is also needed. The Islands Trust and provincial government ministers are engaged in ongoing conversations about these important issues, although progress is frustratingly slow. Also, the Salt Spring Island Local Trust Committee has identified 'Protection of the Coastal Douglas-fir Ecosystem' as a strategic priority item and is currently considering several potential actions, including: a) new CDF protection Development Permit Areas; b) stronger Official Community Plan policy to support CDF protection; c) Land Use Bylaw amendments to help reduce impacts of development on ecosystems; and d) incentive/reward options to protect natural habitat on private land. The project is proceeding slowly, with public consultation, in recognition of the wide-ranging views held by island residents about this potentially divisive issue. GaLTT is hopeful the Salt Spring project may serve as a useful model for other islands within the Trust Area.

GaLTT recently sent a letter to the Minister of Municipal Affairs and the Minister of Forests, Lands, Natural Resource Operations and Rural Development requesting that law reform be undertaken to provide the Islands Trust with the legal tools necessary to protect threatened CDF forests. We have also written to our Local Trust Committee urging them to continue working within the current regulatory framework to protect island ecosystems as to encourage the Trust Council to aggressively lobby the provincial government to make much needed regulatory changes. GaLTT encourages other organizations, businesses, and individuals to similarly voice their concerns and wishes to the Trustees, Islands Trust, and provincial government on this important issue.

The ongoing disturbance to forest and non-forest natural habitat, the fragmentation of natural landscapes, and the threat they pose to ecological health, should be of concern to all Gabriolans. GaLTT

is willing to cooperate with all levels of government and members of the Gabriola community to find workable solutions. However, we also understand that simply transferring tree-cutting bylaws created for use in urban municipalities to rural, largely forested landscapes is neither practical nor workable. A variety of issues, including large property sizes, different types of zoning (e.g., forestry, resource, agriculture) and fire protection must be considered, and these may fall under different jurisdictions. In other words, it's a complex issue with no easy solutions. Also, regulatory changes will take time to implement and will not, by themselves, offer a complete solution.

GaLTT believes that education and targeted conservation programs, in concert with an updated regulatory framework, offers the best chance of success. We recently launched a new Nature Stewards program that will encourage private landholders to voluntarily take actions to preserve natural habitat. We will assist large and small property owners by conducting walkabouts on their land and suggest ways to create wildlife habitat and conserve and enhance biodiversity, including tree retention. The program is intended to raise more community awareness and identify practical ways in which Gabriolans can make more ecologically sensitive decisions on their private properties. GaLTT is also seeking opportunities to enter into conservation covenant agreements with the holders of larger forested properties. In some cases, covenants could combine the preservation of ecological values with appropriate harvesting methods, thus ensuring continuous mature forest cover and sustainable ecosystems.

Timber harvesting has occurred on Gabriola since at least the mid-1800s, and despite the past and recent logging, Gabriola remains a well forested island. Unlike many other natural resources, forests are a renewable resource when managed sustainably.

On the other hand, we know that ecosystems cannot sustain endless fragmentation or disturbance and survive. According to the 2019 Islands Trust 'State of the Islands Indicator Project', the natural areas already converted to human use on Gabriola (~ 28%) puts our island much closer to the accepted threshold for ecosystem health than most other Gulf Islands. As land conversion rises above 30-40%, the number of species in a given habitat have been shown to decline more quickly. Climate change will exert even more pressure, changing the baselines for health and sustainability. Truly, the health of our ecosystems is inexorably linked with the future health and well-being of our community.

It is imperative that different levels of government and Gulf Island communities, including businesses, work together in finding effective ways to protect our precious CDF ecosystems. To date, there has been some talk but very little action.



May 31, 2021

The Islands Trust Council

c/o execadmin@islandstrust.bc.ca

c.c Jeanine Dodds, Mayne Island Trustee

David Maude, Mayne Island Trustee

Re: Public Input for First Reading of proposed revisions to the Islands Trust Council Draft Bylaw No. 183 / Islands Trust Policy Statement Bylaw 2021 (Stage 5 – June to September 2021).

