



Executive Committee Revised Agenda

Date: Wednesday, November 20, 2024

Time: 9:15 a.m.

Location: Islands Trust Victoria Office
#200 - 1627 Fort Street
Victoria, BC V8R 1H8

	Pages
1. CALL TO ORDER	
2. TERRITORIAL ACKNOWLEDGEMENT	
3. APPROVAL OF AGENDA	
3.1 Introduction of New Items	
3.2 Approval of Agenda	
3.2.1 Agenda Context Notes - None	
4. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING	
Nothing to report.	
5. ADOPTION OF MINUTES	
5.1 Draft Executive Committee Meeting Minutes of October 30, 2024	6 - 15
For review and adoption.	
6. FOLLOW UP ACTION LIST AND UPDATES	
6.1 Follow Up Action List/Director/CAO Updates	16 - 24
6.2 Local Trust Committee Chair Updates	
6.3 Islands Trust Conservancy Liaison Update	
7. BYLAWS FOR APPROVAL CONSIDERATION	

7.1	Galiano Island Local Trust Committee - Bylaw Nos. 283 and 284 - Request for Decision	25 - 67
	1. THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw 108, 1995, Amendment No. 1, 2022” in accordance with Section 27 of the <i>Islands Trust Act</i>. 2. THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 284, cited as “Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2022” in accordance with Section 27 of the <i>Islands Trust Act</i>.	
7.2	Hornby Island Local Trust Committee Housing Agreement Bylaw No. 178 - Request for Decision	68 - 83
	THAT the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 178, cited as “Hornby Island Local Trust Committee Housing Agreement Bylaw No. 178, 2024”, in accordance with Section 27 of the <i>Islands Trust Act</i> .	
7.3	Bowen Island Municipality - Land Use Bylaw Amendment Bylaw No. 670 - Request for Decision	84 - 103
	THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 670, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 670, 2024” is not contrary to or at variance with the Islands Trust Policy Statement.	
8.	EXECUTIVE COMMITTEE PROJECTS	
8.1	Trust Council Initiated	
8.1.1	Executive	
8.1.2	Trust Area Services	
8.1.2.1	December 12th Committee of the Whole Agenda - Discussion	
	Verbal	
8.1.2.2	NAPTEP Fee Sponsorship Request (Doris McHardy NAPTEP), North Pender Island - Request for Decision	104 - 106
	THAT the Executive Committee approve financial sponsorship of \$450 for Natural Area Protection Tax Exemption Program (NAPTEP) application NP-NAP-2024.1 (Doris McHardy), North Pender Island.	
8.1.2.3	Policy Statement Amendment Project - Business Case Fiscal 2025/26 - Briefing	
	*Late item	
8.1.2.3.1	Late item materials for item 8.1.2.3	107 - 123

	8.1.2.4	Policy Statement Amendment Project (PSAP) - Project Chart - Request for Decision	
		*Late item	
	8.1.2.4.1	<i>Late item materials for item 8.1.2.4</i>	124 - 128
8.1.3		Planning Services	
8.1.4		Administrative Services	
8.1.5		Legislative and Information Services	
	8.1.5.1	Rescind Trust Council Policy 6.6.1 By-Election Funding - Request for Decision	129 - 131
		THAT Executive Committee recommend that Trust Council rescind Policy 6.6.1 By-Election Funding in its entirety.	
8.2		Executive Committee Initiated	
	8.2.1	Executive	
	8.2.2	Trust Area Services	
	8.2.2.1	Session Proposals for Association of Vancouver Island and Coastal Communities (AVICC) - Briefing	132 - 132
	8.2.3	Planning Services	
	8.2.3.1	Bylaw Enforcement Policy - Discussion	
	8.2.3.2	Crown Lease Referrals - Discussion	
	8.2.4	Administrative Services	
	8.2.5	Legislative and Information Services	
9.		NEW BUSINESS	
9.1		Executive/Trust Council	
9.2		Trust Area Services	
	9.2.1	LTC Chairs Report on Local Advocacy Topics	
	9.2.2	Implementing Heritage Conservation Areas in the Islands Trust Area Publication - Request for Decision	133 - 142
		THAT the Executive Committee approve the <i>Implementing Heritage Conservation Areas in the Islands Trust Area</i> publication.	
	9.2.3	Reconciliation Learning Group Next Steps - Briefing	
		*Late item	
	9.2.3.1	<i>Late item materials for item 9.2.3</i>	143 - 147

9.3	Planning Services	
9.3.1	Approval to Submit a Grant Application to the Watershed Security Fund - Request for Decision	148 - 150
	That the Executive Committee confirm that Islands Trust Council Committees have the authority to approve staff's preparation and submission of grant applications associated with Trust Council initiatives, taking into consideration the factors listed in Trust Council's <i>Policy 6.5.4 Grants and Donations Administration</i> .	
9.4	Administrative Services	
9.5	Legislative and Information Services	
10.	CORRESPONDENCE (for information unless raised for action)	151 - 151
10.1	2024-10-31 Bowen Island Municipality - Policy Statement Amendment Project	152 - 153
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12.	TRUST COUNCIL MEETING PREPARATION	

12.1 Executive

12.1.1 Electronic Meeting Attendee Primer 192 - 193

For review and approval to circulate to all trustees prior to Trust Council.

12.1.2 Draft December Trust Council 3-day Schedule 194 - 194

12.1.3 Draft December Trust Council Agenda

See Appendix 1.

12.1.3.1 Draft December Trust Council Delegation Presentation Material

See Appendix A.

12.1.3.2 *Late item materials for Appendix 1 item 10.1.2* 195 - 217

Legislative Monitoring Report - Briefing

12.1.3.3 *Late item materials for Appendix 1 item 17* 218 - 220

Trustee Fast - Sue Big Oil - Request for Decision

12.1.3.4 *Late item materials for Appendix 1 item 7.1.4* 221 - 232

Draft Executive Committee Union of BC Municipalities Report

12.2 Planning Services

12.3 Administrative Services

12.4 Trust Area Services

12.5 Legislative and Information Services

13. NEXT MEETING

The next regularly scheduled Executive Committee meeting will be held in-person at the Coast Victoria Hotel December 3rd at 10:00 a.m.

14. CLOSED MEETING

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 the Interim Chief Administrative Officer and Director, Legislative and Information Services attend the meeting.

15. ADJOURNMENT



Executive Committee

Minutes of a Regular Meeting

Date: Wednesday, October 30, 2024

Location: Hybrid Meeting

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

Staff Present: Julia Mobbs, Interim Chief Administrator Officer & Director, Administrative Services
Stefan Cermak, Director, Planning Services
Clare Frater, Director, Trust Area Services
Morgana van Niekerk, Communications Specialist
Jason Youmans, Senior Policy Advisor
Alexandra Trifonidis, Executive Coordinator

Members of the public present: Three members of the public attended electronically.

1. CALL TO ORDER

The meeting was called to order at 9:23 am. Chair Luckham acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations. Trustees and staff were introduced.

Bowen Island Municipality staff were requested by the Committee to join the meeting to provide clarification on the Bowen Island Municipality Land Use Bylaw Amendment No. 666 and Official Community Plan Bylaw Amendment Bylaw No. 667 - Request for Decision and facts within, if the need arose.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

The following reordering of items to the agenda were presented for consideration:

- Reorder item 6.1 to come before item 3 to accommodate invited staff speaking to the item.

2.2 Approval of Agenda

By general consent the agenda and addendum were approved as presented.

2.2.1 Agenda Context Notes – None

4. ADOPTION OF MINUTES

4.1 Draft Executive Committee Meeting Minutes of October 9, 2024

By general consent the Executive Committee meeting minutes of October 9, 2024 were adopted as presented.

Following the reordering of the agenda, item 6.1 was addressed.

6.1 Bowen Island Municipality –Land Use Bylaw Amendment No. 666 and Official Community Plan Bylaw Amendment Bylaw No. 667 - Request for Decision

Senior Policy Advisor Youmans presented the request for decision noting two areas of concern: water quality and license and increase in total floor area size. Staff advised that a non-domestic groundwater license from the Province is required for school use.

Bowen Island Municipality staff confirmed the applicant is working with Vancouver Coastal Health regarding the water license, which Bowen Island staff will ensure is completed. Staff also confirmed that a cap on the floor area size can be included in the Bylaw, if recommended.

Questions were asked on the quality and quantity of freshwater and why limiting the total floor area is an issue.

Discussion ensued on:

- Procedure for possible expansion in the future
- Transit requirements and needs
- Benefits to the community
- Whether the bylaws are or are not consistent with the Islands Trust Policy Statement
- Islands Trust/Bowen Island Municipality bylaw referral processes

Schedules A (OCP Bylaw Referral and Approval Process) and B (Non-OCP Bylaw Referral and Approval Process) of the Islands Trust/Bowen Island Municipality Protocol Agreement were reviewed.

EC-2024-126

It was MOVED and SECONDED,

that Executive Committee advise Bowen Island Municipality that Bylaw No. 666 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024” is not contrary to, or at variance with, the Islands Trust Policy Statement.

CARRIED

EC-2024-127

It was MOVED and SECONDED,

that Executive Committee advise Bowen Island Municipality that Bylaw No. 667, cited as “Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024” is not contrary to, or at variance with, the Islands Trust Policy Statement.

CARRIED

Following item 6.1, item 3 was addressed.

3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

Chair Luckham reported from the October 9th Executive Committee closed meeting that funding was allocated for clean-up at 88 Pilkey Road on Thetis Island and that minutes from the Executive Committee closed meeting of August 14, 2024 and Executive Committee closed meeting of September 11, 2024 were adopted.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates

The Committee reviewed the follow up action list, and Directors provided their area reports.

5.2 Local Trust Committee Chair Updates

Local trust committee chairs provided updates on recent and future meetings.

5.3 Islands Trust Conservancy Liaison Update

The Islands Trust Conservancy, along with other partners, sponsored the recent Salish Sea Regional Conservation Forum on Galiano Island which Vice-Chair Elliott attended and spoke highly about specifically noting the work of Dr. Tara Martin on shifting baselines for ecology.

The Committee acknowledged the collaboration between Metro Vancouver and Bowen Island Conservancy in the recent acquisition of land in Cape Roger Curtis on Bowen Island.

5.3.1 Islands Trust Conservancy - Highlights of October 1st Board Meeting

Received for information.

The Committee recessed for break at 10:54 a.m. and reconvened at 11:11 a.m.

6. BYLAWS FOR APPROVAL CONSIDERATION

6.2 Thetis Island Local Trust Committee – Bylaw No. 115 - Request for Decision

Thetis Island Local Trust Committee Chair Elliott presented the bylaw noting that Lyackson First Nation is in favour of this bylaw.

EC-2024-128

It was MOVED and SECONDED,

that the Islands Trust Executive Committee approve Thetis Island Local Trust Committee Bylaw No.115, cited as “Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2024”, in accordance with Section 27 of the *Islands Trust Act*.

CARRIED

The Committee discussed the possibility of other land use bylaws within the Trust Area not allowing for this type of utility and the barriers that arise from such; timing of the local trust committee receiving these application; and, applicant deadlines.

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive

7.1.1 Draft December Trust Council 3-day Schedule

Interim Chief Administrative Officer gave an overview of the 3-day schedule noting that the new Chief Administrative Officer will be in attendance at December’s Trust Council meeting.

Discussion ensued on the following:

- Allowing time in the schedule for a session on code of conduct and meeting standards following trustee conduct at September’s Trust Council meeting
- Return of the Dark Sky Principles Adoption Advocacy request for decision to December’s agenda
- Holding a workshop on code of conduct for trustees in a separate session outside of Council, possibly in Spring of 2025

By general consent Executive Committee request staff carve out 30 minutes at the beginning of the schedule for a “Conduct Supporting Better Decision Making” session.

By general consent Executive Committee request staff move the dinner start time to 6:00 p.m. for both evenings.

By general consent Executive Committee request staff carve out 30 minutes at the beginning of the schedule for the new Chief Administrative Officer to provide an introduction.

7.1.2 San Juan Liaison Meeting Session Outline - Discussion & Briefing

Staff have been in communication with San Juan County Council Member Fuller on topics of discussion for December’s liaison meeting.

The Committee brought forward correspondence item 10.3 titled “Increased Tanker Traffic in Trust and San Juan Area” adding it to the list of topics to be considered for discussion.

The Committee recessed for break at 12:10 p.m. and reconvened at 12:42 p.m. to go into a closed session as per the Interim Chief Administrative Officers suggestion.

13. CLOSED MEETING

EC-2024-129

It was MOVED and SECONDED,

that the meeting be closed to the public subject to Sections 90(1)(i) of the Community Charter in order to consider matters related to the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that staff attend the meeting.

CARRIED

The meeting was closed to the public at 12:45 p.m. and reopened at 1:44 p.m.

The Committee came out of the closed session to include an item not previously reflected in the resolution to go into a closed meeting so it could be discussed.

EC-2024-130

It was MOVED and SECONDED,

that the meeting be closed to the public subject to Sections 90(1)(j) of the Community Charter in order to consider matters related to information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act*, including communications necessary for that purpose; and that staff attend the meeting.

CARRIED

The meeting was closed to the public at 1:47 p.m. and reopened at 1:52 p.m.

Chair Luckham reported the Committee approved and increase to the Salt Spring Island renovation budget.

7.1.3 Draft 2025/26 Executive Committee and Trust Council Meeting Schedule - Request for Decision

The Committee discussed conducting meetings more often than presented in the draft schedule, and in-person, to evenly distribute the current fulsome agendas and provide members with more time to cover the material within.

EC-2024-131

It was MOVED and SECONDED,

that Executive Committee adopt the meeting dates and formats as set out in the proposed 2025/26 meeting schedule; and, that staff prepare a Request for Decision for Trust Council to approve their 2025/26 meeting schedule.

CARRIED

EC-2024-132

It was MOVED and SECONDED,

that Executive Committee request staff provide options for more frequent Executive Committee meetings and the associated workload and budget impacts.

CARRIED

7.1.4 Continuous Learning Plan - Next Steps

Staff presented the Trust Council Continuous Learning Plan seeking suggestions from the Committee on future session ideas.

The following ideas were provided:

- Green Shores and Hard Shores programs
- Bylaw enforcement and heritage protection
- K'omoks First Nation Cultural Heritage Policy
- Shoreline protection
- Advocacy
- Intergovernmental relations

The Committee noted historically it was practice to solicit Trust Council for topic ideas.

EC-2024-133

It was MOVED and SECONDED,

that Executive Committee requests the Continuous Learning Plan be brought back to a future Executive Committee meeting including remarks from Vice-Chair Elliott and the list of topics from the previous Council.

CARRIED

7.2 Trust Area Services

7.2.1 Emergency Communications - Oil Spill – Briefing

Trust Area Services Director presented the briefing.

By general consent Executive Committee request staff forward the Emergency Communications - Oil Spill briefing to Trust Council to be included in the December meeting package.

7.3 Planning Services - None

7.4 Administrative Services - None

7.5 Legislative and Information Services - None

8. EXECUTIVE COMMITTEE PROJECTS

8.1 Trust Council Initiated

8.1.1 Executive

8.1.1.1 Executive Committee 2025/26 Budget Requests - Request for Decision

Administrative Services Director presented the request for decision noting a correction to the number for the Executive Committee members on local trust committees item, which should read \$32,000.

The Committee discussed the Policy Statement Amendment project and possible realignment to the timeline.

Staff explained the Islands Trust budget process.

EC-2024-134

It was MOVED and SECONDED,

that Executive Committee forward its 2025/26 budget requests to Financial Planning Committee for inclusion in the draft 2025/26 budget:

1. \$36,000 for costs of Executive Committee members on local trust committees
2. \$128,050 for an Auxiliary (temporary) Senior Policy Advisor staff position in Trust Area Services
3. \$20,000 for Trust Council's Strategic Plan 'Policy Statement Amendment Project'
4. \$2,000 for the Purchase and Installation of Coast Salish Art in the Victoria, Salt Spring Island and Gabriola Island offices

Discussion ensued on the direction of the Policy Statement Amendment Project.

CARRIED

EC-2024-135

It was MOVED and SECONDED,

that Executive Committee recommend to Trust Council that it make the temporary Meeting Administrator staff position a regular, permanent position at Islands Trust.

CARRIED

8.1.2 Trust Area Services

8.1.2.1 Draft Committee of the Whole November 6 Meeting Agenda

The draft October 3 Committee of the Whole meeting minutes were added to the agenda as a late item.

DRAFT

Trustee Bernardo, who will be Chairing the next Committee of the Whole Meeting, was unable to attend this meeting to discuss the item; however, staff confirmed they have been in communication with him on content and direction of the draft agenda for the next Committee of the Whole meeting.

