



Islands Trust Council

Committee of the Whole Meeting Agenda

Date: Tuesday, May 6, 2025

Time: 5:30 p.m. - 8:30 p.m.

Location: Electronic Meeting, and a physical location to view the livestream of the meeting:
Islands Trust Victoria Office
#200 - 1627 Fort Street
Victoria, BC V8R 1H8

		Pages
1.	CALL TO ORDER	
2.	TERRITORIAL ACKNOWLEDGEMENT	
3.	APPROVAL OF AGENDA	
4.	ADOPTION OF MINUTES / RESOLUTIONS WITHOUT MEETING	
4.1	<u>Draft Committee of the Whole Trust Meeting Minutes of February 6, 2025</u>	3 - 8
	These minutes were deferred from the February 21, 2025 Committee of the Whole meeting.	
	For review and adoption.	
4.2	<u>Draft Committee of the Whole Trust Meeting Minutes of February 21, 2025</u>	9 - 13
	For review and adoption.	
4.3	<u>TC COW RWM 2025-01 Schedule Meeting</u>	14 - 14
	Receive for information.	
4.4	<u>TC COW RWM 2025-02 Cancel March 31, 2025 Committee of the Whole Meeting</u>	15 - 15
	Receive for information.	
4.5	<u>TC COW RWM 2025-03 Cancel April 15, 2025 Committee of the Whole Meeting</u>	16 - 16
	Receive for information.	
5.	FOLLOW UP ACTION LIST	
	There are currently no items on the Follow Up Action List (FUAL). All previous items on the FUAL related to the draft Policy Statement Amendment Project have been moved to the Trust Programs Committee FUAL.	
6.	BUSINESS	

- 7. CLOSED MEETING (If needed)**
- 8. RISE AND REPORT**
- 9. NEW BUSINESS**
- 10. NEXT MEETING**

The next scheduled Committee of the Whole meeting will take place electronically on May 13, 2025 at 1:00 p.m.

- 11. ADJOURNMENT**

DRAFT



Trust Council Committee of the Whole Minutes of a Regular Meeting

Date: February 6, 2025
Location: Electronic Meeting

Executive Members Present:

1. Tobi Elliott, Acting Chair, Vice-Chair, Gabriola Trustee
2. Peter Luckham, Trust Council Chair, Thetis Trustee
3. Timothy Peterson, Vice-Chair, Lasqueti Trustee
4. David Maude, Vice-Chair, Mayne Trustee

Members Present:

5. Sue Ellen Fast, Bowen Municipal Trustee
6. Judith Gedy, Bowen Municipal Trustee
7. Sam Borthwick, Denman Trustee
8. David Graham, Denman Trustee
9. Lisa Gauvreau, Galiano Trustee
10. Susan Yates, Gabriola Trustee
11. Joe Bernardo, Gambier Trustee
12. Mikaila Lironi, Lasqueti Trustee
13. Jeanine Dodds, Mayne Trustee
14. Jamie Harris, Salt Spring Trustee
15. Laura Patrick, Salt Spring Trustee
16. Mairead Boland, Saturna Trustee
17. Kristina Evans, South Pender Trustee
18. Dag Falck, South Pender Trustee
19. Ken Hunter, Thetis Trustee

Members Regrets:

20. Ben Mabblerley, Galiano Trustee
21. Kate-Louise Stamford, Gambier Trustee
22. Alex Allen, Hornby Trustee
23. Grant Scott, Hornby Trustee
24. Aaron Campbell, North Pender Trustee
25. Deb Morrison, North Pender Trustee
26. Lee Middleton, Saturna Trustee

Staff Present:

Rueben Bronee, Chief Administrative Officer
Julia Mobbs, Director, Finance and Employee Services
David Marlor, Director, Legislative and Information Services
Clare Frater, Director, Trust Area Services
Stefan Cermak, Director, Planning Services
Joe Elliott, Senior Indigenous Advisor
Jason Youmans, Senior Policy Advisor
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were no members of the public in attendance.

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

Acting Chair Elliott called the meeting to order at 5:32 p.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Acting Chair Elliott acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

5. FOLLOW UP ACTION LIST

4.1 Committee of the Whole Follow Up Action List

The Follow Up Action List was received for information.