To the Council:

As you are no doubt aware, Mayne Island is vulnerable to deforestation, and the rate of canopy loss has been dramatically increasing in recent years. Residents continue to remove large numbers of trees from their properties, which results in a more serious loss overall when combined with the death of trees (primarily mature Western Red Cedar) due to climate change. The environmental impact of tree cutting erodes ecosystems across Mayne Island, specifically affecting ground water, local microclimates along with flora and fauna at all scales.

Therefore, we are writing to express our emphatic support for the Islands Trust Council pursuing the necessary jurisdictional authority to regulate small scale clear cutting in the Trust Area (under Coordination Policies for Trust Council 4.3.9).

Yours Sincerely,

Malcolm Inglis,

President, Mayne Island Conservancy Society

From: Laura Amoi <lamoi@fcm.ca>
Sent: Friday, June 11, 2021 1:46 PM
To: EC <ec@islandstrust.bc.ca>
Cc: Narissa Chadwick <nchadwick@islandstrust.bc.ca>
Subject: Notice of FCM funding approval for a project in Mayne Island LTA

Dear Peter Luckham,

It is my pleasure to inform you that the Mayne Island Housing Society has been approved for funding from the Green Municipal Fund's Sustainable Affordable Housing (SAH) program for the initiative: *Mayne Island Affordable Housing Plan to Achieve Net Zero Energy Ready, Capital Regional District, B.C. (GMF17807)*.

Please find the Executive Decision Letter attached, which contains information regarding public announcements.

Best regards,

Laura Amoi

Project Assistant, Funding | Green Municipal Fund
Adjointe de projet, Financement | Fonds municipal vert
T. 343-925-6481





FEDERATION
OF CANADIAN
MUNICIPALITIES

FÉDÉRATION
CANADIENNE DES
MUNICIPALITÉS

**President
Présidente**

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Mayor
Municipality of
Strathroy-Caradoc, ON

**First Vice-President
Première vice-présidente**

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Maire
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Canton de Gore, QC

**Third Vice-President
Troisième vice-président**

Geoff Stewart
Deputy Mayor
Municipality of the
County of Colchester, NS

**Past President
Président sortant**

Garth Frizzell
Councillor
City of Prince George, BC

**Chief Executive Officer
Cheffe de la direction**

Carole Saab
Ottawa, ON

June 11, 2021

Deborah Goldman
President
Mayne Island Housing Society
518 Dalton Drive
Mayne Island, BC
V02 2J2

Project Title: Mayne Island Affordable Housing Plan to Achieve Net Zero Energy Ready, Capital Regional District, B.C.

Application Number: GMF17807

Dear Deborah Goldman:

On behalf of the Green Municipal Fund (GMF) Council and FCM's Executive Committee, I would like to congratulate the Mayne Island Housing Society on its successful funding application for the above-noted initiative.

It is my pleasure to confirm that the Mayne Island Housing Society has been approved for a grant in the amount of up to \$25,000.

In the near future, Ms. Corey Stewart will contact you to finalize the agreement for this funding. FCM's obligation to fund the above-noted initiative will only become binding once the agreement is signed.

FCM, in partnership with the Government of Canada, oversees public announcements regarding GMF-funded initiatives. In the coming weeks, our media relations team will contact you to discuss the process for a public announcement. Until that time, before making any public statements related to the status of the application process for GMF funding (with the exception of reporting to Council), please contact the FCM media team at 613-907-6395 or by email at media@fcm.ca.

24, rue Clarence Street,
Ottawa, Ontario, K1N 5P3

T. 613-241-5221
F. 613-241-7440

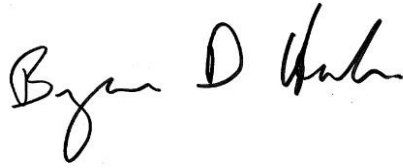
www.fcm.ca

1/2



Thank you for your interest in GMF. We look forward to working with you to improve the quality of life in your community, and to sharing the results of your initiative with communities across Canada.

Sincerely,

A handwritten signature in black ink, appearing to read "Ben D Henderson". The signature is fluid and cursive, with the first name "Ben" being the most prominent.