EC-2024-136

It was MOVED and SECONDED,

that Executive Committee request staff add a discussion on minute taking standards for Committee of the Whole minutes to a future Trust Council agenda.

CARRIED

By general consent Executive Committee advanced the agenda to Committee of the Whole, as amended.

- 8.1.3 Planning Services - None
- 8.1.4 Administrative Services - None
- 8.1.5 Legislative and Information Services - None

8.2 Executive Committee Initiated

- 8.2.1 Executive – None
- 8.2.2 Trust Area Services - None
- 8.2.3 Planning Services - None
- 8.2.4 Administrative Services – None
- 8.2.5 Legislative and Information Services

8.2.5.1 Options for Sharing Geographic Information Systems (GIS) between Planning and Conservancy - Briefing

Received for information.

9. NEW BUSINESS

9.1 Executive/Trust Council - None

9.2 Trust Area Services

9.2.2 Islands Trust Newsletter - Request for Decision

Islands Trust Communications Specialist introduced the request for decision.

EC-2024-137

It was MOVED and SECONDED,

that the Executive Committee approve the creation, distribution and format of a quarterly Islands Trust e-newsletter.

CARRIED

9.2.1 LTC Chairs Report on Local Advocacy Topics

No local trust committee chair reports were provided.

At this time, the following motions were presented by trustees for the Committee's consideration:

EC-2024-138

It was MOVED and SECONDED,

that staff be requested to amend the project charter for the Policy Statement Amendment Project to reflect the proposed adjusted budget of \$20,000 in the fiscal year 2025/26.

CARRIED

EC-2024-139

It was MOVED and SECONDED,

that staff be requested to remove the September 2024 Trust Council recording from the Islands Trust website to respect safe workspace concerns.

CARRIED

EC-2024-140

It was MOVED and SECONDED,

that Executive Committee requests staff continue to investigate a facilitated Code of Conduct session for a Trust Council meeting, as soon as practicable.

CARRIED

9.3 **Planning Services** - None

9.4 **Administrative Services** - None

9.5 **Legislative and Information Services** - None

10. CORRESPONDENCE (for information unless raised for action)

10.1 2024-10-09 Transport Canada - Discussion paper on potential regulations to increase access to marine emergency services and to improve response to pollution incidents

By general consent Executive Committee received item 10.1 for information.

10.2 2024-10-21 Association of Vancouver Island and Coastal Communities (AVICC) - 2025 AVICC AGM & Convention - 1st call for Resolutions and Convention Information

Vice-Chair Peterson gave notice of his intention to bring forward two proposals on the following items:

1. Union of BC Municipality and Local Government Municipality Association Code of Conduct Discussion Paper
2. Mental health supports for local elected leaders

Vice-Chair Elliot gave notice of her intention to bring forward one session proposal on the following topic:

DRAFT

1. Tiny homes panel

By general consent Executive Committee requests staff forward 2025 AVICC AGM & Convention - 1st call for Resolutions and Convention Information to trustees by email.

10.3 2024-10-24 Trustee Yates - Increased Tanker Traffic in Trust and San Juan Area

By general consent Executive Committee received item 10.3 for information.

10.4 2024-10-25 S Brands - Ambiguous and Inaccurate Executive Wording

By general consent Executive Committee requests staff work with the Chair to respond to Mr. Brands.

11. WORK PROGRAM

11.1 Review and amendment of current work program

Received for information.

12. NEXT MEETING

The next regularly scheduled Executive Committee meeting will take place in-person at the Islands Trust office in Victoria on Wednesday, November 20 at 9:15 a.m.

14. ADJOURNMENT

By general consent the meeting adjourned at 3:21 p.m.

Peter Luckham, Chair

CERTIFIED CORRECT:

Alexandra Trifonidis, Executive Coordinator and Recorder

Minutes are not official until adopted at a subsequent meeting.

Follow Up Action Report

Executive Committee

Director, Administrative Services

Progress	Activity	Responsibility	Dates	Status
0%	1 Review Islands Trust Policy 6.5.2 Budget Control and Adjustment as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed 'overspends' for any particular budget item.	Julia Mobbs	Meeting: 21-Oct-2020 Target: 12-Mar-2025	In Progress
10%	2 Explore future education/workshop sessions on decision-making to benefit trustees.	Julia Mobbs	Meeting: 24-May-2023 Target: 18-Dec-2024	In Progress
100%	3 Staff to prepare a Request for Decision for Trust Council to approve their 2025/26 meeting schedule.	Julia Mobbs	Meeting: 30-Oct-2024 Target: 13-Nov-2024	Completed
0%	4 Staff to provide options for more frequent Executive Committee meetings and the associated workload and budget impacts for 2025/26.	Alexandra Trifonidis Julia Mobbs	Meeting: 30-Oct-2024 Target: 15-Jan-2025	In Progress
0%	5 Staff to bring back the Continuous Learning Plan to a future meeting including remarks from Vice-Chair Elliott and the list of topics from the previous Council.	Julia Mobbs	Meeting: 30-Oct-2024 Target: 18-Dec-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Administrative Services

Progress	Activity	Responsibility	Dates	Status
100%	6 Staff to forward Executive Committee's 2025/26 budget requests to Financial Planning Committee for inclusion in the draft 2025/26 budget: 1. \$36,000 for costs of Executive Committee members on local trust committees 2. \$128,050 for an Auxiliary (temporary) Senior Policy Advisor staff position in Trust Area Services 3. \$20,000 for Trust Council's Strategic Plan 'Policy Statement Amendment Project' 4. \$2,000 for the Purchase and Installation of Coast Salish Art in the Victoria, Salt Spring Island and Gabriola Island offices	Julia Mobbs	Meeting: 30-Oct-2024 Target: 01-Nov-2024	Completed
0%	7 Staff to continue to investigate a facilitated Code of Conduct session for a Trust Council meeting, as soon as practicable.	David Marlor Julia Mobbs	Meeting: 30-Oct-2024 Target: 12-Mar-2025	In Progress

Follow Up Action Report

Executive Committee

Director Legislative Services

Progress	Activity	Responsibility	Dates	Status
0%	1 Investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.	Clare Frater David Marlor	Meeting: 07-Oct-2021 Target: 31-Mar-2025	In Progress
0%	2 Staff to prepare materials for a future Trust Council session on agreements with other agencies, governments and First Nations.	Clare Frater David Marlor	Meeting: 15-May-2024 Target: 20-Nov-2024	In Progress
50%	3 Staff to create the following primers for trustees: 1. Electronic Meeting Attendee Primer (Completed) 2. Chair Role Primer	David Marlor	Meeting: 11-Sep-2024 Target: 20-Nov-2024	In Progress
0%	4 Staff to continue to investigate a facilitated Code of Conduct session for a Trust Council meeting, as soon as practicable.	David Marlor Julia Mobbs	Meeting: 30-Oct-2024 Target: 12-Mar-2025	In Progress
0%	5 Staff to add a discussion on minute taking standards for Committee of the Whole minutes to a future Trust Council agenda.	David Marlor	Meeting: 30-Oct-2024 Target: 17-Jun-2025	In Progress

Follow Up Action Report

Executive Committee

Director of Planning Services

Progress	Activity	Responsibility	Dates	Status
49%	1 Staff to: a) evaluate the implications of a longer referral response window, and; b) consider how Trust Council and local trust committees (LTC's) might consult with First Nations to better understand what changes to the current referral process should be made to both improve communication and to further reconciliation, and report back to Trust Council.	Clare Frater Stefan Cermak	Meeting: 29-Jun-2023 Target: 31-Mar-2025	In Progress
100%	2 Staff to inform Islands Trust Northern Office planners that Islands Trust Executive Committee approved Thetis Island Local Trust Committee Bylaw No.115, cited as "Valdes Island Rural Land Use Bylaw, 1998, Amendment No. 1, 2024", in accordance with Section 27 of the Islands Trust Act.	Stefan Cermak	Meeting: 30-Oct-2024 Target: 01-Nov-2024	Completed
99%	3 Staff to prepare a request for decision for Trust Council under the direction that Executive Committee recommend to Trust Council that it make the temporary Meeting Administrator staff position a regular, permanent position at Islands Trust.	Stefan Cermak	Meeting: 30-Oct-2024 Target: 13-Nov-2024	Completed

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
0%	1 Investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.	Clare Frater David Marlor	Meeting: 07-Oct-2021 Target: 31-Mar-2025	In Progress
0%	2 Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act. This request responded to changes to the Islands Trust Act to give Trust Council new discretionary powers relating to supporting and give financial assistance to others to (iii)engage in activities to gain knowledge about the unique amenities and environment of the trust area and to increase public awareness, understanding and appreciation of the unique amenities and environment; (iv)preserve and protect the unique amenities and environment of the trust area. Executive Committee has discussed there may be an opportunity to concurrently review the secretariat services, and grants in aid policies with the intention of identifying administrative efficiencies.	Clare Frater	Meeting: 12-Apr-2022 Target: 31-Mar-2025	In Progress
49%	3 Staff to: a) evaluate the implications of a longer referral response window, and; b) consider how Trust Council and local trust committees (LTC's) might consult with First Nations to better understand what changes to the current referral process should be made to both improve communication and to further reconciliation, and report back to Trust Council.	Clare Frater Stefan Cermak	Meeting: 29-Jun-2023 Target: 31-Mar-2025	In Progress
75%	4 Staff to add to a future EC agenda: Honoraria for Indigenous elders providing welcomes or presentations at local trust committee meetings.	Clare Frater	Meeting: 20-Dec-2023 Target: 21-Aug-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
10%	5 Staff to work with Trustee Elliott (and/or others) to explore interest and options and funding potential for First Nations leaders to potentially hosting a gathering to hear Coast Salish perspectives on vision and governance in the Islands in the Trust Area, in a separate session before or around September Trust Council 2024.	Clare Frater	Meeting: 15-May-2024 Target: 21-Aug-2024	In Progress
0%	6 Staff to prepare materials for a future Trust Council session on agreements with other agencies, governments and First Nations.	Clare Frater David Marlor	Meeting: 15-May-2024 Target: 20-Nov-2024	In Progress
15%	7 Staff to develop a protocol agreement in cooperation with Snuneymuxw First Nation for Trust Council's consideration.	Clare Frater	Meeting: 05-Jun-2024 Target: 01-Mar-2025	In Progress
25%	8 Implement the Executive Committee approved "The Role of the Trust" webinar project charter.	Clare Frater	Meeting: 05-Jun-2024 Target: 31-Oct-2024	In Progress
10%	9 Staff to develop a protocol agreement in cooperation with Quw'utsun (Cowichan) Nation for Trust Council's consideration.	Clare Frater	Meeting: 24-Jul-2024 Target: 31-Dec-2024	In Progress
5%	10 Staff to assist Chair in writing to Snuneymuxw First Nation Chief and Council as to their interest in hosting a dialogue about Vision and Governance in their territory in association with the September 2024 Trust Council meeting, or alternatively the December 2024 or March 2025 meeting, and to indicate interest in jointly applying for a Union of BC Municipality Community to Community Grant Fund to support a budget of \$20,000.	Clare Frater	Meeting: 24-Jul-2024 Target: 24-Feb-2025	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
0%	11 Staff to assess the viability of Snuneymuxw First Nation, or another First Nation, hosting a forum at an upcoming Trust Council meeting, and estimated costs (options for the C2C funding to be secured for finding), of trustees attending a forum in association with an upcoming Trust Council meeting and report back to the Executive Committee with potential additional travel and accommodation costs.	Clare Frater	Meeting: 24-Jul-2024 Target: 18-Dec-2024	In Progress
0%	12 Executive Committee express interest to the Grants Manager in co-applying for a Union of BC Municipality Community to Community fund grant in December 2024 in support of a forum with a First Nation, and request that Staff to work with a First Nation to prepare a grant application in support for a forum to be held in association with a future Trust Council meeting.	Clare Frater Mike Richards	Meeting: 24-Jul-2024 Target: 18-Dec-2024	In Progress
0%	13 Trust Area Services staff to work on an advocacy letter regarding cultural heritage protection, and requesting guidance to aid local trust committees, and work with vice-chairs who note specific concerns related to First Nations relations in their Local Trust Area that might be addressed.	Clare Frater	Meeting: 24-Jul-2024 Target: 01-Nov-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
50%	14 Trust Area Services staff to work on a letter of advocacy to the Ministers responsible for crown land, requesting that the Federal Government expand the Wrecked, Abandoned or Hazardous Vessels Act program, and make funds available to deal with these wrecks in all the Islands within the Islands Trust Area; and that the period to launch an investigation into reports of derelict and sinking vessels be shortened from 90 to 30 days, and that letter is copied to MLAs and MPs in the Trust Area.	Clare Frater	Meeting: 24-Jul-2024 Target: 31-Dec-2024	In Progress
100%	15 Staff to organize an information session for trustees and interested staff about the Xwe'et tay /Lasqueti Archeology Project.	Clare Frater	Meeting: 11-Sep-2024 Target: 05-Dec-2024	Completed
0%	16 Staff to put on a future Executive Committee meeting agenda for Executive Committee to consider: "that the Executive Committee acting as a Local Trust Committee (Ballenas-Winchelsea Islands) request that the Executive Committee consider a policy on engagement and communication with First nations in the Trust area, to be developed with Local Trust Committees, with respect to standing resolutions on Reconciliation and engagement with local First Nations. "	Clare Frater	Meeting: 18-Jun-2024 Target: 13-Nov-2024	In Progress
89%	17 Staff to proceed with the communications plans request from the briefing titled 'Draft Communications Plan re: Trust Council request for provincial review Islands Trust's mandate, governance and structure' dated October 9, 2024, prioritizing items 1 - 5 from the briefing.	Clare Frater	Meeting: 09-Oct-2024 Target: 18-Oct-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
100%	18 Staff to advise Bowen Island Municipality that Bylaw No. 666 cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 666, 2024" is not contrary to, or at variance with, the Islands Trust Policy Statement.	Clare Frater	Meeting: 30-Oct-2024 Target: 01-Nov-2024	Completed
100%	19 Staff to advise Bowen Island Municipality that Bylaw No. 667, cited as "Bowen Island Municipality Official Community Plan Bylaw No. 282, 2010, Amendment Bylaw No. 667, 2024" is not contrary to, or at variance with, the Islands Trust Policy Statement.	Clare Frater	Meeting: 30-Oct-2024 Target: 01-Nov-2024	Completed
100%	20 Staff to forward the Emergency Communications - Oil Spill briefing to Trust Council to be included in the December meeting package.	Clare Frater	Meeting: 30-Oct-2024 Target: 13-Nov-2024	Completed
100%	21 Staff to remove the September 2024 Trust Council recording from the Islands Trust website to respect safe workspace concerns.	Clare Frater	Meeting: 30-Oct-2024 Target: 01-Nov-2024	Completed
100%	22 Staff to amend the project charter for the Policy Statement Amendment Project to reflect the proposed adjusted budget of \$20,000 in the fiscal year 2025/26.	Clare Frater	Meeting: 30-Oct-2024 Target: 01-Nov-2024	Completed
100%	23 Staff work with the Chair to respond to Mr. Brands regarding his correspondence on ambiguous and inaccurate executive wording.	Clare Frater	Meeting: 30-Oct-2024 Target: 16-Dec-2024	Completed



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: 3900-04/6500-20
(Groundwater Project)

DATE OF MEETING: November 20, 2024
TO: Islands Trust Executive Committee
FROM: Kim Stockdill, Island Planner
SUBJECT: Galiano Island Local Trust Committee – Bylaw Nos. 283 and 284

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” in accordance with Section 27 of the *Islands Trust Act*.**
2. **THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 284, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Galiano Island Local Trust Committee has referred Bylaw Nos. 283 and 284 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaws 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 **Galiano Island Local Trust Committee** regarding the Executive Committee decision by **November 22, 2024**.

Other

None

PURPOSE

Galiano Island Local Trust Committee proposed Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” (Attachment 6) will amend the Galiano Island Official Community Plan Bylaw No. 108, 1995 by updating relevant groundwater policies and objectives, replacing Schedule D – Water Resources with a new Schedule D – Groundwater Regions, and replacing the Development Permit Area (DPA) 4 – Elevated Groundwater Catchment with a new DPA 4 – Groundwater Recharge Protection.

Galiano Island Local Trust Committee proposed Bylaw No. 284, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” (Attachment 7) will amend the Galiano Island Land Use Bylaw No. 127, 1999 by including new cistern requirements, updates to subdivision proof of water regulations, and new definitions.