Director of Trust Area Services Frater summarized feedback received from Quw'utsun First Nation representatives regarding the Islands Trust Policy Statement process.

5. TRUST AREA SERVICES

5.1 Hazard Risk Mitigation and Management Policy - Request for Decision

The Senior Policy Advisor summarized draft Policy 3.4.6 and noted the following:

- Committee of the Whole previously requested alternative wording suggestions for directing development away from hazardous areas versus managing development;
- The *Local Government Act* requires that hazard areas are addressed in Official Community Plans;
- The language of directing development away from hazard areas comes from the existing Trust Policy Statement;
- The term “restrict” is used in the *Local Government Act* and is what the Provincial Government says local governments must do in relation to hazard areas.

Trustee Gauvreau arrived to the meeting at 6:20 p.m.

Discussion ensued and the following comments were recorded:

- The term “restrict” does not mean prohibit, is very specific, is often used within the framework of larger regulations, and is often assumed to mean prohibit;
- Wildfire is a natural hazard risk and should be used in place of term “fire”;
- There are different types of fire including wildfire, accidental, prescribed, and cultural, and all can be hazardous;
- The term regulate seems to infer enforcement, and actions that are regulated are thought to be monitored;
- Definition of the term “restrict” is required to ensure it is clear it does not mean prohibit; and
- The term “restrict” does not appear anywhere else within the document.

DRAFT

Trustee Falck left the meeting at 6:40 p.m.

TC-COW-2025-009

It was MOVED by Trustee Evans, and SECONDED by Trustee Peterson, that Committee of the Whole recommends to Trust Council that the word “fire” in Policy 3.4.6 of the Islands Trust Policy Statement amendment be replaced with the word “wildfire.”

CARRIED

It was MOVED by Trustee Evans, and SECONDED by Trustee Borthwick, that Committee of the Whole recommends to Trust Council that after the word “restrict” in Policy 3.4.6 of the Islands Trust Policy Statement amendment add the words “but not necessarily prohibit”.

TC-COW-2025-010

It was MOVED by Trustee Dodds, and SECONDED by Trustee Peterson, that Committee of the Whole table the motion.

CARRIED

TC-COW-2025-011

It was MOVED by Trustee Patrick, and SECONDED by Trustee Yates, that Committee of the Whole recommends that Trust Council revise proposed Directive Policy 3.4.6 to read:

Hazardous Areas

Identify areas at elevated risk of natural and climate change-related hazards and restrict development within them including, but not limited to, areas subject to flooding, sea-level rise, erosion, slope instability and wild fire.

CARRIED

TC-COW-2025-012

It was MOVED by Trustee Evans, and SECONDED by Trustee Peterson, that Committee of the Whole recommends to Trust Council to request staff to add a definition of the word “restrict” with the meaning to not necessarily prohibit to the glossary.

CARRIED

Trustee Borthwick left the meeting at 6:56 p.m.

Trustee Fast left the meeting at 6:57 p.m. and returned at 6:58 p.m.

Trustee Borthwick returned to the meeting at 7:04 p.m.

5.2 Draft new Policy Statement Redline version - For Discussion

Discussion ensued on the redline version of the Draft Policy Statement and the following comments were noted:

3.4.10 – Short-Term Rentals

- It is important to balance tourism needs with the social and environmental well-being of a community;

DRAFT

- Location, quantity, and density of short-term rentals should be taken into consideration when assessing impacts; and
- Eliminating short-term rental units does not necessarily increase long-term rental unit availability; however, the short-term rental business impacts long-term rental rates.

Trustee Lironi left the meeting at 7:10 p.m.

3.4.11 – Floor Area and Lot Coverage Limits

- The correlation between lot coverage and greenhouse gas emissions is not clear, nor is the method of how a local trust committee would determine appropriate floor area and lot coverage limits for the purpose of minimizing greenhouse gas emissions;
- Floor area and lot coverage limits are relevant to environmental impacts because a larger floor area necessitates more clearing and tree removal;
- Many properties that have a small dwelling also have several outbuildings resulting in similar impacts to the natural environment;
- The proposed language originated from a previous Trust Council’s discussion about seeking ways to demonstrate action on climate change;
- Maximum floor area coverage can be split over multiple dwellings situated on one property; and
- There is value in specifying land use for agricultural purposes outside of the Agricultural Land Reserve.