Ben Henderson
Chair, Green Municipal Fund Council

BH/CS:la

cc: Peter Luckham, Chair, Islands Trust Council
Narissa Chadwick, Island Planner, Southern Team, Mayne Island Local Island Trust Area
Eleni Gibson, MCP, Wiser Projects



City of Pitt Meadows
OFFICE OF THE MAYOR

June 14, 2021

File: 01-0400-60/21

Honourable Marc Dalton
Member of Parliament
Sent via email: marc.dalton@parl.gc.ca

Honourable Lisa Beare
Member of the Legislative Assembly
Sent via email: lisa.beare.MLA@leg.bc.ca

Dear MP Dalton and MLA Beare:

Re: Truth and Reconciliation Commission's Call to Action 75

We write this letter regarding the recent announcement from the Tk'emlúps te Secwépemc First Nation and the results of a survey at the former Residential school in Kamloops B.C., which uncovered the remains of 215 Indigenous children. These findings confirm and support the stories and histories as told by many residential school survivors.

The findings in Kamloops support the suggestion that there will likely be further tragic discoveries at other residential schools.

We share in the grief of all First Nation people as we collectively honour and mourn the loss of these 215 children.

.../2

We believe it is imperative that immediate action be taken to address Action 75 of the Commission's Calls to Action, which states:

75. We call upon the federal government to work with provincial, territorial, and municipal governments, churches, Aboriginal communities, former residential school students, and current landowners to develop and implement strategies and procedures for the ongoing identification, documentation, maintenance, commemoration, and protection of residential school cemeteries or other sites at which residential school children were buried. This is to include the provision of appropriate memorial ceremonies and commemorative markers to honour the deceased children.

In order for reconciliation to take place, the truth must be recognized and acknowledged. We feel that by identifying, honouring, and remembering these Indigenous children, it is an important step towards healing.

Along with our collective outrage, we fully support and call for further action to find, and hold accountable, those who were involved in this unspeakable tragedy.

Yours Truly,



Mayor Bill Dingwall

BGS, LL.B., CPHR

cc: Pitt Meadows City Council
UBCM

[REDACTED]
Galiano Island, BC
V0N 1P0

Dear Chair Rogers

Thank you for your response to my email following last Tuesday's LTC meeting.

I would agree that the GIGARHS application has indeed raised a myriad of issues and questions, but my observation is that the issues and questions have mostly been identified and asked by the public, not by the Trustees or the Planner.

I have attended every LTC meeting of this rezoning application and every meeting has surprised me with the lack of inquiry and examination related to the environmental impact, including groundwater on the part of the Planner, of the one locally elected Trustee who is able to participate in this application (though her input and motions at the June 1 LTC meeting were appreciated) due to the recusal of the other, and of yourself as Chair. That is my only point of view and my questions over the past 3 years have all been related to the environmental impact, the Trust's primary mandate, posed by this proposed development.

The Trust process as I have experienced it, is very hard to follow and many of my questions are as a result of my desire to understand the order and logic. I have informed myself about the process by familiarizing myself with the Galiano OPC, other Trust documents related to climate change and land use planning, and the Trust Policy Statement Commitments and Directives. So much paper, so many words, and so little reference made to these in the deliberations I have witnessed so far.

I was pleased at one point to discover online Schedule A: Bylaw Amendments/Rezoning that explained the typical steps in the application process. Yet those steps were not followed in the case of this application, when suddenly 1st reading at the March LTC meeting preceded any referral comments. When I commented on this at the following meeting, I was told things do not necessarily occur in the order as described, that these are guidelines. With an applicant even then agitating not just for 1st reading but for 2nd reading and a public hearing, while in my view, there had been woefully incomplete and unexamined information presented on environmental impact, this was and is alarming.

Adding to my concern, Chair Rogers is the open letter you sent in response to written concerns about proceedings at the March Trust Council meeting, proceedings that seemed designed to take environmental protection off the table even further, in direct contradiction to public input sought and received.

From the minutes of this meeting the motions of concern are as follows:

TC-2021-010 It was Moved by Trustee Rogers and Seconded by Trustee Wolverton, That Trust Council request the Trust Programs Committee and the Executive Committee continue their work on developing proposals for revising the Trust Policy Statement in accord with the current Project Charter including policy related to Sustainable Communities and affordable housing.

CARRIED

TC-2021-011 It was Moved by Trustee Critchley and Seconded by Trustee Langereis, That Trust Council affirm its understanding that the paramount object of the Islands Trust Act is protection and preservation of the natural environment.