BACKGROUND

Galiano Island Local Trust Committee Bylaw Nos. 283 and 284

In February 2021 the Galiano LTC received a report on the preliminary results of the mapping and data analysis phases of the Groundwater Sustainability Project and subsequently endorsed the project charter. The draft Bylaw Nos. 283 and 284 were first presented to the Galiano Island LTC in May 2022. Over the course of a year, the draft bylaws were amended further and currently comprise:

- **Bylaw 283 - General Amendments to Official Community Plan (OCP)**
 - Minor changes to Official Community Plan (OCP) language
 - Updates to relevant policies and objectives to ensure consistency with revised language, the new Groundwater Recharge Protection DPA, and other proposed changes to the OCP and the LUB
 - Replacement of Schedule D – Water Resources, with a new Schedule D – Groundwater Regions
 - Replacement of Schedule G – DPA Area 4: Elevated Groundwater Catchment, with a new DPA 4: Groundwater Recharge Protection
- **Bylaw 283- A Groundwater Recharge Protection Development Permit Area**
 - New Critical Aquifer Recharge Development Permit Area (DPA) guidelines which would amend the current Galiano Elevated Groundwater Catchment DPA. Amendments include: reference to 2021 mapping of recharge areas, additional exemptions (forest fire protection measures and land owned by persons with federal Indigenous status), changes consistent with introduction of cistern requirements for new builds, and changing the name of the DPA
 - The proposed Bylaw includes the schedule map for the 5 hectare critical aquifer coverage option with the parks and protected areas taken out. This is the DPA option that had been endorsed by the previous LTC
- **Bylaw 284 - Amendments to the Land Use Bylaw (LUB)**
 - New definitions
 - Cistern Requirements for all new builds (18,000 litres). An increase in cistern size for secondary suites to 18,000 litres. Captured and stored water is not required to be connected to the dwelling except in the Water Management Areas as per existing regulation 13.23

- References to “rainwater” with respect to cisterns has been changed to “freshwater” to support the capture and retention of groundwater as well as rainwater
- Updates to regulations related to proof of water for subdivision based on provisions developed for the North Pender LUB.

The LTC gave first reading of proposed Bylaw Nos. 283 and 284 on March 14, 2023. The LTC considered and determined that proposed Bylaw Nos. 283 and 284 are not contrary to or at variance with the Islands Trust Policy Statement on March 14, 2023 (Attachment 4).

A Community Information Meeting and Public Hearing were held on October 8, 2024.

Following the close of the public hearing, the LTC deferred further reading of the proposed bylaws until the next LTC meeting. The LTC then gave second and third readings to Bylaw Nos. 283 and 284 at the November 8, 2024 meeting after making the following amendments to the proposed bylaws:

- To exempt the cutting and removal of small trees with a trunk diameter of less than 20 centimetres
- To change the term ‘property’ to ‘lot’
- Moving cistern requirements from the subdivision servicing section of the LUB to the general regulations sections
- Amended the Schedule G map to remove a Nature Protection property from the DPA.

As mentioned above, the LTC had amended proposed OCP Bylaw No. 283 to include a DPA exemption that states: “Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage.” Questions were raised by the community regarding the validity of such exemption and how it would be enforced. The Galiano LTC has received a legal opinion regarding the exemption – publicly released version can be [found here](#). In summary the legal opinion suggested the exemption could be found to be invalid based on the principle that the Development Permit Area should focus on the regulation of land development activities and an exemption based on landowner identity could be challenged. Alternatively, there is support for the exemption as it could be deemed to be consistent with UNDRIP and due to the Islands Trust commitment to reconciliation. If the exemption was to be found invalid, the exemption would likely be severed from the OCP and would not impact the validity of the rest of the OCP or DPA.

Issues Relating To Provincial Interest

The proposed Bylaws were referred to Ministry of Municipal Affairs, Ministry of Forest, Lands and Natural Resource Operations – Water Protection, Ministry of Transportation and Infrastructure, Capital Regional District – Building Inspection, Islands Trust Bylaw Enforcement, Mayne, Salt Spring and Thetis Island Local Trust Committees for comment.

No major issues were raised.

Issues Relating To First Nation Interest

The proposed Bylaws were referred to Cowichan Tribes, Halalt First Nation, Ts’uubaa-asatx (Lake Cowichan) First Nation, Lyackson First Nation, Malahat First Nation, Musqueam Indian Band, Pauquachin First Nation, Penelakut Tribe, Semiahmoo First Nation, Snuneymuxw First Nation, Stz’uminus First Nation, Tsartlip First Nation, Tsawout First Nation, Tsawwassen First Nation, Tseycum First Nation and WSANEC Leadership Council for comment.

In addition to the early engagement letter, bylaw referral, and the Public Hearing notice, a letter was sent to local First Nations and members of an indigenous family with historical and cultural ties to Galiano Island to provide further comments on the Groundwater Sustainability Project and DPA exemption 'p'. The responses received included 'no comment or concerns'. The Penelakut Nation Chief, council members, and staff attended the Public Hearing on October 8, 2024 and verbally expressed support for the proposed bylaws.

Issues Relating To Resources and Enforcement

None.

Public Comments

None.

Staff Comments

The Executive Committee is being asked to approve Galiano Island Local Trust Committee Bylaw No. 283, cited as "Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022" and Galiano Island Local Trust Committee Bylaw No. 284, cited as "Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022" in accordance with Section 27 of the *Islands Trust Act*.

Based on the foregoing, the recommendations on page 1 are supported as:

- The proposed bylaws have been determined to be consistent with the ITPS by the LTC;
- First Nation referrals were completed and no concerns were raised;
- Agency referrals were completed and no concerns were raised;
- Statutory processes have been completed including the statutory notification and holding of a public hearing prior to third reading of the bylaw.

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 Galiano Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022” 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.

THAT the Executive Committee request that staff advise Galiano Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 284, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 1, 2022” 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:	Kim Stockdill, Island Planner	November 8, 2024
Concurrence:	Stefan Cermak, Director Planning Services	November 14, 2024

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. 283
7. Bylaw No. 284
8. 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-283

Bylaw Type: Official Community Plan Bylaw

Date of resolution referring bylaw to Executive Committee: 08-Nov-2024

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Galiano Island Local Trust Committee

Bylaw No.: GL-284

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 08-Nov-2024

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Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Trust Area: Galiano Island Local Trust Committee

Type: Official Community Plan Bylaw

Bylaw No.: GL-283

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes
Planner: Yes

Technical Staff: No

First Reading Date: 14-Mar-2023

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web: 10-Feb-2023

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: 17-Sep-2024

File complete and ready for Public review: Yes

Public Hearings:

Location: Galinao Lions Club Hall

Proofread By: Chonk, Jas

Legal Paper: Gulf Island Driftwood

First Publish Date: 25-Sep-2024

Second Publish Date: 02-Oct-2024

Alternate Paper: Gulf Island Driftwood

First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held:

Second Reading Date: 08-Nov-2024

Third Reading Date: 08-Nov-2024

Bylaw: GL-284

Trust Area: Galiano Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: GL-284

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 14-Mar-2023

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Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held:

Second Reading Date: 08-Nov-2024

Third Reading Date: 08-Nov-2024

Referrals: Bylaw GL-283

Agency	Sent	Received
Bylaw Enforcement <i>Islands Trust: Warren Dingman</i>	07-Feb-2023	
Capital Regional District - All Referrals Aggie Chan and Jessica Arnet <i>625 Fisgard Street: Aggie Chan</i> <i>Comment: Integrated Water Services - The Bylaw update applies to the CRD water service area on Galliano Island (Stick Allison area). CRD Integrated Water Services wants to ensure the update takes into account the CRD water service supply. Has the CRD water supply for the Sticks Allison water service area on Galiano been considered in this bylaw amendment? Please confirm why the land where the water supply well sits, and is adjacent to, was not categorized as a Development Permit Area critical groundwater recharge area? CRD Building Inspection Dept. -Plumbing Permits will be required for plumbing systems or alterations to a plumbing system on site.</i>	07-Feb-2023	08-Mar-2023
Cowichan Tribes <i>5760 Allenby Rd: Tracey Flemming</i> <i>Comment: No Comment Received</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Halalt First Nation <i>7973 Chemainus Rd: Raven August</i> <i>Comment: No Comment Received</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Lake Cowichan First Nation <i>313B Deer Road: Carole Livingstone</i> <i>Comment: Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	20-Mar-2023
Lyackson First Nation <i>8017 Chemainus Road: Linda Aidnell</i> <i>Comment: No Comment Received</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Malahat First Nation <i>110 Thunder Road, RR4: Heather Adams</i>	07-Feb-2023 22-Mar-2023	06-Apr-2023

Referrals: Bylaw GL-283

Agency	Sent	Received
<i>Comment:</i> Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding these draft bylaws.	25-Jul-2024	26-Sep-2024
Mayne Island Local Trust Committee <i>Islands Trust:</i> Jas Chonk <i>Comment:</i> Interests unaffected by bylaw.	07-Feb-2023	27-Mar-2023
Ministry of Environment, Water Stewardship Division - Water Protection & Sustainable Branch <i>PO Box 9362:</i> No Contact Name Groundwater Section	07-Feb-2023	
Ministry of Municipal Affairs and Housing <i>Planning and Land Use Management:</i> Ron Burleson	07-Feb-2023	
Ministry of Transportation and Infrastructure <i>Ministry of Transportation and Infrastructure:</i> Owen Page <i>Comment:</i> The Ministry has no objections to the proposed changes to the OCP.	07-Feb-2023	01-Mar-2023
Musqueam Nation <i>6735 Salish Dr.:</i> Referrals Coordinator <i>Comment:</i> Thank you for reaching out to Musqueam Indian Band. Our referrals team has reviewed the document for Galiano Island Local Trust Committee Draft Bylaws 283 and 284. We defer this referral to other closely affected First Nations.	07-Feb-2023 22-Mar-2023 25-Jul-2024	11-Apr-2023
Pauquachin First Nation <i>9010 West Saanich Road:</i> Darlene Henry <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Penelakut Tribe <i>Box 360:</i> Denise James <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 24-Jul-2024	
Salt Spring Island Local Trust Committee <i>1 - 500 Lower Ganges Road:</i> Peter Luckham	07-Feb-2023	
Semiahmoo First Nation <i>16049 Beach Rd:</i> Chief & Council <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Snuneymuxw First Nation <i>668 Centre Street:</i> Desiree Thomas <i>Comment:</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Stz'uminus First Nation	07-Feb-2023	

Referrals: Bylaw GL-283

Agency	Sent	Received
12611A Trans Canada Hwy: Chenoa Akey <i>Comment:</i>	22-Mar-2023 25-Jul-2024	
Thetis Island Local Trust Committee <i>Northern Office:</i> Laura Patrick <i>Comment:</i> Interests unaffected by bylaw.	07-Feb-2023	28-Feb-2023
Tsartlip First Nation <i>PO Box 70:</i> Karen Harry <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Tsawout First Nation <i>Box 121:</i> Cathy Webster <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Tsawwassen First Nation <i>1926 Tsawwassen Drive:</i> Victoria Williams <i>Comment:</i> Tsawwassen First Nation (TFN) has no concerns regarding this file, at this time. However, TFN requests all copies of interim and final environmental and archaeological reports produced for this project.	07-Feb-2023 22-Mar-2023 25-Jul-2024	21-Aug-2024
Tseycum First Nation <i>1210 Totem Lane:</i> Chief Tanya Jimmy <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
WSANEC <i>WSANEC Leadership Council Society:</i> Joni Olsen <i>Comment:</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	

Referrals: Bylaw GL-284

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Cowichan Tribes <i>5760 Allenby Rd: Tracey Flemming</i> <i>Comment: No Comment Received</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Halalt First Nation <i>7973 Chemainus Rd: Raven August</i> <i>Comment: No Comment Received</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Lake Cowichan First Nation <i>313B Deer Road: Carole Livingstone</i> <i>Comment: Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	20-Mar-2023
Lyackson First Nation <i>8017 Chemainus Road: Linda Aidnell</i> <i>Comment: No Comment Received</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
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Referrals: Bylaw GL-284

Agency	Sent	Received
<i>Comment:</i> Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding these draft bylaws.	25-Jul-2024	26-Sep-2024
Mayne Island Local Trust Committee <i>Islands Trust:</i> Jas Chonk <i>Comment:</i> Interests unaffected by bylaw.	07-Feb-2023	27-Mar-2023
Ministry of Environment, Water Stewardship Division - Water Protection & Sustainable Branch <i>PO Box 9362:</i> No Contact Name Groundwater Section	07-Feb-2023	
Ministry of Municipal Affairs and Housing <i>Planning and Land Use Management:</i> Ron Burleson	07-Feb-2023	
Ministry of Transportation and Infrastructure <i>Ministry of Transportation and Infrastructure:</i> Owen Page <i>Comment:</i> The Ministry has no objections to the proposed changes to the OCP.	07-Feb-2023	01-Mar-2023
Musqueam Nation <i>6735 Salish Dr.:</i> Referrals Coordinator <i>Comment:</i> Thank you for reaching out to Musqueam Indian Band. Our referrals team has reviewed the document for Galiano Island Local Trust Committee Draft Bylaws 283 and 284. We defer this referral to other closely affected First Nations.	07-Feb-2023 22-Mar-2023 25-Jul-2024	11-Apr-2023
Pauquachin First Nation <i>9010 West Saanich Road:</i> Darlene Henry <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Penelakut Tribe <i>Box 360:</i> Denise James <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Salt Spring Island Local Trust Committee <i>1 - 500 Lower Ganges Road:</i> Peter Luckham	07-Feb-2023	
Semiahmoo First Nation <i>16049 Beach Rd:</i> Chief & Council <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Snuneymuxw First Nation <i>668 Centre Street:</i> Desiree Thomas <i>Comment:</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Stz'uminus First Nation	07-Feb-2023	

Referrals: Bylaw GL-284

Agency	Sent	Received
12611A Trans Canada Hwy: Chenoa Akey <i>Comment:</i>	22-Mar-2023 25-Jul-2024	
Thetis Island Local Trust Committee <i>Northern Office:</i> Laura Patrick <i>Comment:</i> Interests unaffected by bylaw.	07-Feb-2023	28-Feb-2023
Tsartlip First Nation <i>PO Box 70:</i> Karen Harry <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Tsawout First Nation <i>Box 121:</i> Cathy Webster <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
Tsawwassen First Nation <i>1926 Tsawwassen Drive:</i> Victoria Williams <i>Comment:</i> Tsawwassen First Nation (TFN) has no concerns regarding this file, at this time. However, TFN requests all copies of interim and final environmental and archaeological reports produced for this project.	07-Feb-2023 22-Mar-2023 25-Jul-2024	21-Aug-2024
Tseycum First Nation <i>1210 Totem Lane:</i> Chief Tanya Jimmy <i>Comment:</i> No Comment Received	07-Feb-2023 22-Mar-2023 25-Jul-2024	
WSANEC <i>WSANEC Leadership Council Society:</i> Joni Olsen <i>Comment:</i>	07-Feb-2023 22-Mar-2023 25-Jul-2024	



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File Name: 2021 Groundwater
Implementation

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.
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
✓	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
✓	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.
✓	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: Jas Chonk

Status

Date Resolution Referred to Exective Committee: 08-Nov-2024

Reading:

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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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: 08-Nov-2024

Reading:

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 283

A BYLAW TO AMEND GALIANO ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

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

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 1, 2022”.

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS 14TH DAY OF MARCH 2023.

PUBLIC HEARING HELD THIS 8TH DAY OF OCTOBER 2024.

READ A SECOND TIME THIS 8TH DAY OF NOVEMBER 2024.

READ A THIRD TIME THIS 8TH DAY OF NOVEMBER 2024.

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

APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS _____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

**GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 283**

SCHEDULE 1

The Galiano Island Official Community Plan No. 108, 1995, is amended as follows:

1. Table of Contents Section V is amended by deleting “4. Development Permit Area 4 – Elevated Groundwater Catchment Areas” and replacing it with “4. Development Permit Area 4 – Groundwater Recharge Protection”.
2. Section II Land Use, Residential Policy “o)” is amended by deleting “Community, Sport and Cultural Development” and replacing it with “Municipal Affairs”.
3. Section II Land Use, Subsection 5.4 Light Industry, Light Industry Advocacy Policy “m)” is amended by inserting “recharge and” after “groundwater” and before “catchment areas”.
4. Section III Services, Subsection 2 Water Supply, Water Supply Objectives is amended by deleting Objectives 1-4 in entirety and replacing with:
 - “1) to ensure an adequate supply of potable freshwater to all users now and into the future,
 - 2) to ensure that groundwater use, and alteration to the land does not pollute or otherwise increase the vulnerability of groundwater regions,
 - 3) to protect critical groundwater recharge areas by evaluating land use decision based on available groundwater vulnerability data and applying the precautionary principle to land use decisions, and
 - 4) to consider and address climate change impacts on freshwater supply and quality.”
5. Section III Services, Subsection 2 Water Supply, Water Supply Policies is amended by deleting policy “a)” in its entirety and replacing it with:
 - “a) Areas identified to be key areas for water supply, fresh water catchment, storage and recharge shall be preserved and protected.