The meeting was recessed for a break at 7:22 p.m. and reconvened at 7:28 p.m.

Trustee Falck returned to the meeting at 7:45 p.m.

TC-COW-2025-013

It was MOVED by Trustee Benardo, and SECONDED by Trustee Evans, that Committee of the Whole recommend to Trust Council to amend Policy 3.4.11 of the Islands Trust Policy Statement amendment so it reads “Determine appropriate floor area and lot coverage limits for residential development to minimize negative environmental impacts.”

TC-COW-2025-014

It was MOVED by Trustee Patrick, and SECONDED by Trustee Evans, that Committee of the Whole amend the motion by adding “and negative impacts on agricultural land” to the end of the sentence.

CARRIED

Trustee Harris joined the meeting at 7:55 p.m.

TC-COW-2025-015

It was MOVED by Trustee Peterson, and SECONDED by Trustee Evans, that Committee of the Whole amend the amendment by changing “and negative impacts on agricultural land” to read “including on land used for agricultural purposes.”

CARRIED

The question on the following motion, as amended, was then called:

that Committee of the Whole recommend to Trust Council to amend Policy 3.4.11 of the Islands Trust Policy Statement amendment so it reads “Determine appropriate floor area and lot coverage limits for residential development to minimize negative environmental impacts, including on land used for agricultural purposes.”

CARRIED

Discussion ensued about the order of debate, and when to propose motions, during future Committee of the Whole meetings and the following points were noted:

- Trust Council policy dictates one cannot speak to a motion until it is seconded;
- All changes and wordsmithing should be done prior to a motion being seconded, or prior to proposed language being put on the table as a motion; and
- Allow discussion first, identify issues and goals, and then propose a motion.

3.4.12 Housing Diversity

- A housing agreement is a tool and if a policy is needed to state how that tool is used said policy could read “ensure that housing agreements used to secure affordable and/or special needs housing are flexible to accommodate changing resident, market and funding conditions”;
- Housing agreements seem to be prescriptive versus flexible; and
- Housing agreements are very prescriptive as per the *Local Government Act* and staff could be asked to report back regarding the ability for them to be flexible.

TC-COW-2025-016

It was MOVED by Trustee Graham, and SECONDED by Trustee Yates, that Committee of the Whole recommend to Executive Committee to request staff bring back options:

- to explain housing diversity;
- some policy options that encourage alternative approaches to rural residential density;
- some policy options that encourage alternative types and forms of buildings to the traditional wood-frame;
- clustering residential development in appropriate locations;
- potential for flexibility in housing agreements; and
- to provide advisory policy options and analysis that supports consideration of downzoning for development that is not in the best interest of community.

CARRIED

- 6. CLOSED MEETING** - None
- 7. RISE AND REPORT** - None
- 8. NEW BUSINESS** - None
- 9. NEXT MEETING**

DRAFT

Trustees Bernardo, Dodds, and Hunter left the meeting at 8:30 p.m.

Discussion ensued.

TC-COW-2025-017

It was MOVED by Trustee Graham, and SECONDED by Trustee Yates,
that Committee of the Whole adopt the following meeting dates and times
through June, 2025:

1. Friday, February 21 (1:00 - 4:00 p.m.)
2. Thursday, March 6 (1:00 - 4:00 p.m.)
3. Monday, March 31 (1:00 - 4:00 p.m.)
4. Tuesday, April 15 (1:00 - 4:00 p.m.)
5. Tuesday, May 6 (5:30 - 8:30 p.m.)
6. Tuesday, May 13 (1:00 - 4:00 p.m.)
7. Thursday, May 29 (1:00 - 4:00 p.m.)
8. Friday, June 6 (1:00 - 4:00 p.m.)
9. Monday, June 30 (1:00 - 4:00 p.m.)

and that all meetings be held electronically.

CARRIED

10. ADJOURNMENT

By general consent the meeting was adjourned at 8:40 p.m.