DEFEATED

Your statement in your open letter that this is a “misunderstanding” on the part of the various TPS letter writers, and that the Trust can give both development and protection of the natural environment equivalent weight is illogical, especially as we know that the Islands Trust was created to limit development in order to protect the environment. Not extinguish development as you suggested in your open letter as the writers’ positions, but to proceed very carefully with development and to yes, give protection of the natural environment priority.

The intent of the motion passed and the motion defeated is clear I think and I believe the misunderstanding is yours. Of course you can, as you suggest in your letter to me, theoretically have multiple priorities, but not if one is so potentially dangerous to or at odds with the other. Regulating human development activity in the Trust Area is the very essence of the Trust. I certainly do support the passing of another motion at that same meeting, the inclusion of reconciliation and the protection of indigenous cultural heritage, which is so often closely aligned to protection of the natural environment.

The essential question that needs to be asked of each development proposal is does it affect the environment and how, and then, how much? You are right when you say we are fighting a rear-guard action now - in terms of water availability, forest cover, fire risk, climate change, noise, pollution, and also in fact housing. But our human footprint on the landscape is already huge and is in fact bigger than we really see, with already approved future build-out. This absolutely needs to be taken into account and hard decisions will need to be made about how much further stress the natural environment can take. And yes, some people will be unhappy but an unhappy environment is ultimately worse.

If Trustees are not prepared or are too intimidated or are too uncertain in their role to stand up for the environment according to the OCP bylaws and Trust Directives already in place (and it appears to me that they are not doing so with any consistency), if they see themselves as you have suggested, as limited in authority and resources, then that authority and those resources need to be strengthened, not weakened in the Trust Policy Statement and as a result strengthened in OCPs, and Planners need to see their jobs as primarily planning for the protection of the natural environment now and for the future.

The jobs of Trustees and Planners are tough ones. I see that. The issues are complex and the pressure comes from many directions. But if we are going to talk about resources, I observe Trust resources being ineptly and wastefully used in a process that does not first assess environmental impact or does so in an incomplete and biased way designed to support the interests of the development applicant with obviously limited scope. It seems to me that that are far too many reports, statements, commitments,

policies, reports and yes, even bylaws that are regarded only as guidelines when it come to the LTC process. Clear criteria in the OCP for a development such as the GIGARHS one is ignored or reinterpreted, criteria that should have been used early on to direct the applicant to find a compliant site.

I don't want things done when I ask for them as you state in your response to me. I and others don't want to HAVE to ask that they be done or that bylaws and guidelines be observed. Testing and monitoring of the project well in the dry season should have been a clear requirement at the very beginning of the process. Why wasn't William Shulba asked for his expert opinion then? Assessing the wildfire risk should have been done at the very beginning of the project as the land owner's own management plan clearly identified the extreme wildfire risk of the area, and as does the 2009 Galiano Wildfire Protection Plan that specifically addresses the risk of further human incursion into an area like the Heritage Forest and provides clear recommendations for a wildfire risk assessment by a professional forester.

How did it make sense in the beginning to consider a development that would require clear cutting 5 acres of coastal Douglas-fir ecosystem in contradiction to Trust exhortations to do the opposite or that would fragment that forest, also in contradiction to criteria in the land owners' Heritage Forest Management Plan or that would require an amendment of a protective covenant on this land that people thought was inviolable, or that would not be in proximity and accessible to existing roads, services and other amenities as the OCP requires for Community Housing? Those factors and more should all have been on a checklist early on to assess if the application merited any further consideration and resources. I am weary and angry that we have had to keep asking about these basic things and I think it is unfair to the applicant not to identify and examine these issues at the beginning, not a year and a half into the rezoning application deliberations.

So something appears to be very wrong with the process. Both the review of the TPS and the Governance review need to address this or truly we may as well turn the Trust area land use decision-making over to regional governments again. At least we would have more than 2 or 3 people making critical decisions.

Further, I do want to comment on my request made in March that our strata be included in the Trust formal referrals for this rezoning. You asked how we see that as different from the consultation with the community and the notification done for all CIMs and Public Hearings. As the applicant has not initiated any neighbourhood consultation whatsoever, in spite of repeated requests, and our strata is most likely to be impacted by this rezoning, a referral would seem reasonable so that our questions and concerns can be part of the public record not just in correspondence. We too have conditions that we are trying to register.