Land identified through groundwater recharge mapping to have significant recharge potential shall be designated as a development permit area for the protection of the watershed.”

6. Section III Water Supply, Water Supply Policy “b) vi)” is amended by deleting “elevated groundwater catchment” and replacing it with “groundwater recharge protection”.
7. Section III Water Supply, Water Supply Policies is amended by removing policy “c)” in its entirety and replacing it with “c) Regulations may require new developments to provide cisterns.”
8. Section IV Conservation and Environment is amended by deleting all instances of “Fresh Water” and replacing them with “Freshwater”.
9. Section IV Conservation and Environment, Freshwater Advocacy Policies is amended by deleting “and the Provincial Ministry of Environment, Ministry of Transportation and Infrastructure, and Ministry of Forests, Lands and Natural Resource Operations” and replacing it with “and relevant Provincial Ministries”.
10. Section V Development Permit Areas is amended by deleting subsection “4. Development Permit Area 4-Elevated Groundwater Protection” in its entirety and replacing it with:

“4. Development Permit Area 4 – Groundwater Recharge Protection

4.1 Description of Area

Development Permit Area 4 includes critical groundwater recharge areas identified on Schedule G. Critical groundwater recharge areas contain hydrogeological conditions that facilitate aquifer recharge and/or transmit contaminants to an underlying aquifer. Factors considered in the identification of critical aquifer recharge areas include topography, remote sensing, satellite multispectral analysis depth to water table, presence of highly permeable soils, land-cover analysis, structural geology, presence of flat terrain, and the presence of more permeable surficial geology.

4.2 Authority

The Groundwater Recharge Protection Development Permit Area is designated a development permit area pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity and Section 488(1)(i) of the *Local Government Act* for the establishment of objectives to promote water conservation.

4.3 Special Conditions and Objectives that Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area 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.”

It is Provincial legislation in Section 473(1)(d) of the *Local Government Act* that an official community plan must include statements and map designations for the area covered by the Plan respecting restrictions on the use of land that is environmentally sensitive to development.

The Islands Trust Council has committed to identifying, protecting and, where possible, restoring or rehabilitating groundwater recharge areas in the Trust Area.

It is policy of the Islands Trust Council that Local Trust Committees 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, and
- the quality and quantity of drinking water sources for current and future Trust Area residents is preserved and protected, and
- the overall health of watersheds and ground water in the Islands Trust Area is protected.

Mapping of recharge and water balance completed in 2021 for Galiano Island identifies that the island has a number of areas of critical concern with respect to groundwater vulnerability.

The Objectives of the development permit area are:

- to protect and sustain access to a reliable and safe supply of drinking water for groundwater wells
- to protect and sustain the quality and supply of surface and groundwater necessary to the provision of ecological services
- to mitigate the impacts of development and climate change on groundwater supplies

4.4 Development Approval Information

The Groundwater Recharge Protection DPA is also designated an area for which development approval information (DAI) may be required according to Section 485(1) of the *Local Government Act*. The designation of these areas for this purpose is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impact of the proposed activity or development on the community or the natural environment.

4.5 Applicability

A development permit is required for the subdivision of land, construction of, addition to or alteration of a building or other structure, or land alteration, including the cutting of trees, unless exempted below.

4.6 Development Permit Exemptions

The following activities are exempt from any requirement for a development permit:

- a) Development for which Islands Trust has been provided with a written statement from a registered professional hydrogeologist with relevant experience certifying that the proposed would have no impact on critical groundwater recharge.

- b) Repair, maintenance, alteration, additions to, or reconstruction of existing lawful buildings, structures or utilities, including those that are lawfully non-conforming (a building permit may still be required).
- c) Dwellings, cottages, accessory buildings and structures, and associated land alteration that are clustered within a residential home plate not exceeding an area of 1000m², and one access driveway and overhead utility lines and poles outside of the residential home plate.
- d) Land that is subject to a conservation covenant under section 219(4) of the *Land Title Act* in relation to natural, environmental, wildlife or plant life value relating to the land, granted to the Local Trust Committee or a covenantee designated under section 219(3)(c) of the *Land Title Act*.
- e) Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving asphaltting or similar surfacing.
- f) Removal of invasive species.
- g) Cutting and removal of up to 5 trees per hectare (with a trunk diameter greater than 20 centimetres measured 1.5 metres above the ground) within a 12-month period on any one lot.
- h) Cutting and removal of trees with a trunk diameter less than 20 centimeters measured 1.5 metres above the ground.
- i) Removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property.
- j) Farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2), (3), (4) and (5) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.
- k) Forest management activities, as defined in the *Private Managed Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*.
- l) The construction of an accessory building or structure with a lot coverage of less than 100m².
- m) Construction of trails or fences that does not alter contours of the land.
- n) Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:
 - i. Forest fire protection measures;
 - ii. Flood and erosion protection works;
 - iii. Protection, repair or replacement of public facilities;
 - iv. Clearing of an obstruction from a bridge, culvert, dock wharf or stream; or
 - v. Bridge repairs.

- o) Works undertaken by a local government or a body established by a local government.
- p) Works authorized under a provincial statute.
- q) Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage.

4.7 Guidelines

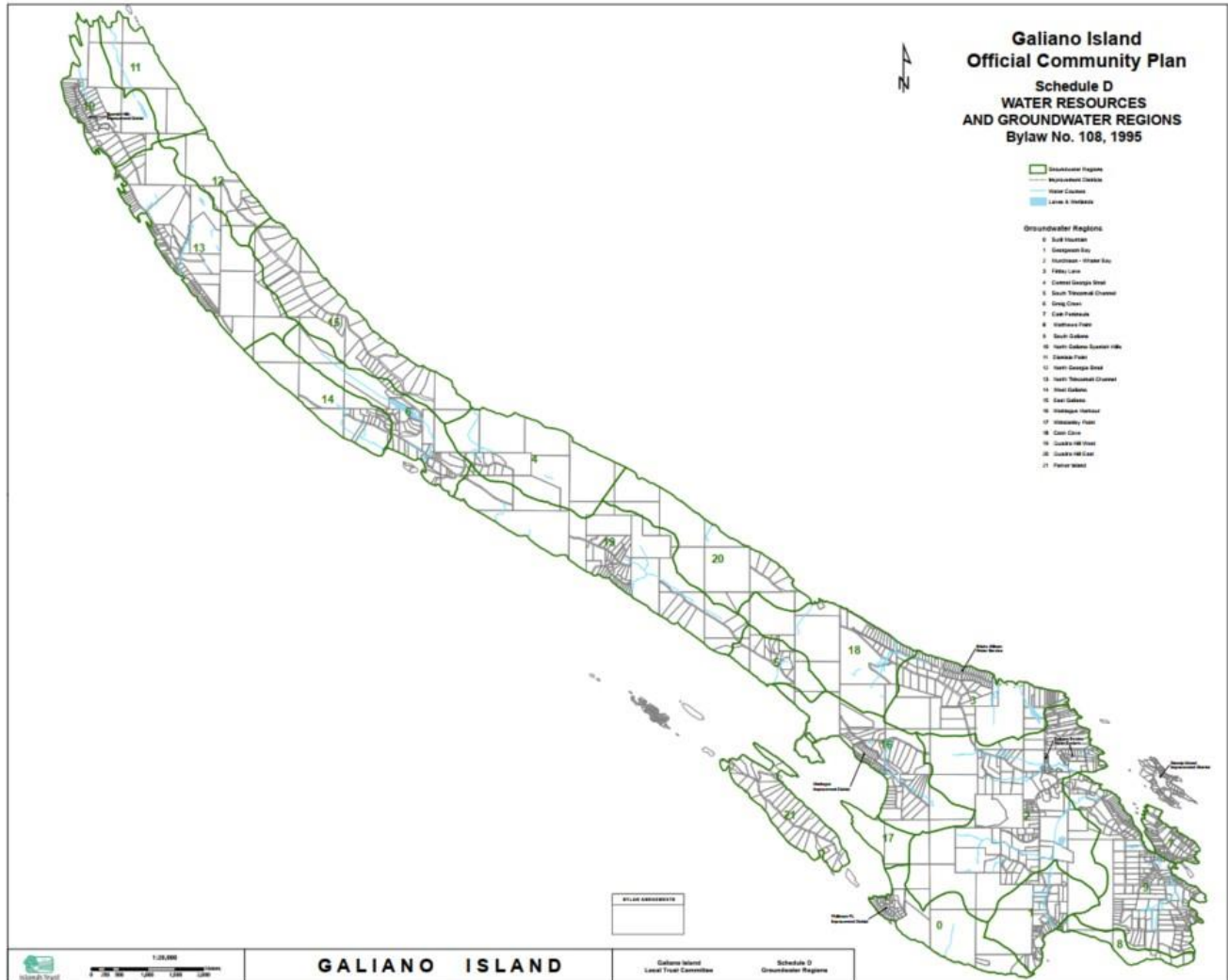
The *Local Government Act* prohibits construction of buildings and structures and the alteration of land and subdivision in Development Permit Area 4 unless the owner first obtains a development permit. Development permits will be issued in accordance with the following guidelines.

1. In general, development should minimize negative impacts on the quality and quantity of subsurface water supplies.
2. Where a qualified professional hydrogeologist or engineer has made recommendations for mitigation measures, the permit conditions may include a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of groundwater supply quality or quantity consistent with the measures and recommendations described in the report.
3. Where the qualified professional hydrogeologist or engineer's report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a hydrogeologist or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
4. Where an application involves the subdivision of land, layout of the subdivision should be, to the greatest extent possible, designed to:
 - a) replicate the function of a naturally vegetated watershed;
 - b) maintain the hydraulic regime of surface and groundwater pre-development flow rates;
 - c) minimize interference with groundwater recharge;
 - d) not introduce or remove material where it would cause erosion of or the filling in of natural watercourses or wetlands.
5. Where freshwater collection and storage cisterns are required as a condition of the construction of a building, impervious surfaces should be minimized.
6. Where freshwater collection cisterns are required as a condition of construction of a building, the LTC may require that all new dwelling units include:
 - i. External equipment for collecting and distributing rainwater from the dwelling unit roof;
 - ii. A pumping system;
 - iii. An overflow handling system.

7. The use of impervious paved driveways shall be discouraged.
8. Where tree removal is not exempt from the requirement for a permit:
 - a. Removal of trees from steep slopes should only be allowed where necessary and where replacement vegetation / erosion control measures are established. Plans delineating extent of vegetation / tree removal and location of proposed construction, excavation and / or blasting, may be required.
 - b. All development should be undertaken and completed in such a manner as to prevent the release of sediment to any watercourse. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.
 - c. Existing, native trees should be retained wherever possible and trees to be retained near development should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
 - d. If the area has been previously cleared of trees, or is cleared during the process of development, replanting requirements may be specified in the development permit. Areas of undisturbed bedrock exposed to the surface or natural sparsely vegetated areas should not require planting.
 - e. Tree species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and should be selected for erosion control and/or wildlife habitat values as needed. Suitably adapted, non-invasive, non-native trees may also be considered acceptable.
 - f. All replanting should be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead trees should be replaced at the owner's expense in the next regular planting season. Permits may include, as a condition, the provision of security to guarantee the performance of terms of the permit.
9. Roads, driveways, trails and pathways should follow the contours of the land and appropriately manage drainage. The construction of roads and utility corridors and other activities involving the disturbance of the soil, must be conducted in such a manner that the productivity of the local groundwater recharge area is not impaired through soil compaction, altered surface drainage patterns, siltation, erosion, or salt water intrusion.
10. Parking areas should be located and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, bio- filtration trenches or swales, unpaved or permeable all-weather surfaces should be considered for this purpose.
11. Permits may include minor variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area."

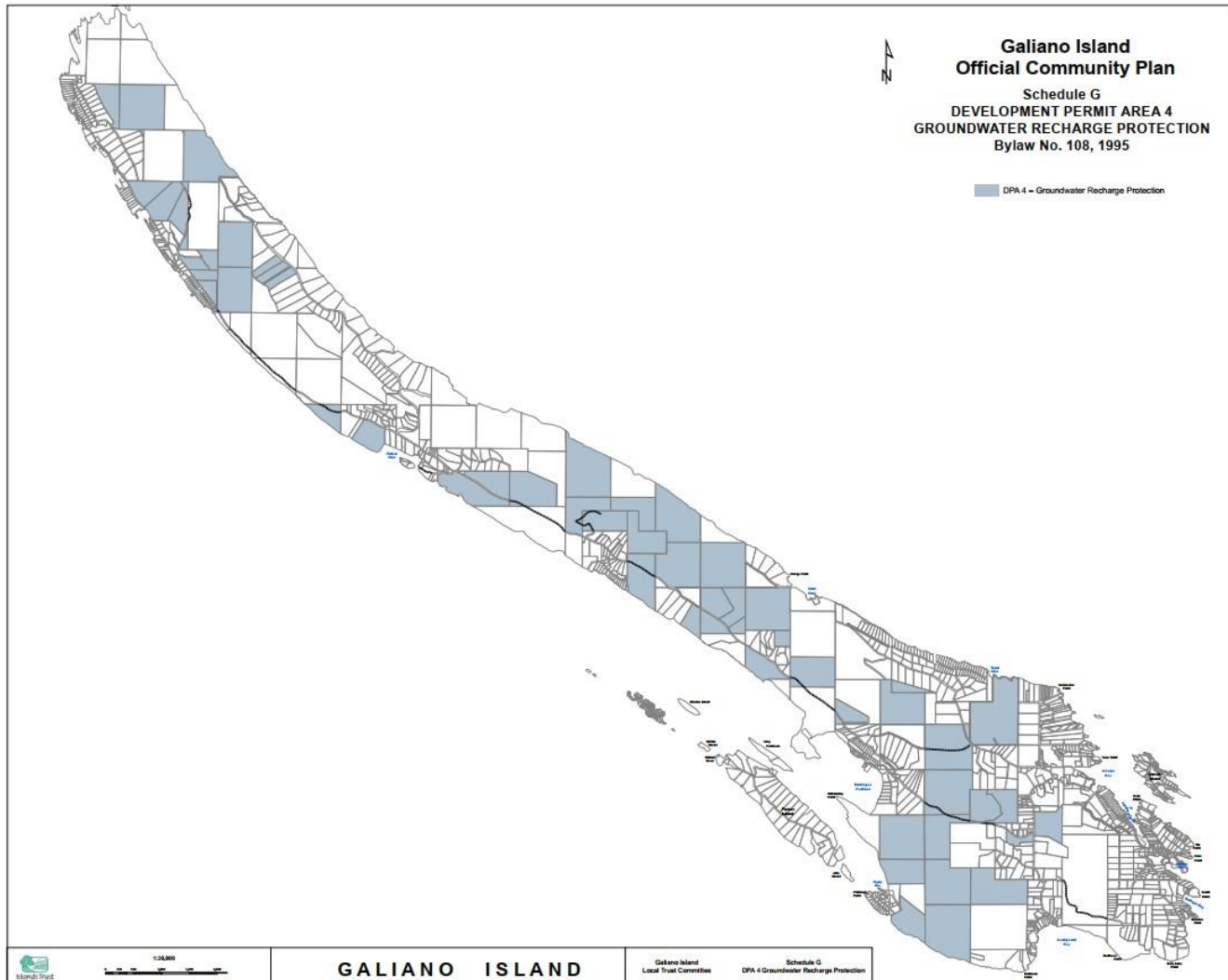
12. Section VI Development Approval Information, Subsection 2. Special Conditions “ii” is amended by deleting “elevated groundwater catchments” and replacing it with “groundwater recharge”.
13. Schedule “D – Water Resources” is removed and replaced with Schedule “D – Groundwater Regions” as shown on Plan No. 1 attached and forming part of this bylaw.
14. Schedule “G – Development Permit Area 4: Elevated Groundwater Catchment” is removed and replaced with Schedule “G – Development Permit Area 4: Groundwater Recharge Protection” as shown on Plan No. 2 attached and forming part of this bylaw.