Tobi Elliott, Acting Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Minutes are not official until adopted at a subsequent meeting.



Trust Council Committee of the Whole Minutes of a Regular Meeting

Date: February 21, 2025
Location: Electronic Meeting

Executive Members Present:

1. Peter Luckham, Trust Council Chair, Thetis Trustee
2. Tobi Elliott, Vice-Chair, Gabriola Trustee
3. David Maude, Vice-Chair, Mayne Trustee
4. Timothy Peterson, Vice-Chair, Lasqueti Trustee

Members Present:

5. Kristina Evans, Acting-Chair, South Pender Trustee
6. Sue Ellen Fast, Bowen Municipal Trustee
7. Sam Borthwick, Denman Trustee
8. David Graham, Denman Trustee
9. Kate Louise Stamford, Gambier Trustee
10. Mikaila Lironi, Lasqueti Trustee
11. Deb Morrison, North Pender Trustee
12. Jamie Harris, Salt Spring Trustee
13. Laura Patrick, Salt Spring Trustee
14. Mairead Boland, Saturna Trustee

Members Regrets:

15. Judith Gedy, Bowen Municipal Trustee
16. Susan Yates, Gabriola Trustee
17. Lisa Gauvreau, Galiano Trustee
18. Ben Mabblerley, Galiano Trustee
19. Joe Bernardo, Gambier Trustee
20. Alex Allen, Hornby Trustee
21. Grant Scott, Hornby Trustee
22. Aaron Campbell, North Pender Trustee
23. Jeanine Dodds, Mayne Trustee
24. Lee Middleton, Saturna Trustee
25. Dag Falck, South Pender Trustee
26. Ken Hunter, Thetis Trustee

Staff Present:

Rueben Bronee, Chief Administrative Officer
Clare Frater, Director, Trust Area Services
Stefan Cermak, Director, Planning Services
Joe Elliott, Senior Indigenous Policy Advisor
Jason Youmans, Senior Policy Advisor
Robert Barlow, Legislative Services Clerk
Lisa Millard, Meeting Administrator/Recorder

Others Present: There was one member of the public in attendance.

1. CALL TO ORDER

Acting Chair Evans called the meeting to order at 1:12 p.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Acting Chair Evans acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

3. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

4. ADOPTION OF MINUTES

4.1 Draft Committee of the Whole Meeting Minutes of December 12, 2024

By general consent the Committee of the Whole Meeting Minutes of December 12, 2024 were adopted.

4.2 Draft Committee of the Whole Meeting Minutes of January 8, 2025

By general consent the Committee of the Whole Meeting Minutes of January 8, 2025 were adopted.

4.3 Draft Committee of the Whole Meeting Minutes of February 6, 2025

Adoption of the February 6, 2025 meeting minutes was deferred to the next meeting.

Trustee Morrison left the meeting at 1:29 p.m. which resulted in the number of participants being less than quorum.

The Committee of the Whole meeting was suspended at 1:29 p.m.

Committee of the Whole quorum was reestablished and the meeting resumed at 1:55 p.m.

5. FOLLOW UP ACTION LIST

5.1 Committee of the Whole Follow Up Action List

Received for information.

6. TRUST AREA SERVICES

6.1 Hazard Risk Mitigation and Management Policy - Request for Decision

Item 6.1 was addressed at the February 6, 2025 meeting.

6.2 Draft new Policy Statement Redline version - For Discussion

Discussion ensued on the redline version of the Draft Policy Statement and the following comments were noted:

3.4.16 – Road Systems

- Local trust committees and island municipalities often include current and future trail networks, bus routes and roads on maps in their Official Community Plans to facilitate

zoning decisions and support grant applications, yet local trust committees do not have authority over the construction or establishment of highways;

- Moving roads away from shorelines due to ocean rise and storm damage, which can mitigate sloughing into the ocean, might be contemplated;
- Island road loops encourage people to drive onto and around an island and then drive off and this impacts small rural communities; therefore, consideration of designing road systems for residents while minimizing ease of vehicle tourism could be considered;
- The Policy Statement might reflect a general principle about how roadways are established; and
- The jurisdictional inability of Islands Trust to establish speed limits was noted.