And finally Chair Rogers, if I am misinterpreting your words in June LTC meeting as in "shepherd" and "optimistic" in the June LTC meeting in reference to your role in rezoning affordable housing applications and your "apology" to the applicant for asking

for more information or assessment in the March LTC meeting, others are misinterpreting them too.

There is a loud minority here that wants housing and other types of development at any cost to the environment. They would not state it in that way but they are opposed to any thorough assessment that could result in an undesirable result for them, so yes, they do want it at any cost to the environment. And they have shamed, blamed and frightened many others into silence. I know you have said that is not your concern but when you think you are listening to everyone as you stated in your letter, you should keep that fact in mind. That is why we need much stronger TPS directives and a clear priority focus on the natural environment, so that Trustees now and in the future can see clearly as can their constituents the path they are to follow. I believe there would then be far less conflict and much better problem solving in our small communities.

Sincerely,

Jennifer Margison

c.c Executive Council, Peter Luckham, Chair of Trust Council, Trustee Tahirih Rockafella



Top Priorities Report

Executive Committee

1. *Islands Trust Act Amendments*

Investigate possibility of amendments to the Islands Trust Act to broaden the Islands Trusts ability to serve its communities and to strengthen its mandate to preserve and protect. (Strategic Plan 5.1)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 26-Oct-2016

2. *Update Islands Trust Policy Statement*

With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Policy Statement including a First Nations and public engagement process. Project charter approved February 26, 2020. (Strategic Plan 3.1, 4.4 , 5.6, 5.7)

Responsible

Clare Frater

Dates

Target: 15-Sep-2022

3. *Climate Change Emergency*

Matters pertaining to Islands Trust declaring a climate change emergency. (Strategic Plan 3.1)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 05-Jun-2019

4. *Business Response to COVID-19*

Draft and implement safety plan, consider public messaging as needed.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 15-Apr-2020

Top Priorities Report

Executive Committee

5. *First Nations Reconciliation*

Implementation of the Reconciliation Action Plan. (Strategic Plan Items 4.5 & 4.6)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 02-Sep-2020

5. *Preserve and protect marine ecosystems*

Continue advocacy re: Freighter Anchorages, Trust Council added freighter anchorages to the list of Executive Committee list of top priorities. (Strat Plan Item 2.1)

Responsible

Clare Frater

Dates

Rec'd: 11-Mar-2021

**Projects Report****Executive Committee****1. *Development of an Islands Trust Communications Strategy*****Responsible****Date Received**

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

Clare Frater

30-Aug-2017

2. *Marine Advocacy***Responsible****Date Received**

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

Clare Frater

02-Sep-2020

3. *Broadcast Public Meetings***Responsible****Date Received**

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

Clare Frater

02-Sep-2020

Julia Mobbs

Russ Hotsenpiller

4. *Improve Communications about the Islands Trust***Responsible****Date Received**

Related to Strategic Plan Items 4.1 & 4.2

Clare Frater

30-Aug-2017

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

Strategic Plan Item 1.3

Clare Frater

02-Sep-2020

Kate Emmings



Projects Report

Executive Committee

6. *Advocate to reduce negative impacts of shellfish aquaculture practices*

Responsible

Date Received

Develop project charter and budget requests to build organizational capacity (knowledge and time) related to shellfish aquaculture advocacy.

16-Aug-2017

7. *Strengthen relations with First Nations*

Responsible

Date Received

MMIWG Calls for Justice Resolutions (Strategic Plan Item 4.6)

21-Oct-2020

1. All staff required to take training related to cultural safety in keeping with the Missing and Murdered Indigenous Women and Girls Calls for Justice.

2. That staff plan education on the Missing and Murdered Indigenous Women and Girls Calls for Justice for trustees and senior staff.

4. Staff to include information about the Missing and Murdered Indigenous Women and Girls Calls for Justice and cultural safety in staff and trustee orientation materials.

5. Draft amendments to the Communications Policy and the Advocacy Policy to address the Missing and Murdered Indigenous Women and Girls Calls for Justice.

8. *Strengthen relations with First Nations*

Responsible

Date Received

Develop a policy regarding referral responses where there is a known archeological site. (Strategic Plan Item 4.7)

26-May-2021