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 283
Plan No. 1



GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 283
Plan No. 2

Schedule G – Development Permit Area 4: Groundwater Recharge Protection



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 284

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW, NO. 127, 1999

The Galiano Island Local Trust Committee, being the Local 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 No. 127, 1999, Amendment No. 1, 2022”.

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

2.1 Section 2 General Regulations, Subsection 2.28– Secondary Suites is amended by removing 2.28.6 in entirety and replacing it with “2.28.6 A building permit for a lot outside a water service area shall not be issued for a secondary suite unless a freshwater catchment and storage system having a capacity of at least 18,000 litres is installed on the lot.”

2.2 Section 2 General Regulations is amended by inserting “Cistern Requirements” as a new heading under Section 2.28.

2.3 Section 2 General Regulations is amended by inserting, under the heading “Cistern Requirements” the following:

“2.29 A building permit for a lot outside a water service area shall not be issued for a new building to be used as a dwelling, including a cottage, unless a cistern (or combination of cisterns) for the storage of freshwater having a capacity of at least 18,000 litre is installed on the lot.

2.30 The floor area occupied by any cistern located in a building and the housing provided for such cistern is excluded from the calculation of the floor area of the building and the lot coverage of the lot on which it is located.”

2.4 Removing Subsection 13.23 from Part 13 ‘Subdivision and Development Regulations’ to Section 2 ‘General Regulations’ as a new subsection and by replacing the word “16,000” with “18,000”.

2.5 Section 13 Subdivision and Development Regulations is amended by deleting 13.24 through 13.29 in its entirety and replacing it with the following and by making such consequential numbering alterations to effect this change.

“Standards for Potable Water Supply

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

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

- 13.24 Where potable water is proposed to be supplied to lots in a subdivision by an established community water system, the applicant for subdivision must provide written confirmation from the community water system that it is able to supply potable water for the permitted principal use and density to each lot.
- 13.25 Where potable water is proposed to be supplied to lots in a subdivision by creating a community water system, the applicant for subdivision must provide proof of all authorizations required under the *Drinking Water Protection Act*, the *Water Utility Act* or any other enactment pertaining to water supply systems.
- 13.26 Where potable water is proposed to be supplied to lots in a subdivision from a stream, the applicant for subdivision must provide proof of authorization in the form of a water licence confirming that the total volume of water granted to the licence holder is able to supply potable water for domestic uses at the volume specified in Table 1 to each lot.
- 13.27 Where potable water is proposed to be supplied to lots in a subdivision by drilled wells the applicant for subdivision must provide written certification under seal of a hydrogeologist that:
 - a. Each well has been constructed in accordance with the *Groundwater Protection Regulation*;
 - b. Each well has been constructed in accordance with Sections 13.29, 13.30 and 13.31;
 - c. Each well has sufficient available groundwater to provide the daily required volume of potable water for the permitted domestic uses on each lot in accordance with Table 1;
 - d. Each well for which a water licence has not been issued has sufficient available groundwater volume for all permitted non-domestic, non-agricultural, non-park, non-conservation area principal uses for each lot at the permitted density of use; and
 - e. Includes recommendations for mitigation measures, if applicable, to ensure long-term sustainable yield of the drilled well.

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

- 13.28 Where the potable water is proposed to be supplied to lots in a subdivision by drilled wells, for any well where a water licence has not been issued the applicant for subdivision must also provide written certification under seal of a hydrogeologist:
- Results of a water quality analysis, completed by an accredited laboratory;
 - A plan of the proposed subdivision indicating the location where each water sample was taken;
 - A statement that the water samples upon which the water quality analysis was performed were unadulterated samples taken from the locations indicated on the plan.
 - Confirmation, based on the accredited laboratory water quality analysis, that each proposed water supply source is potable, or can be made potable, with a treatment system; and
 - Confirmation, based on the accredited laboratory water quality analysis of chloride concentrations, that each drilled well is not likely to be affected by the intrusion of saline groundwater or sea water in accordance with the Province of British Columbia guidance documents.
- 13.29 Where a water license has not been issued and where potable water is proposed to be supplied to lots in a subdivision by a drilled well, a pumping test shall be carried out on each well in a proposed subdivision by:
- pumping groundwater, at a constant rate, for a minimum period of 12 hours; and
 - withdrawing the total daily required volume specified in section 13.27 over a maximum period of 24 hours; and
 - monitoring groundwater levels continuously during the pumping test and during the recovery period.
- 13.30 Where potable water is to be supplied by a drilled well a sounding tube or wellhead port must be installed to enable the insertion of water level monitoring equipment.
- 13.31 Drilled wells used for the purposes of subdivision must not be located within 50 metres of the natural boundary of the sea.

- 13.32 If the daily required volume of potable water cannot be supplied in accordance with Section 13.24 or if the certification in Subsections 13.27(c) and 13.27(d) cannot be made, the Approving Officer may nonetheless approve the subdivision provided that the applicant grants a s.219 covenant to the Galiano Island Local Trust Committee and the Capital Regional District that restricts the development of the subdivision to the uses or density of the uses for which a certification has been made under Sections 13.24 or 13.27.
- 13.33 Where the certification under subsection 13.28(d) states that a water supply is not potable but can be made potable with a treatment system, the Approving Officer may approve subdivision provided that the applicant grants a s. 219 covenant under the *Land Title Act* to the Galiano Island Local Trust Committee and the Capital Regional District that requires on-going treatment of the water to potable water standards recommended by a hydrogeologist.
- 13.34 For the purposes of subdivision, drilled wells impacted by seawater intrusion or whose operation is likely to cause seawater intrusion are not permitted sources of potable water.
- 13.35 For the purposes of subdivision, alternative potable water supplies including, but not limited to, shallow dug wells, rainwater catchment and desalination are not permitted sources of potable water.
- 13.36 The requirements of Sections 13.24-13.35 do not apply where the proposed subdivision is a boundary adjustment that does not result in an increase in the number of lots or permitted dwelling units, provided that all lots in the subdivision are currently serviced by existing wells, community water system connection or water licence.
- 2.6 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by inserting the following in alphabetical order:
- “aquifer” means a geological formation; or a group of geological formations, or a part of one or more geological formations that is groundwater bearing and capable of storing, transmitting and yielding groundwater.
- “groundwater” means water naturally occurring below the surface of the ground.
- “Hydrogeologist” means an engineer or geoscientist with competency in the field of hydrogeology, regulated under the *Professional Governance Act*, Engineers and Geoscientists Regulation.
- “potable” means water that is safe to drink, fit for domestic purposes and meets the Health Canada Guidelines for Canadian Drinking Water Quality or any guidance documents or legislation which may be enacted in substitution.
- “pumping test” means a flow test to determine the long-term sustainable yield of a well, conducted under supervision of a hydrogeologist, and that is consistent with the

British Columbia Guide to Conducting Pumping Tests, Guidance for Technical Assessments in Support of an Application for Groundwater Use in British Columbia, other guidance documents which may be issued, applicable legislation, and consists of pumping groundwater from a well typically for 12 to 72 hours depending on aquifer characteristics.

- 2.7 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by removing the definition of “community water system” in its entirety and replacing it with:

““community water system” means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, a regional district, a water utility, a society, or a water supplier.”

- 2.8 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by adding the following in alphabetical order:

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

“groundwater” means water naturally occurring below the surface of the ground.

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

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

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

- 2.9 Section 17 Interpretation, Subsection 17.1 Definitions, is amended by removing the definition of “community water system” in its entirety and replacing it with:

““community water system” means a system of waterworks that serves more than one lot and is owned, operated and maintained by an improvement district, a regional district, a water utility, a society, or a water supplier.”

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	14 TH	DAY OF	MARCH	2023.
PUBLIC HEARING HELD THIS	8 TH	DAY OF	OCTOBER	2024.
READ A SECOND TIME THIS	8 TH	DAY OF	NOVEMBER	2024.
READ A THIRD TIME THIS	8 TH	DAY OF	NOVEMBER	2024.
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 Bylaws No. 283 and 284 (OCP & LUB Amendments)
Re: Groundwater Sustainability Project

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Halalt

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

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

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 20, 2023	Ts'uubaa-asatx Nation does not have any comments to provide at this time regarding this application proceeding. Please note that this "no comment" response is specifically intended for this application and is without prejudice to all future consultation with our Nation regarding not only the renewal of this application but any other application or decision within the Ts'uubaa-asatx Nation traditional territory. Furthermore, we may choose in the future to address the issues of Aboriginal rights and/or title infringement and compensation through the treaty process, the courts or other dispute resolution processes. We also reserve the right to raise objections if any cultural use, archaeological sites or environmental impacts are identified when the above development is being carried out or if we discover impacts on our rights or interest that we had not foreseen.	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Lyackson

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Malahat

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
April 6, 2023 Sept. 26, 2024	Malahat Nation notes that the proposed activity falls outside of core Malahat traditional territory, and as such we acknowledge and respect the local First Nation(s)' opportunity to act as primary correspondents in this case. However, in the event they do not, or are unable to respond we reserve our right to consultation and engagement, and continue to require disclosure on an ongoing basis regarding these draft bylaws.	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Musqueam Indian Band

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
April 11, 2023	Thank you for reaching out to Musqueam Indian Band. Our referrals team has reviewed the document for Galiano Island Local Trust Committee Draft Bylaws 283 and 284. We defer this referral to other closely affected First Nations.	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Pauquachin First Nation

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Semiahmoo

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Snuneymuxw

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Stz'uminus

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsartlip First Nation

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawout First Nation

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tsawwassen First Nation

Date	Comment/Action	Initial
February 10, 2023	Sent Referral	JC
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
August 21, 2024	Tsawwassen First Nation (TFN) has no concerns regarding this file, at this time. However, TFN requests all copies of interim and final environmental and archaeological reports produced for this project.	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: Tseycum First Nation

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

First Nation: WSANEC Leadership Council

Date	Comment/Action	Initial
February 10, 2023	First Referral Sent	JC
March 22, 2023	Second Referral Sent	JC
July 25, 2024	Third Referral Sent	JC
Sept. 12, 2024	Sent Follow-up Email in regards to Public Hearing.	JC

Z:\10 Leg & Reg\3900 Bylaws\04 LTC OCP & LUB - Proposed (P)\04 GL\BL 283 - OCP - AMD - Groundwater Sustainability\FN Responses\GL-BLs-283-284_FN-Followup-tracking.docx

File No.: HO-BL-ADM-BASE-HA-
Beulah-2024

DATE OF MEETING: November 20, 2024
TO: Executive Committee
FROM: Local Planning Services, Northern Team
DATE PREPARED: November 5, 2024
SUBJECT: Hornby Island Local Trust Committee Housing Agreement Bylaw No. 178

RECOMMENDATION

1. That the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 178, cited as “Hornby Island Local Trust Committee Housing Agreement Bylaw No. 178, 2024”, in accordance with Section 27 of the *Islands Trust Act*.

PURPOSE

The Hornby Island Local Trust Committee (LTC) has referred proposed Housing Agreement Bylaw No. 178 to the Executive Committee (EC) for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the EC approve the bylaw, as it would enable up to 26 units of affordable/community housing on Hornby Island in development for many years.

BACKGROUND

The proposed bylaw is not a result of a rezoning application and subsequent LTC bylaw amendments, as is normally the case with housing agreements. The subject property zoning permits the Beulah Creek Village housing development, which was adopted as part of an Official Community Plan (OCP) and Land Use Bylaw (LUB) project in 2014.

The reason for this housing agreement request is because the use, “community housing”, as defined in the Hornby Island Land Use Bylaw No. 150 (LUB) is subject to a housing agreement under Section 483 of the *Local Government Act* (LGA). Therefore, the owner of land(s) must enter into and register a housing agreement on the property title where this “community housing” use is permitted, in order to conduct the use on the subject property.

Proposed Bylaw No. 178 would allow the Hornby LTC to enter into a housing agreement with the Hornby Island Housing Society (HIHS) (the land owner), BC Housing (the funder), and M’akola Developments (the operator). The agreement includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on the lands, pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*. The bylaw received three readings at the Hornby LTC regular business meeting on November 1, 2024.

The property is located at located 5040 Central Road, Hornby Island, and is legally describes as:

LOT 1, SECTION 11, HORNBY ISLAND, NANAIMO DISTRICT, PLAN VIP87990

PID: 028-221-401

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL

The Hornby LTC supports the execution of this housing agreement. The new provincial legislation for housing-related bylaws does not permit a public hearing to be conducted. The expedited process is intended to create the conditions necessary to address BC's housing crisis in the most efficient manner possible at the local government policy and regulatory level.

FINANCIAL AND RESOURCE

There are no direct financial or staff resource implications associated with the proposed bylaw at present; however, annual review of statutory declarations will need to be conducted and filed appropriately to ensure compliance with the conditions of the housing agreement. The property owner is responsible for registration of all documentation related to the agreement at the Land Title Office, including associated fees.

POLICY

Section 27 of the *Islands Trust Act*.

[Islands Trust Housing Strategic Action Plan](#)

IMPLEMENTATION/COMMUNICATIONS

Communication to the Hornby LTC regarding the EC decision by December 1, 2024, as the LTC wishes to consider final adoption of the bylaw as soon as possible due to constraints on the property owner and operator related to BC Housing funding deadlines.

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Hornby Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 178, cited as "Hornby Island Local Trust Committee Housing Agreement Bylaw No. 178, 2024" is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Hornby Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Ian Cox, Planner 2	November 5, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	November 5, 2024

ATTACHMENTS

1. EC Submission Cover

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

2. EC Policy Checklist
3. Proposed Hornby Island LTC Housing Agreement Bylaw No. 178



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Hornby Island Local Trust Committee

Bylaw No.: HO-178

Bylaw Type: Housing Agreement Procedure Bylaw

Date of resolution referring bylaw to Executive Committee: 01-Nov-2024

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Executive Committee

Policy Checklist

Checklist Key:

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

Executive Committee Legislative Role Policy (2.4)

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

Checklist Key:

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

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

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

Comments

Completed By: Nadine Mourao

Status

Date Resolution Referred to Exective Committee: 01-Nov-2024

Reading: 01-Nov-2024

Third Reading

DRAFT

HORNBY ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 178

A BYLAW TO AUTHORIZE A HOUSING AGREEMENT

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

AND WHEREAS Section 483 of the Local Government Act and Section 29 of the *Islands Trust Act* permit the Local Trust Committee to enter into a housing agreement;

AND WHEREAS the Hornby Island Local Trust Committee wishes to enter into a Housing Agreement;

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

1. This Bylaw may be cited for all purposes as "Hornby Island Housing Agreement Bylaw No. 178, 2024".
2. Any one Trustee of the Hornby Island Local Trust Committee are authorized to execute an agreement in the form attached to this Bylaw with the HORNBY ISLAND HOUSING SOCIETY, a society incorporated under the laws of the province of British Columbia under incorporation number S-0028556.

READ A FIRST TIME THIS 1ST day of NOVEMBER, 2024

READ A SECOND TIME THIS 1ST day of NOVEMBER, 2024

READ A THIRD TIME THIS 1ST day of NOVEMBER, 2024

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____TH day of _____, 20____

ADOPTED THIS _____TH day of _____, 20____

CHAIRPERSON

SECRETARY

Housing Agreement and Section 219 Covenant
(Section 438 Local Government Act and Section 219 Land Title Act)

THIS AGREEMENT DATED FOR REFERENCE THE 1st OF November, 2024 is BETWEEN:

HORNBY ISLAND HOUSING SOCIETY, a society incorporated under the laws of the province of British Columbia under incorporation number S-0028556.

(the “Owner”);

AND:

HORNBY ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act*, having an office at 2nd Floor, 1627 Fort Street, Victoria, B.C., V8R 1H8

(the “Trust Committee”)

AND:

M’AKOLA HOUSING SOCIETY, a society incorporated under the laws of the province of British Columbia under incorporation number S-18870.

(the “Lessee”)

WHEREAS:

- A. The Owner is the registered owner of the Lands situated at 5040 Central Road and legally described as:

PID 028-221-401
LOT 1, SECTION 11, HORNBY ISLAND, NANAIMO DISTRICT, PLAN VIP87990

(the “Lands”);

- B. The Owner intends to construct on the Lands a residential development that will include Affordable Housing Units (hereinafter defined) to rent, by way of a Tenancy Agreement, at an affordable rate to Qualified Renters (hereinafter defined);
- C. The Trust Committee may, pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*, enter into an agreement with an owner of land that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on those lands;

- D. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of the Trust Committee in respect of the use of land;
- E. The Owner and the Trust Committee wish to enter into this Agreement to provide affordable housing on the Lands on the terms and conditions of this Agreement and to restrict the use of the Lands on the terms and conditions of this Agreement, to have effect as both a covenant under section 219 of the *Land Title Act* and a housing agreement under section 483 of the *Local Government Act*; and
- F. The Trust Committee has, by bylaw, authorized the execution of this Agreement and the Owner has duly authorized the execution of this Agreement.