Discussion moved to item 3.4.14 – Public and Active Transportation Networks and the following comments were recorded:

- Policy that solely directs movement to electric vehicles is not necessarily desirable;
- In future, there may be alternative forms of transportation that are not fossil fuel dependent;
- Desire is to encourage alternative, environmentally, friendly vehicles; and
- The main issues are carbon dioxide emissions; and encouragement of low emission or zero emission methods of transportation.

TC-COW-018

It was MOVED by Trustee Fast, and SECONDED by Trustee Elliott, that Committee of the Whole request Trust Council amend draft Trust Policy Statement Item No. 3.4.14 by replacing the term “electric vehicles” with term “zero emission modes of transportation”.

CARRIED

Trustee Luckham and Trustee Elliott left the meeting at 2:14 p.m. which resulted in the number of participants being less than quorum.

The Committee of the Whole meeting was suspended at 2:14 p.m.

Committee of the Whole quorum was reestablished and the meeting resumed at 2:23 p.m.

Trustee Peterson left the meeting at 2:38 p.m.

Discussion continued on item 3.4.16 – Road Systems and it was determined to ask staff to come back with further information for future consideration.

TC-COW-019

It was MOVED by Trustee Elliott, and SECONDED by Trustee Fast, that Committee of the Whole request Executive Committee request staff come back with policy options regarding identification of parts of the local transportation network at risk of damage, degradation, deterioration, and erosion and options for their mitigation or relocation.

CARRIED

Trustee Peterson returned to the meeting at 2:51 p.m.

Directive Policies - Waste

Committee of the Whole identified the following issues:

- Waste has to be removed from the islands;
- There is a need for transfer and recycling stations as well as safe disposal of hazardous and toxic household materials;
- Many associated islands are not served by ferries and some Land Use Bylaws require residents manage their own disposal, which creates gaps in waste removal;
- Large items such as derelict vehicles, boats, and trailers need to be removed from islands without ferry service by barge and some islands do not have suitable barge landings;
- Policy Statement could encourage the maintenance and replacement of aged out septic systems;
- Waste water and storm drain outflow cause ocean pollution;
- Waste, including polystyrene foam and derelict boat debris, accumulates on beaches;
- Jurisdictional confusion exists because household waste is managed by regional districts, hazardous waste is the responsibility of the individual with the hazard, and sewerage is within the purview of health authorities; and
- Siting of septic systems and directing where gray water goes is part of land use planning and consideration of broadening the term septic system to waste management systems could provide policy flexibility.

Trustee Luckham left the meeting at 3:08 p.m.

The goals of the waste policies were discussed and the following points were brought forth:

- The policies should establish facilities that align with provincial health and safety regulations and uphold the Islands Trust mandate; and
- Focus should be on regulations based on best practices through siting.

3.4.17 – Disposal of Waste

Discussion ensued and the following comments were noted:

- A local trust committee is unlikely to zone for waste transfer stations on islands without vehicle ferry service;
- Specificity of vehicle ferry service within the policy language should be removed because barge services can be used to remove waste;
- Waste transfer stations might not be practical on some smaller associated islands; and
- Identifying appropriate potential locations of transfer stations needs to be considered within Official Community Plans.

Trustee Patrick left the meeting at 3:16 p.m. which resulted in the number of participants being less than quorum.

The Committee of the Whole meeting was suspended at 3:16 p.m. and quorum was not reestablished.

6. CLOSED MEETING - None

7. RISE AND REPORT - None

8. NEW BUSINESS - None

9. NEXT MEETING

The next Committee of the Whole meeting is scheduled to be held electronically on March 6, 2025 at 1:00 p.m.

10. ADJOURNMENT

The Committee of the Whole meeting was adjourned at 3:16 p.m.

Kristina Evans, Acting Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder

Minutes are not official until adopted at a subsequent meeting.

ISLANDS TRUST COUNCIL
COMMITTEE OF THE WHOLE
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-COW-RWM-2025-001

The following matter is considered urgent and necessary: that Islands Trust Council Committee of the Whole schedule a Special Electronic meeting to continue work on the Policy Statement Amendment Project.