THIS AGREEMENT is evidence that in consideration of \$1.00 paid by the Trust Committee to the Owner (the receipt of which is acknowledged by the Owner), and in consideration of the promises exchanged below, the Trust Committee and the Owner agree, as covenants granted by the Owner to the Trust Committee under Section 219 of the *Land Title Act*, and as a housing agreement between the Owner and the Trust Committee under Section 483 of the *Local Government Act*, as follows:

Article 1

a. **Definitions** – In this Agreement:

“Affordable Housing Funder” means BC Housing, Canada Mortgage and Housing Corporation or other agency that provides a grant or preferential rate loan to support the development of Affordable Housing Units on the Lands;

“Affordable Housing Unit” means a studio, 1 bedroom, 2 bedroom or 3 bedroom Dwelling Unit on the Lands in respect of which the construction, tenure, rental and occupancy are restricted in accordance with sections b through e of this Agreement;

“Annual Household Income” means the combined gross income of all adult members of a Household, as shown on line 150 of the preceding year’s T1 General Income Tax and Benefit return;

“BC Housing” means the British Columbia Housing Management Commission;

“Funding Agreement” means an agreement entered into or to be entered into between an Affordable Housing Funder and the Owner or the Lessee that governs the allowable rental rates for the Dwelling Units on the Lands, and/or the eligibility criteria for Qualified Renters;

“Dwelling Unit” means a dwelling unit as defined in the Hornby Island Land Use Bylaw No. 150, 2014, as amended or replaced from time to time;

“Community Housing” means dwelling units as defined in the Hornby Island Land Use Bylaw No. 150, 2014, as amended or replaced from time to time;

“Essential Service Provider” means a person who provides services that are essential to supporting life, health, public safety and basic societal functioning. These include, but are not limited to, workers in health care, education, child and elder care, emergency services, tradespersons in areas of critical infrastructure.

“Household” means an applicant, spouse (if applicable) and dependent children (if applicable), and for Affordable Housing Units with two (2) or more bedrooms has a minimum of two (2) persons that must

include at least one dependent child.

“Housing Income Limits” means the maximum gross household income for eligibility in an affordable housing program (for each category of dwelling unit), based on figures established by the Canada Mortgage and Housing Corporation, and are intended to reflect the minimum income required to afford appropriate accommodation in the private market, as published by BC Housing from time to time;

“Lands” means the parcel of land legally described as PID 028-221-401 LOT 1, SECTION 11, HORNBY ISLAND, NANAIMO DISTRICT, PLAN VIP87990;

“Lessee” means the M’akola Housing Society;

“Lessor” means the Hornby Island Housing Society;

“Low and Moderate Income Limits” means the Low and Moderate Income Limits as published by BC Housing from time to time;

“Operating Agreement” means an agreement entered into or to be entered into between an Affordable Housing Funder and the Owner or the Lessee of the Lands that relates to the management of the building containing the Affordable Housing Units, as same may be amended from time to time at the request of the Affordable Housing Funder;

“Qualified Renter” means a Household which: (i) is comprised of at least one member who meets the eligibility criteria in Schedule B; and (ii) meets the eligibility criteria of the Affordable Housing Funder(s) if an Operating Agreement or Funding Agreement is in place;

“Residential Tenancy Act” means the *Residential Tenancy Act* (British Columbia); and

“Tenancy Agreement” means a tenancy agreement as defined in, and subject to, the *Residential Tenancy Act*.

b. Agreement over the Lands – Pursuant to section 219 of the *Land Title Act* and section 483 of the *Local Government Act*, the Owner covenants and agrees that the Lands may be used only in accordance with the following conditions:

- i. the Lands must not be used, and no building or structure may be constructed on the Lands except in accordance with any development permit and any Siting and Use Permit issued by the Trust Committee.
- ii. the Lands must at all times be used and occupied in compliance with all statutes, laws, regulations, orders of any authority having jurisdiction, and this Agreement;
- iii. it will design, construct and maintain in a reasonable state of repair the Affordable Housing Units on the Lands in accordance with the terms of this Agreement;
- iv. the Lands must not be used or occupied for residential purposes unless the buildings are constructed to meet:
 1. the performance requirements of the BC Energy Step Code 3 energy efficiency standards established by the British Columbia Building Code Regulation, B.C. Reg. 264/2012 (the “Performance Standards”) of the *Building Act* (BC) , or
 2. if required by an Affordable Housing Funder, a different energy performance target,

and

3. the Owner has provided to the Trust Committee confirmation from a qualified professional that the building has been constructed and is operating in accordance with item 1 or item 2, as the case may be;

c. Affordable rental housing eligibility - The Owner covenants and agrees that the Affordable Housing Units on the Lands will only be occupied under all of the following criteria:

- i. either:
 - a. if the Owner or Lessee has an Operating Agreement with an Affordable Housing Funder under which the Affordable Housing Funder has agreed to provide funding for the construction or operation of affordable housing on the Lands, the Household must meet the income and/or non-financial criteria imposed on the occupancy of the relevant Affordable Housing Unit on the Lands established by such Affordable Housing Funder.; or
 - b. where section c.i.a. above does not apply (for clarity, where there is no Operating Agreement with an Affordable Housing Funder in place), the Household's Annual Household Income must be less than or equal to BC Housing's Housing Income Limits.
- ii. the Household will occupy the Affordable Housing Unit as their permanent, principal, and sole residence;
- iii. the Household is comprised of at least one Qualified Renter; and
- iv. the Household complies with application criteria established by the Owner acting reasonably as a responsible landlord such as credit and reference checks or property rules regarding smoking and pets.

and The Owner and Lessee covenant and agree to:

- v. include in every Tenancy Agreement a prohibition on subletting, including short-term vacation rentals, and a provision entitling the Owner to terminate the Tenancy Agreement in accordance with the *Residential Tenancy Act* in the event of any breach of that prohibition;
- vi. specify in every Tenancy Agreement the existence of this Agreement and the occupancy restrictions applicable to the Affordable Housing Unit, and provide to each tenant, upon their request, a copy of this Agreement; and

d. Rental rates - The Owner and Lessee covenant and agree that:

- i. the rent payable by a Qualified Renter for an Affordable Housing Unit will be determined by the Affordable Housing Funder while an Operating Agreement is in place between the Affordable Housing Funder and the Owner, or between the Affordable Housing Funder and the Lessee. The Lessee shall remain in compliance with the Operating Agreement while it is in place.
- ii. Following the expiry or termination of the Operating Agreement, rent payable by a Qualified Renter will be determined by the Owner or Lessee, and must not exceed 30% of one twelfth of the Qualified Renter's Annual Household Income or such lesser amount as would be required to meet the ongoing operating expenses of Owner, acting reasonably as a responsible landlord.
- iii. it will not require any tenant under a Tenancy Agreement to pay any extra charges or fees for use of any well or septic system, or property taxes. For clarity, this limitation does not apply to cablevision, telecommunications, laundry, or gas or electricity utility fees or charges.

- e. **Order to Comply** – If the Owner is in default of the performance or observance of this Agreement, the Trust Committee may give the Owner a notice of default requiring the Owner to comply with this Agreement within the time stated in the notice and in accordance with notice requirements upheld by the Residential Tenancy Act. The Owner agrees that any breach or default in the performance of this Agreement on its part must be corrected, to the satisfaction of the Trust Committee, within the time stated on the notice of default provided to the Owner by the Trust Committee.
- f. **Statutory Declaration from Owner** – The Owner or Lessee shall deliver to the Trust Committee by the end of January of each year, a completed statutory declaration, substantially in the form attached as Schedule “A”, sworn by the Owner or Lessee, in relation to the Affordable Housing Units. The Owner or Lessee irrevocably authorizes the Trust Committee to make inquiries it considers necessary and reasonable in order to confirm compliance with this Agreement.
- g. **Management** – The Owner covenants and agrees to furnish good and efficient management of the Lands. If and when the Trust Committee has reasonable grounds to believe that a continuing breach of this Agreement exists, the Trust Committee may authorize its representatives to inspect the Lands at any reasonable time, subject to the notice provisions of the *Residential Tenancy Act* and subject to the concurrent delivery of such a notice to the Owner.
- h. **No Transfer** – The Owner must not (except by way of Tenancy Agreement, mortgage, covenant, right of way, or easement) transfer the Lands, other than to another non-profit organization or society incorporated under the *Societies Act*, having as its objective the management of affordable housing, or the Provincial Rental Housing Corporation, unless it obtains the prior written consent of the Trust Committee.
- i. **Society Standing** – The Owner must maintain its standing as a society under the *Societies Act*, and must not amend its Constitution in any manner that would prevent, or adversely affect, the ability of the Owner to perform its obligations under this Agreement.
- j. **Specific Performance of Agreement** – The Owner agrees that the Trust Committee is entitled to obtain an order for specific performance of this Agreement and a prohibitory or mandatory injunction in respect of any breach by the Owner of this Agreement, in view of the public interest in restricting the occupancy of the Affordable Housing Unit. The Owner further acknowledges that a breach of this Agreement may constitute a breach of the Trust Committee’s Land Use Bylaw, as amended from time to time.
- k. **Assignment** – The Owner acknowledges that the Trust Committee may delegate or assign the administration and management of this Agreement to a third party, and, in that event, any reference in this Agreement to the Trust Committee shall be interpreted as a reference to that party provided that the Trust Committee has so advised the Owner.
- l. **Indemnity** – The Owner shall indemnify and save harmless the Trust Committee and each of its elected officials, officers, directors, employees, and agents from and against all claims, demands, actions, loss, damage, costs, and liabilities for which any of them may be liable by reason of any act or omission of the Owner or its officers, directors, employees, agents or contractors or any other person for whom the Owner is at law responsible, including breaches of this Agreement.
- m. **Release** – The Owner releases and forever discharges the Trust Committee and each of its elected officials, officers, directors, employees, and agents and each of their heir, executors, administrators, personal representatives, successors and assigns from all claims, demands, damages, actions, or causes of action arising out of the performance by the Owner of its obligations under this Agreement, or the enforcement of this Agreement.

- n. **Trust Committee Powers Unaffected** – This Agreement does not limit the discretion, rights, duties or powers of the Trust Committee under any enactment or the common law, impose on the Trust Committee any duty or obligation, affect or limit any enactment relating to the use or subdivision of the Lands, or relieve the Owner from complying with any enactment.
- o. **No Public Law Duty** – Wherever in this Agreement an act, determination, consent, approval or agreement of the Trust Committee is provided for, such act, determination, consent, approval or agreement may be done or made in accordance with the terms of this Agreement and no public law duty, whether arising from the principles of procedural fairness or the rules of natural justice shall have any application.
- p. **No Waiver** – No condoning, excusing or overlooking by the Trust Committee of any default under this Agreement, nor any consent, approval, or agreement whether written or otherwise shall be taken to operate as a waiver by the Trust Committee of any subsequent default or of the necessity for further consent, approval or agreement in respect of a subsequent matter requiring it under this Agreement, or in any way to defeat or affect the rights or remedies of the Trust Committee.
- q. **Arbitration** – Any matter in dispute between the parties under this Agreement, including any disputes as to whether a particular individual is eligible to occupy a Affordable Housing Unit, must be referred to a single arbitrator if the parties can agree on one, and otherwise to three arbitrators, one to be appointed by each of the parties and the third by those two so appointed, and the matter must be resolved in accordance with the provisions of the *Arbitration Act* of British Columbia.
- r. **Notice on Title** – The Owner acknowledges and agrees that this Agreement constitutes both a covenant under Section 219 of the *Land Title Act* and a housing agreement under Section 483 of the *Local Government Act*, and agrees that the Owner will register a notice of this Agreement against title to the Lands.
- s. **Covenant Runs with the Land** – Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted by the Owner to the Trust Committee in accordance with section 219 of the *Land Title Act* in respect of the Lands and this Agreement burdens the Lands and runs with it and binds the Owner's successors in title and binds every parcel into which it is consolidated or subdivided by any means, including, by subdivision or by strata plan.
- t. **Limitation on Owner's Obligations** – The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.
- u. **Amendment** – This Agreement may not be modified or amended except by bylaw of the Trust Committee, upon an agreement in writing between the Trust Committee and the Owner.
- v. **Notices** – Any notice required to be given pursuant to this Agreement shall be in writing and shall be given to the Owner or the Trust Committee, as the case may be, at the address first above written, or to any other address of which either the Owner or the Trust Committee may advise the others in writing in accordance with this paragraph. Notice to the Trust Committee must be addressed to the Secretary of the Islands Trust. If given in person or by facsimile transmission, such notice will be deemed to be received when delivered and, if mailed, such notice will be deemed to be received only when actually received by the party to whom it is addressed.
- w. **Enurement** – This Agreement is binding upon and enures to the benefit of the parties and their respective successors and permitted assigns.

- x. **Remedies Cumulative** – The remedies of the Trust Committee specified in this Agreement are cumulative and are in addition to any remedies of the Trust Committee at law or in equity. No remedy shall be deemed to be exclusive, and the Trust Committee may from time to time have recourse to one or more or all of the available remedies specified herein or at law or in equity.
- y. **Severability** – Each covenant and agreement contained in this Agreement is, and shall be construed to be, a separate and independent covenant or agreement and the breach of any such covenant or agreement by the Owner shall not discharge or relieve the Owner from its obligations to perform. If any term or provision of this Agreement, or its application to any person or circumstance shall to any extent be found to be invalid and unenforceable, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and shall be enforced to the extent permitted by law.
- z. **Joint and Several** – In the case of more than one owner, the grants, covenants, conditions, provisions, agreements, rights, powers, privileges and liabilities of the Owner shall be construed and held to be several as well as joint.
- aa. **Included Words** – Wherever the singular or the masculine is used in this Agreement, it shall be deemed to include the plural or the feminine, or the body politic or corporate, where the context or the parties so require.
- bb. **Governing Law** – This Agreement shall be governed by and construed in accordance with the laws of the province of British Columbia.
- cc. **Joint Venture** – Nothing in this Agreement shall constitute the Owner as an agent, joint venture or partner of the Trust Committee or give the Owner any authority or power to bind the Trust Committee in any way.
- dd. **Time of Essence** – Time is of the essence in this Agreement.
- ee. **Further Assurances** – The parties shall execute and do all such further deeds, acts, things and assurances as they reasonably require to carry out the intent of this Agreement.
- ff. **Priority** – The Owner agrees to do everything necessary at the Owner's expense to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered or pending at the time of application for registration of this Agreement.
- gg. **Deed and Contract** – By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the *Land Title Act* Form C to which this Agreement is attached and which forms part of this Agreement.

SCHEDULE "A"

OWNER STATUTORY DECLARATION

CANADA

PROVINCE OF BRITISH COLUMBIA

IN THE MATTER OF A HOUSING AGREEMENT
WITH THE HORNBY ISLAND LOCAL TRUST
COMMITTEE ("Housing Agreement")

I, _____, of _____, do solemnly
declare that:

1. I am the _____ [director, officer, employee] of the [Owner], the owner of the land known as _____, Hornby Island, legally described as: _____ (the "Lands")
2. I make this declaration to the best of my personal knowledge.
3. This declaration is made pursuant to the Housing Agreement registered against the Lands.
4. For the period from _____ to _____, the Affordable Housing Units were used only by Qualified Renters (as defined in the Housing Agreement).
5. At no time during the last year were any of the Affordable Housing Units used as a short-term vacation rental or sublet.
6. The rental payments charged for the Affordable Housing Unit were in compliance with the Housing Agreement.
7. No subletting of the Lands has been permitted.
8. I acknowledge and agree to comply with all of the Owner's obligations under the Housing Agreement, and other charges registered against the Lands and confirm that the Owner has complied with all of its obligations under these Agreements.
9. I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and pursuant to the *Canada Evidence Act*.

DECLARED BEFORE ME at _____, British Columbia, this _____ day of _____.

A Commissioner for taking Affidavits
in British Columbia

Signature of person making declaration

SCHEDULE “B”

Eligibility Criteria for Tenancy for a Qualified Household

To be eligible for tenancy: an applicant must be 19 years or older, a member of the applicant Household, and must, in no particular order of priority, be either:

- i. A Hornby Island resident who has been living on Hornby Island for no less than one year;
- ii. A non-resident of Hornby Island who has been working on Hornby Island for an average of at least 20 hours per week year-round for no less than one year;
- iii. A non-resident of Hornby Island who has verifiable year-round work on Hornby Island as an Essential Service Provider starting within 60 days of the commencement of the tenancy;
- iv. A member of K’ómoks First Nation, who is or has been a resident of Hornby Island.

Where there are no applicants for a vacant Affordable Housing Unit who meet the foregoing eligibility criteria, and this would result in the Affordable Housing Unit being vacant for more than one month, eligibility for tenancy will be expanded to include Households with at least one member aged 19 years or older who, in no particular order of priority, is either:

- v. A former resident of Hornby Island who has lived away from Hornby Island for no more than seven consecutive years;
- vi. A Hornby Island resident who has been living on Hornby Island for less than one year;
- vii. A non-resident of Hornby Island who has been working on Hornby Island for an average of 20 hours per week for less than one year;
- viii. A member of K’ómoks First Nation, regardless of current location of resident or work;
- ix. A person who self-identifies as Indigenous

Where there are no applicant Households for a vacant Affordable Housing Unit who include at least one Household member who meet the foregoing eligibility criteria, and this would result in the Affordable Housing Unit being vacant for more than one month, eligibility for tenancy will be expanded to include any applicant 19 years of age or older who is permitted as a tenant by an Affordable Housing Funder.

REQUEST FOR DECISION

ISLAND MUNICIPALITY BYLAW SUBMISSION

08-3020-20-01

DATE OF MEETING: November 20, 2024
TO: Islands Trust Executive Committee
FROM: Trust Area Services
SUBJECT: Bowen Island Municipality – Land Use Bylaw Amendment Bylaw No. 670

RECOMMENDATION

1. **THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 670, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 670, 2024” is not contrary to or at variance with the Islands Trust Policy Statement.**

IMPLICATIONS OF RECOMMENDATION

Organizational: None

Financial: None

Policy: None

Implementation/Communications: Communication to Bowen Island Municipality (BIM) regarding Executive Committee’s decision by December 10, 2024.

Other - None

PURPOSE

Bowen Island Municipality Bylaw No. 670 (Attached to Appendix 1) is an amendment to Bowen Island Municipality Land Use Bylaw (LUB) No. 57, 2002. The proposed bylaw will amend BIM’s land use bylaw definition of “affordable housing” and lower the automobile parking requirement for multi-unit affordable housing projects to 0.5 spaces per dwelling unit.

This has been forwarded to Executive Committee for comment under Section 15 of the Bowen Island Letters Patent.

BACKGROUND

In 2023, Bowen Island Municipality made a successful application to the Canada Mortgage and Housing Corporation’s (CMHC) Housing Accelerator Fund (HAF). To secure the HAF funding, BIM agreed to a defined

Action Plan consisting of six initiatives to streamline provision of housing and affordable housing on Bowen Island. One initiative in the Action Plan is that BIM will “Review existing parking standards in the Land Use Bylaw with a view to reducing parking requirements for affordable housing multi-family developments.”

BIM planning staff undertook a review that examined existing parking standards in the Land Use Bylaw, how Council has used variances to reduce parking requirements for affordable housing parking standards for affordable housing multi-family developments, and other local government examples. Based on this review, BIM staff have presented a proposed bylaw to reduce the parking standards for affordable housing developments to 0.5 spaces per unit from between 1.0 and 2.0, depending on the zone.

The proposed revision to the LUB definition of affordable housing in Bylaw No. 670 simply brings it into alignment with the definition in the BIM OCP.

Bowen Island staff reports related to this matter are available as follows:

First Reading Staff Report October 28th meeting

<https://bowenisland.civicweb.net/document/318284/>

Staff Presentation October 28th meeting

<https://bowenisland.civicweb.net/document/318449/>

Background staff report – on HAF application – July 10, 2023 Council Meeting

<https://bowenisland.civicweb.net/document/290179/>

Background staff presentation – July 10, 2023 Council Meeting

<https://bowenisland.civicweb.net/document/290425/>

Issues Relating To First Nation Interest

The BIM staff report does not indicate that any First Nations engagement occurred. The Islands Trust Policy Statement does not contain directive policies about engagement with First Nations.

Public Comments

As of the date of this Request for Decision (RFD), Islands Trust Staff have not received any public comments.

Bowen Island Municipality will hold a public hearing on Bylaw No. 670 after first reading.

Staff Comments

The purpose of this RFD is to advise if the proposed bylaws may be contrary to or at variance with the Islands Trust Policy Statement (ITPS). Bowen Island Municipality has considered the Islands Trust Policy Statement Directives Policies Checklist (Attached to Appendix 1).

BIM staff have identified three relevant Islands Trust Council policies, BIM staff and Islands Trust staff comment follow:

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.
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	<u>BIM staff comments:</u> Parking Reductions for Affordable Housing Units could allow for more efficient use of a site, with less space dedicated to parking, while not increasing any overall density limit defined in Bowen’s OCP.
	<u>Islands Trust staff comments:</u> Reduced parking requirements may allow for greater design flexibility.
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.
	<u>BIM staff comments:</u> The proposed bylaw would seek to support the development of affordable housing, through reduced parking requirements, to better meet the need of housing on Bowen Island.
	<u>Islands Trust staff comments:</u> Reduced parking requirements can help lower the development costs of affordable housing projects.

Islands Trust staff note the following additional Policy Statement policies that may be relevant to this assessment that were not identified by Bowen Island staff:

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.
	<u>Islands Trust staff comments:</u> Reducing parking requirements may result in lower per-unit greenhouse gas emissions as residents choose other transportation options such as car-sharing, bicycle or public transit. However, in a rural island context, alternatives to private automobile use are not always viable.
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.
	<u>Islands Trust staff comments:</u> Reduced parking requirements for affordable housing may help stimulate demand for enhanced public and active transportation options on Bowen Island. However, in a rural island context, alternatives to private automobile use are not always viable.

Based on a review of the proposed Bylaw No. 670, the Bowen Island staff reports, and the ITPS Checklist, Islands Trust staff concludes that proposed Bylaw No. 670 is not contrary to or at variance with the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Referral of Land Use Bylaw No. 670 under s.15 of the Letters Patent
- Written response to Bowen Island Municipality required by December 10, 2024 (within 45 days of receipt of the referral on October 29, 2024)
- Comments from Executive Committee limited to whether or not Bylaw No. 670 is contrary to or at variance with the Islands Trust Policy Statement
- Staff does not consider Bylaw No. 670 to be contrary to or at variance with the Islands Trust Policy Statement

RELEVANT POLICY

- [Islands Trust Policy 1.3.1](#) [Policy Statement Implementation]
- [Bowen Island Municipality Letters Patent](#)
- [Islands Trust Council/Bowen Island Municipality Protocol Agreement, 2014](#)

ATTACHMENTS

1. BIM Staff Report dated October 28, 2024 (with proposed Bylaw No. 670 and Islands Trust Policy Statement Checklist attached to the report)

RESPONSE OPTIONS

RECOMMENDATIONS

1. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 670, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 670, 2024” is not contrary to or at variance with the Islands Trust Policy Statement.*

ALTERNATIVES

1. *THAT Executive Committee advise Bowen Island Municipality that Bylaw No. 670, cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 670, 2024” may be contrary to, or at variance with, the Islands Trust Policy Statement for the following reasons . . . [list reasons].*

Submitted By:	Senior Policy Advisor, Trust Area Services	November 7, 2024
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Reviewed By:	Director, Planning Services	November 9, 2024
Reviewed By:	Director, Legislative and Information Services acting for Director, Trust Area Services	November 13, 2024



To: Mayor Leonard and Council

From: Daniel Martin, Manager of Planning and Development

Date: October 11, 2024

Meeting Date: October 28, 2024

Subject: Parking Standards for affordable housing multi-family developments

RECOMMENDATION

1. That Bylaw No. 670, 2024 cited as "Bowen Island Municipality Land Use Bylaw No. 57, 2002 Amendment Bylaw No.670, 2024" be read a first time;
2. That Bylaw No. 670, 2024 and the Islands Trust Policy Statement be referred to the Islands Trust; and
3. That Bylaw No. 670, 2024 be referred to the Advisory Planning Commission and the Housing Advisory Committee.

PURPOSE

To present to the Council an amendment bylaw to complete a project identified in Bowen Island Municipality's successful grant to the Housing Accelerator Fund (HAF) to "review existing parking standards in the Land Use Bylaw with a view to reducing parking requirements for affordable housing multi-family developments."

BACKGROUND

1. HAF Action Plan

Bowen Island Municipality has entered into a Contribution Agreement with CMHC under the Housing Accelerator Fund program. Through this program Bowen Island Municipality will receive up to \$1.6 million, which has been designated in the grant to support development of affordable housing. To secure the grant funding the Bowen Island Municipality agreed to a defined Action Plan consisting of six Initiatives to streamline provision of housing and affordable housing on Bowen Island. Additionally, the funding is conditional on the issuance of building permits, to meet goals set out in the contribution agreement. Failure to complete the Action Plan Initiatives will likely result in CMHC withholding a portion of the anticipated grant funding.

One Initiative in the Action Plan is described as "Review existing parking standards in the Land Use Bylaw with a view to reducing parking requirements for affordable housing multi-family developments." In this report staff bring a review of existing parking standards in the Land Use Bylaw, how Council has used variances to reduce parking requirements for affordable housing

developments, provide other local government examples, and present an amendment bylaw to amend the parking standards in the Land Use Bylaw, based on this review.

2. Impact of Parking Requirements on Housing Costs

The cost of providing parking impacts the affordability, and ultimately the feasibility, of housing projects. This can be especially the case for affordable housing projects. For example, the City of Nanaimo estimated that the cost of parking represents 10% of construction costs ([source](#)), while the Victoria Transport Policy Institute found that one parking spaces per unit increase costs approximately 12.5% ([source](#)). Metro Vancouver produced a Parking Study in September 2012 that estimated the cost of providing on-site parking ranged from \$20,000 to \$45,000 per stall, plus maintenance costs ([source](#)). A report sponsored by the CMHC also found that parking cost account for between 6.3% and 33% of the retail price of the housing unit ([source](#)).

Because of the cost of providing parking and the local government's role in requiring on-site parking. A report by BC Housing on "Leading Practices in Affordable Housing" ([source](#)) included review of "reducing parking standards" to supporting positive impacts on Housing Affordability. A report by the UBCM titled "A Home for Everyone: A Housing Strategy for British Columbians" ([source](#)) from 2018 listed "parking reductions": as a tool to be used by local governments that can encourage the development of affordable housing.

3. Parking Standards in Land Use Bylaw

Part 5 of the Land Use Bylaw contains parking standards for different uses and for different zones. The current standard for dwelling use is as follows:

Table 1 – Dwelling Use Parking Standards

Dwelling	
Rural Zones	2 per dwelling unit
Settlement Zones	1 per dwelling unit
Village Zones	1 per dwelling unit
CD 10 Zone	2 per dwelling unit
Area 1 CD 19 Zone	0.5 per dwelling unit
Area 2 & 3 CD 19 Zone	1 per dwelling unit, plus 0.25 spaces per unit for visitor parking
All other CD Zones	1 per dwelling unit
Supportive Housing	
CD 19	1 per 2 bedrooms
All Zones	1 per 2 bedrooms plus 1 per employee

4. Affordable Housing Policy

Bowen's [Affordable Housing Policy](#) states:

"Consideration should be given to relaxing parking requirements and encouraging a car co-op arrangement in all affordable housing projects."

The Policy defines “Affordable Housing” as

Affordable Housing – Non-market residential dwelling units that may only be owned or rented under the terms of housing covenants registered on title in favour of the Bowen Island Municipality.

5. Official Community Plan

Policy 366 of Bowen’s *Official Community Plan* states:

Policy 366 The Municipality will consider reducing parking requirements in any affordable housing project and encourages initiatives for car-sharing.

The Official Community Plan defines “Affordable Housing” as:

“Affordable Housing” means non-market residential dwelling units that may only be owned or rented under the terms of housing covenants registered on title in favour of the Bowen Island Municipality.

6. Development Variance Permits to reduce parking in developments

Over the years Council has issued several Development Variance Permits for (primarily residential) developments in Snug Cove to reduce the required parking. Staff have compiled the following table to summarize these variances.

Project Name	Address	DVP	Required Parking	Reduced Parking	Staff Report
Copper Distillery	441 Bowen Island Trunk Road	DVP-03-2015	10	1	Link
Area 1 of Lot 2	5110 Bowen Island Trunk Road	DVP-14-2019	18	8 (0.29 spaces per unit)	Link
BIRCH	1033 Miller Road	DVP-2023-0082	24	10 (0.41 spaces per unit)	Link
Snug Cove House	1082 Miller Road	DVP-2024-0039	14	13 (0.54 spaces per unit)	Link

7. Other Communities

Staff reviewed other communities to find examples of zoning bylaws that contained lower parking standards for “affordable housing.”

a. City of Richmond

Richmond’s parking standards in their zoning bylaw contain different standards for “affordable housing units” compared to uses such as “apartment housing”, “market rental,” and “town housing.” The amount of parking required for these uses differs by zone, but typically require around 2/3 of the amount for affordable housing compared to “apartment housing” (i.e. if 1.5 spaces required for “apartment housing,” then 1.0 spaces required for “affordable housing”).

Richmond’s zoning bylaw defines “affordable housing unit” as:

Affordable housing unit means a dwelling unit that is subject to a housing agreement.

b. Langford

<https://www.langford.ca/wp-content/uploads/2023/04/Zoning-Bylaw-20240415-1.pdf>

Reduction exists for “Dwelling units developed in accordance with the City of Langford Affordable Housing Policy or the Attainable Home Ownership Program Policy.”

Depending on the zone this varies in size of reduction, but is reduced down to 1.0 spaces per dwelling, from anywhere up to 2.75 spaces per dwelling.

c. Sechelt

<https://www.sechelt.ca/en/PublicDocumentLibrary/Bylaw/580,-2022-Zoning-Bylaw.pdf>

“Affordable Rental Housing subject to a Housing Agreement” provides a reduced parking standard. Depending on the zone this varies in size of reduction but is from either 1.25 or 1.5 spaces per dwelling down to 1.0 spaces per dwelling.

8. Amendment Bylaw

Staff generally propose the following be included in an amendment bylaw:

a) Define “Affordable Housing

As seen above, the definition

Staff would propose including a definition of affordable housing to match the definition in the Official Community Plan and Affordable Housing Policy, reading as follows:

Affordable Housing – Non-market residential dwelling units that may only be owned or rented under the terms of housing covenants registered on title in favour of the Bowen Island Municipality.

b) Parking Standards

The amendment bylaw would add a category to Table 5-1 Minimum Number of Off-Street Parking Spaces. Staff propose a reduction in spaces for affordable housing to be reduced to 0.5 per dwelling unit – the same standard that is in effect in Area 1 of CD 19. This reduction would apply only to those units that are subject to the Housing Agreement. If further reduction is required, the applicant would still retain the option to seek a variance from Council for further relaxation.

Land Use/ Zone	Number of Off-Street <i>Parking spaces</i> Required
	<i>AFFORDABLE HOUSING</i>

9. Islands Trust Policy Statement

The proposed bylaw would amend the Land Use Bylaw. As the bylaw would affect items covered by the Islands Trust Policy Statement, the referral of the Bylaw, and prepared Islands Trust Policy Statement Checklist, are required under Bowen's Letters Patent and Protocol Agreement with the Islands Trust.

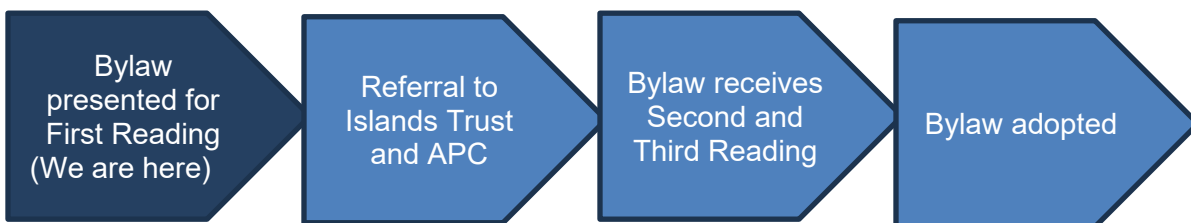
Staff have prepared the Islands Trust Policy Statement Checklist and included it as Attachment 2 in this report. Staff identified two policies that are relevant to this bylaw, and have provided comment on how the bylaw aligns with the policies as follows:

✓	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.
Staff Comment		Parking Reductions for Affordable Housing Units could allow for more efficient use of a site, with less space dedicated to parking, while not increasing any overall density limit defined in Bowen's OCP.