Trustees were notified, via email, of the call for resolution on January 31, 2025

Trustees were notified, via email, of the call for the vote on January 31, 2025

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

That Islands Trust Council Committee of the Whole schedule a Special Electronic meeting to be held **Thursday, February 6, 2025, from 5:30 PM to 8:30 PM**, to continue work on the Policy Statement Amendment Project.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Mairead Boland	January 31, 2025	In Favour
2. Peter Luckham	January 31, 2025	In Favour
3. David Maude	January 31, 2025	In Favour
4. Laura Patrick	January 31, 2025	In Favour
5. Susan Yates	January 31, 2025	In Favour
6. Tim Peterson	January 31, 2025	In Favour
7. Ken Hunter	February 1, 2025	Opposed
8. Joe Bernardo	February 1, 2025	In Favour
9. Kristina Evans	February 1, 2025	In Favour
10. Judith Gedy	February 1, 2025	In Favour
11. Jeanine Dodds	February 2, 2025	In Favour
12. Tobi Elliott	February 2, 2025	In Favour
13. David Graham	February 3, 2025	In Favour
14. Sam Borthwick	February 3, 2025	In Favour

TRUSTEES VOTE NOT AVAILABLE

FINAL VOTE COUNT (13) IN FAVOUR (01) OPPOSED **DECISION** **CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION **CARRIED** PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON FEBRUARY 3RD, 2025.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

ISLANDS TRUST COUNCIL
COMMITTEE OF THE WHOLE
RESOLUTION WITHOUT MEETING

RESOLUTION WITHOUT MEETING NO. TC-COW-RWM-2025-002

Pursuant to Trust Council RWM policy, the following resolution is considered urgent and cannot wait until the next regular business meeting:

- Cancel the March 31, 2025 Committee of the Whole meeting

Trustees were notified via email of the call for a motion on March 20, 2025.

Trustees were notified via email of the call for the vote on March 20, 2025.

It was Moved by Trustee Boland and Seconded by Trustee Allen,
that Trust Council request staff cancel the March 31, 2025 Committee of the Whole meeting.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Alex Allen	March 20, 2025	In Favour
2. Joe Bernardo	March 20, 2025	In Favour
3. Sam Borthwick	March 20, 2025	In Favour
4. Jeanine Dodds	March 20, 2025	In Favour
5. Tobi Elliott	March 21, 2025	In Favour
6. Kristina Evans	March 20, 2025	In Favour
7. Sue Ellen Fast	March 20, 2025	In Favour
8. Lisa Gauvreau	March 21, 2025	In Favour
9. Judith Gedye	March 20, 2025	In Favour
10. Ken Hunter	March 22, 2025	In Favour
11. Mikaila Lironi	March 21, 2025	In Favour
12. Peter Luckham	March 20, 2025	In Favour
13. David Maude	March 20, 2025	In Favour
14. Lee Middleton	March 20, 2025	In Favour
15. Laura Patrick	March 20, 2025	In Favour
16. Tim Peterson	March 20, 2025	In Favour
17. Kate-Louise Stamford	March 20, 2025	In Favour
18. Susan Yates	March 20, 2025	In Favour

TRUSTEES VOTE NOT AVAILABLE

1. Mairead Boland
2. Aaron Campbell
3. Dag Falck
4. David Graham
5. Jamie Harris
6. Ben Mabberley
7. Deb Morrison
8. Grant Scott

FINAL VOTE COUNT (18) IN FAVOUR (0) OPPOSED DECISION: **CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON MARCH 24th, 2025.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

ISLANDS TRUST COUNCIL
COMMITTEE OF THE WHOLE
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-COW-RWM-2025-003

Pursuant to Trust Council RWM policy, the following resolution is considered urgent and cannot wait until the next regular business meeting:

- Cancel the April 15, 2025 Committee of the Whole meeting

Trustees were notified, via email, of the call for resolution on April 2, 2025

Trustees were notified, via email, of the call for the vote on April 2, 2025

It was Moved by Trustee Peterson and Seconded by Trustee Boland,
that Trust Council request staff cancel the April 15, 2025 Committee of the Whole meeting.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Alex Allen	April 2, 2025	In Favour
2. Joe Bernardo	April 2, 2025	In Favour
3. Mairead Boland	April 2, 2025	In Favour
4. Sam Borthwick	April 3, 2025	In Favour
5. Jeanine Dodds	April 3, 2025	In Favour
6. Tobi Elliott	April 2, 2025	In Favour
7. Kristina Evans	April 2, 2025	In Favour
8. Sue Ellen Fast	April 2, 2025	In Favour
9. Lisa Gauvreau	April 2, 2025	In Favour
10. Judith Gedy	April 2, 2025	In Favour
11. Ken Hunter	April 2, 2025	In Favour
12. Lee Middleton	April 2, 2025	In Favour
13. Laura Patrick	April 2, 2025	In Favour
14. Tim Peterson	April 2, 2025	In Favour
15. Kate-Louise Stamford	April 2, 2025	In Favour
16. Susan Yates	April 2, 2025	In Favour

TRUSTEES VOTE NOT AVAILABLE

1. Aaron Campbell
2. Dag Falck
3. David Graham
4. Jamie Harris
5. Mikaila Lironi
6. Peter Luckham
7. Ben Mabberey
8. David Maude
9. Deb Morrison
10. Grant Scott

FINAL VOTE COUNT (16) IN FAVOUR (0) OPPOSED

DECISION: **CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON APRIL 3RD, 2025.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

Islands Trust Council Statement on the Scope and Meaning of Section 3 of the Islands Trust Act (Object Clause)

Approved by Islands Trust Council, September 26, 2023

The Islands Trust Act [RSBC 1996] CHAPTER 239, Section 3:

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, First Nations, other persons and organizations and the government of British Columbia.

BACKGROUND: The 2022 Governance Review emphasized that there was a deep division amongst both Trustees and constituents on the meaning and implementation of our “preserve and protect” mandate. Such division was described as a fundamental existential challenge. The current Governance Committee, appointed in December, 2022, decided that it was a priority to review the mandate and report back to Trust Council on that review. Today’s presentation summarized and clarified all previous legal opinions with the intention to assist the current Trust Council to find consensus on which to build our strategic direction. Our strategic planning policy initiatives, project priorities, and efficiency of operations and accountability and performance measures, will follow.

Frequently a mandate is created by an organization but since the Islands Trust was created by Provincial legislation, therefore the mandate is an enacted law: it may be interpreted and such interpretation may be challenged, but it can only be changed by the Legislative Assembly.

Over the years, as various issues have arisen, Islands Trust has asked for and received several legal opinions about how our mandate relates to specific situations. Islands Trust staff have collated those opinions, the Governance Committee has studied and discussed them, and today there has been a presentation and discussion by Trust Council. The legal opinions referred to were in response to specific questions and therefore were and are subject to solicitor-client privilege and as such needed to be discussed in closed meetings.

This report is to make public the results of our discussions and share with our constituents how the current Trust Council intends to interpret our mandate, which in turn will help inform our strategic planning.

The process of creating a strategic plan was another recommendation of the 2022 Governance Review and is another priority of the Governance Committee. That effort has been championed by a sub-committee of the Financial Planning Committee which has been endorsed and encouraged by the Governance Committee, and will be subject to separate and future discussions.

CONSENSUS:

The object of the Islands Trust is to preserve and protect three specific elements:

- a) the trust area;*
- b) its unique amenities; and*
- c) [its unique] environment,*

for the benefit of the residents of

- i) the trust area, and*
- ii) of British Columbia generally,*

in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.

Trust Council's determination is that every decision must include a reasoned recognition of all the elements specified in the mandate. While one element may gain priority, reasons for that decision must be clear and have considered the other elements.

There has been some debate in the past about the meaning of unique amenities. Trust Council's view is that unique amenities are broad-ranging and may include issues such as, but not limited to, housing, livelihoods, infrastructure and tourism. However, land use planning in the Trust Area must always include a focus on preserving and protecting the environment and communities of both local trust areas and the Trust Area generally and in a manner consistent with Reconciliation.

In any given decision-making situation, there must be recognition of the importance of each of the essential elements and where there is competition between those elements there must be a careful and reasoned balancing of the importance of preserving and protecting the Trust Area, and its unique amenities and environment.