✓	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.
Staff Comment		The proposed bylaw would seek to support the development of affordable housing, through reduced parking requirements, to better meet the need of housing on Bowen Island.

9 Timeline

Staff propose the following timeline for this project.



FINANCIAL CONSIDERATIONS

This report is not anticipated to have financial implications.

COMMUNICATION TO THE PUBLIC

The proposed bylaw amendment is consistent with Bowen's Official Community Plan. As such, Bowen is not required to hold a Public Hearing for this amendment bylaw, and instead is required to provide notice of consideration of First Reading of this bylaw.

Staff have given the required notice for this consideration of First Reading. Staff would again provide notice prior to consideration of Second and Third Reading, to allow additional opportunities for public comment on this bylaw. Both advisory committees (the Housing Advisory Committee and Advisory Planning Commission) allow opportunities for public comment on the proposed bylaws.

ECOLOGICAL/ENVIRONMENTAL/CLIMATE CONSIDERATIONS

Reduction of parking requirements is not named as an action in Bowen's Climate Strategy. However, other literature speaks to the benefits of reducing parking as a climate strategy, through reduction of car dependency and also through the lower construction emissions and increased green space potential on the lot as a result of lower parking area.

CONCLUSION

To fulfill commitments in Bowen's Housing Accelerator Fund Action Plan, staff have presented a bylaw to reduce parking requirements for affordable housing units.

ATTACHMENTS AND REFERENCES:

1. Amendment Bylaw No. 670, 2024
2. Islands Trust Policy Statement Checklist

Submitted by: Daniel Martin, Manager of Planning and Development

REVIEWED BY:

CAO	☒
Bylaw Services	☐
Communications	☐
Corporate Officer	☒
Finance	☐
Fire & Emergency	☐
Environment & Parks	☐
Planning	☒
Public Library	☐
Public Works	☐
Recreation & Community Services	☐

APPROVED BY:



Kirn Dhillon

Kirn Dhillon, Chief Administrative Officer



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No. 670, 2024 – File: Affordable Housing Parking Standards

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.
✓	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.
Staff Comment		Parking Reductions for Affordable Housing Units could allow for more efficient use of a site, with less space dedicated to parking, while not increasing any overall density limit defined in Bowen's OCP.
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
✓	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.
Staff Comment		The proposed bylaw would seek to support the development of affordable housing, through reduced parking requirements, to better meet the need of housing on Bowen Island.

POLICY STATEMENT COMPLIANCE

✓	COMPLIANCE WITH TRUST POLICY
N/A	
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



**Bowen Island Municipality
Bylaw No.670 2024**

A Bylaw to amend Land Use Bylaw No. 57, 2002

WHEREAS, “Bowen Island Municipality Land Use Bylaw No. 57, 2002” establishes off-street parking standards;

AND WHEREAS, Council wishes to amend “Bowen Island Municipality Land Use Bylaw No. 57, 2002” to include parking standards for affordable housing.

THEREFORE, the Council of Bowen Island Municipality, in open meeting assembled, enacts as follows:

1. Citation

- 1.1 This bylaw may be cited for all purposes as “*Bowen Island Municipality Land Use Bylaw No. 57, 2002 Amendment Bylaw No.670, 2024*”.

2. Amendments

- 2.1 Bowen Island Municipality No.57 is amended at Section 1.1 Definitions to include the following definition:

1. **“AFFORDABLE HOUSING”** means Non-market residential *dwelling* units that may only be owned or rented under the terms of housing covenants registered on title in favour of the Bowen Island Municipality.

- 2.2 Bowen Island Municipality No.57 is amended by amending Table 5-1 to include the following:

Land Use/ Zone	Number of Off-Street <i>Parking spaces</i> Required
All Zones	AFFORDABLE HOUSING
	0.5 per <i>dwelling unit</i>

READ A FIRST TIME this ____ day of _____, _____;

READ A SECOND TIME this ____ day of _____, _____;

READ A THIRD TIME this ____ day of _____, _____;

RECONSIDERED AND FINALLY ADOPTED this ____ day of _____, _____;

Andrew Leonard
Mayor

Sophie Idsinga
Corporate Officer



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** November 20, 2024
From: Islands Trust Conservancy Staff **Date Prepared:** November 1, 2024
SUBJECT: **NAPTEP Fee Sponsorship Request (Doris McHardy NAPTEP), North Pender Island**

RECOMMENDATION:

That the Executive Committee approve financial sponsorship of \$450 for Natural Area Protection Tax Exemption Program (NAPTEP) application NP-NAP-2024.1 (Doris McHardy), North Pender Island.

INTERIM CHIEF ADMINISTRATIVE OFFICER COMMENTS: The attached application for Executive Committee sponsorship of NAPTEP application fees complies with Islands Trust Policy 2.1.16, Guidelines for EC sponsored or ITC Initiated NAPTEP Applications. The request meets the sponsorship criteria and conditions 2.3 and 2.5 of the guidelines. Staff have not yet developed an application form for requests for Executive Committee sponsorship of NAPTEP application fees so the applicant has made the request by e-mail.

1 PURPOSE:

To request the Executive Committee to consider the NAPTEP application fee sponsorship request from Sara Miles, Mike Timmins, and Vivian Mitchell.

2 BACKGROUND:

Islands Trust Conservancy (ITC) received a Natural Area Protection Tax Exemption Program (NAPTEP) application from Sara Miles, Mike Timmins, and Vivian Mitchell, to protect approximately 0.6 ha of woodlands and herbaceous habitats, large wildlife trees, and connectivity to other at-risk ecosystems and protected areas on North Pender Island.

On March 19, 2024, the ITC Board agreed to hold a covenant on this property.

Trust Council is reviewing this application at their December 2024 quarterly meeting, to consider approving a Natural Area Tax Exemption Certificate for the covenanted portion of the property, subject to registration of a conservation covenant consistent with the standards developed for NAPTEP.

This application is the third one received since Trust Council amended its [Natural Area Protection Tax Exemption Certificate Fees Bylaw\(No. 115\)](#) to enable an applicant to apply to the Executive Committee for application fee sponsorship (section 5.0). Trust Council has also adopted [Policy 2.1.16: Guidelines for EC sponsored or ITC Initiated NAPTEP Applications](#).

The Phase I NAPTEP fee is \$275 and the Phase II fee is \$175.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: This recommendation is not expected to impact existing work programs.

FINANCIAL: Trust Council has allocated a 2023/24 budget of \$1,000 for NAPTEP application sponsorship. No NAPTEP applications have been sponsored this fiscal.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will inform the applicant of the outcome of their request of the Executive Committee, and take steps to reimburse the fees.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY(S):

- Natural Area Protection Tax Exemption Certificate Fees Bylaw (No. 115)
- Policy 2.1.16: Guidelines for EC sponsored or ITC Initiated NAPTEP Applications

5 ATTACHMENT(S):

1. NAPTEP Application Fee Sponsorship request from applicant, 11 Nov 2024.

RESPONSE OPTIONS

Recommendation:

That the Executive Committee approve financial sponsorship of \$450 for Natural Area Protection Tax Exemption Program (NAPTEP) application NP-NAP-2024.1 (Doris McHardy), North Pender Island.

Alternative:

Approve at a lesser amount.
Do not approve.

Prepared By: Kathryn Martell, Ecosystem Protection Specialist, Islands Trust Conservancy

Reviewed By/Date: Clare Frater, Director, Trust Area Services/November 1, 2024

From: Sara Miles <[REDACTED]>
Sent: Monday, October 28, 2024 12:48 PM
To: Kathryn Martell
Subject: Re: Sponsorship for NAPTEP fees

Dear Islands Trust Council:

I am writing to request sponsorship for the NAPTEP Phase 1 and 2 fees please. Thank you for your consideration.

Best regards,
Sara

sara miles

t: [REDACTED]

BRIEFING

To: Executive Committee **For the Meeting of:** November 20, 2024
From: Trust Area Services **Date Prepared:** November 15, 2024
SUBJECT: Policy Statement Amendment Project – Business Case Fiscal 2025/26

PURPOSE: To provide Executive Committee (EC) with an updated Policy Statement Amendment Project (PSAP) business case that reflects its decision to request a \$20,000 project budget to Trust Council for the 2025/26 year.

BACKGROUND: At its meeting of October 30, Executive Committee resolved to request a PSAP project budget for fiscal 2025/26 of \$20,000 by way of the following excerpted resolution:

that Executive Committee forward its 2025/26 budget requests to Financial Planning Committee for inclusion in the draft 2025/26 budget:

...

3. \$20,000 for Trust Council's Strategic Plan 'Policy Statement Amendment Project'

Staff subsequently revised the PSAP business case to reflect the direction in the resolution and to refine what could be accomplished with this budget.

Staff's revised draft business case advanced to Financial Planning Committee's meeting agenda on November 14, 2024 to support its discussion on the draft 2025/26 budget. Discussion at the FPC meeting did not yield any resolutions impacting the PSAP project, however there was discussion about the project's communications needs. FPC's conversation prompted further staff reflection on how best to meet communities' expectations for communications about the project, staff has further amended the draft PSAP business case to:

- include more information about communications options available in each of the budget scenarios described in the business case in order to better inform EC's project budget discussions, and
- add an additional Option 1b (\$31,000) which provides more communication channels than Option 1.

Staff believe that Option 1 (see attached) with a budget of \$20,000 is insufficient funding for Islands Trust to meet minimum community expectations for communication about a project of this magnitude and impact. Trust Council may wish to have Option 1b to consider as it provides for advertising in local publications about engagement opportunities.

ATTACHMENT(S):

1. Policy Statement Amendment Project Business Case – Fiscal 2025/26, prepared November 14, 2024

FOLLOW-UP:

Staff will include the business case attached as Appendix 1 in the December Trust Council meeting agenda, subject to any amendments made by EC.

Prepared By: Senior Policy Advisor

Reviewed By/Date: Director, Trust Area Services/November 17, 2024

TO BE COMPLETED BY INITIATOR

Requested by : Executive Committee	Budget Source : ☒ Specific Project Funding ☒ Third Party Contractors ☐ Staff Travel Expense ☒ Staff Overtime Expense ☐ Computer Hardware/Software ☐ Furniture & Equipment ☐ Computer Hardware/Software/Supplies ☐ New Staff Resources (see Staff Costing Tool) ☐ Permanent ☐ Temporary ☒ Other – please describe: Communications (graphic design, messaging, advertising, printing) _____
Department: Trust Area Services	Budget Breakdown: To be determined by Executive Committee/Trust Council once staff provide revised project charter for consideration. However, based on the current proposed budget, staff propose a breakdown roughly as follows: \$5,000: Implementation of revised Communications Strategy \$5,000: Staff developed/delivered (with consultant advice) Trust-wide survey and virtual community workshop \$10,000: Legal services
Name of Request: Policy Statement Amendment Project (PSAP) <i>Note: amended since review by Financial Planning Committee to add more details on communication activities.</i> <i>*Blue text denotes language added to initial draft on November 13 in response to FPC comments, and further staff reflection. This will be changed to black font prior to submission to Trust Council agenda.</i>	
\$ Value of Request FY25/26 \$20,000¹ FY 26/27 \$15,000 estimated FY 27/28 \$ depends on implementation plan not yet developed Total: \$35,000 plus FY27/28 TBD Over \$300,000 has been spent since the project's inception in 2019 on public engagement, Indigenous Governing Bodies engagement, and other project-related expenses, in addition to considerable staff hours.	

¹ Assumes that \$42,000 in unspent project funds from fiscal 2024/25 will be available from General Revenue Surplus Fund and assumes that Trust Council will endorse a revised project charter with reduced engagement and communication activities.

Date of Submission to Finance: November 5, 2024	Funding Required for (date range): April 1, 2025 – March 31, 2026

TIE TO ISLANDS TRUST GUIDING DOCUMENTS:

Section 15 of the Islands Trust Act states:

Trust policy statement

- 15** (1) The trust council must, by bylaw, adopt a trust policy statement that applies to the trust area.
- (2) The trust policy statement
- (a) must be a general statement of the policies of the trust council to carry out the object of the trust,
 - (b) may establish different policies for different parts of the trust area, and
 - (c) has no effect for the purposes of subsection (4) unless it is approved by the minister.
- (3) Between first and second readings of a bylaw under subsection (1), 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.
- (4) A bylaw
- (a) submitted to the executive committee under section 27 (1) or 38 (1), or
 - (b) referred to the trust council under section 27 (3) or 38 (3)
- must not be approved by the executive committee or the trust council, as the case may be, if it is contrary to or at variance with the trust policy statement.

Trust Council's Policy Statement Amendment Policy (1.2.1) states that each term, Trust Council will identify Policy Statement review and/or amendment tasks. Early in the 2018-2022 term, Trust Council requested that Executive Committee, with involvement from Trust Programs Committee as appropriate, review and develop recommendations for amendments to the Islands Trust Policy Statement, primarily through the priority lenses of reconciliation, climate change, and housing.

Islands Trust Council's Strategic Plan for 2022-2026 states that completing the Policy Statement Amendment Project is a strategic priority for the organization.

The Trust Council 2025-26 Budget Guideline Assessment includes this guideline: Considers any resourcing needs for strategic initiatives from the 2024-2028 Strategic Plan.

ISSUE/OPPORTUNITY:

Background

The current Policy Statement is almost 30 years old and does not adequately address reconciliation, climate change and housing. This business case requests funding for the next stage of the Policy Statement Amendment Project (PSAP). In July 2021, Trust Council requested enhanced community engagement on the

draft and directed staff to implement [32 resolutions](#). In September 2024, Trust Council adopted a project charter that projects First Reading by 2025 after community engagement. Due to staff vacancies in 2023 and 2024, and a longer than anticipated engagement period with Indigenous Governing Bodies, the project faced delays. Detailed project information is available on the [Islands 2050 webpage](#).

This multi-year project commenced in 2019 and has involved, to date:

- three phases of public engagement;
- three phases of early and meaningful engagement with Indigenous Governing Bodies;
- substantial review and analysis by Trust Programs Committee, Executive Committee and Committee of the Whole; and
- periodic Trust Council discussion.

The project will be complete when the new Policy Statement is given three readings by Trust Council; approved by the Minister of Municipal Affairs; and adopted by Trust Council.

Trust Council [received](#) a communication strategy for the project in March 2023.

Current Project Status:

Staff developed a revised draft Policy Statement, as per Trust Council's [32 resolutions](#), after engaging with internal and external staff partners and seeking legal counsel. After inviting all Indigenous Governing Bodies in the Trust Area, staff engaged with nine Indigenous Governing Bodies to seek their early input on the draft. Staff presented a revised draft of the Policy Statement to Committee of the Whole in May 2024 along with a summary of comments from Indigenous Governing Bodies and recommendations for additional changes. Trust Council adopted a suite of changes to the draft Policy Statement in September 2024 and the Committee of the Whole continues to review and develop recommendations for amendments to Trust Council.

Staff have contracted a communications consultant to assist with the design and implementation of a communications strategy.

PROJECTED RESULTS/DELIVERABLES:

The April 2025-March 2026 work on this project will result in first, second and third reading of Policy Statement Bylaw No. 183. The funding requested will advance this through support for communications, an online survey and workshop developed by staff with consultant support, legal advice, and other activities directed via a revised project charter.

RISK ASSESSMENT:

The proposed recommended option of a \$20,000 budget for the Policy Statement Amendment Project in fiscal 2025/26 carries the following risks and options for mitigation:

Risk: A lack of public confidence in the project, and poor levels of public engagement or high levels of engagement at the wrong points in the project, [due to a lack of sufficient awareness of engagement opportunities](#), the public circulating incorrect information, or a lack of understanding.

- These risks can be [partly](#) mitigated through implementation of a revised project communications strategy, [although, without funding to advertise local publications, Islands Trust may not meet minimum community expectations for communication about a project of this consequence.](#)

Risk: A lack of public confidence in the project due to fewer engagement opportunities than previously expected:

- This risk can be mitigated by communications that emphasize that Trust Council is open to hearing from the public and providing clear direction on how to share views and feedback.

Risk: Adoption of revised Policy Statement in the winter of 2026 after the next local elections risks the project not being completed due to new priorities of the incoming Trust Council. (uncertain at time of writing if reduced project budget will result in earlier completion of project)

- This risk can be mitigated by Trust Council foregoing the proposed approval-in-principle step and moving straight to First Reading, which would be followed by a concurrent referrals and public engagement process.
- This risk can be mitigated by reducing the timeline for public engagement.
- This risk is being addressed by Trust Council holding special meetings promptly when needed rather than considering the document only at regular quarterly meetings.

ALTERNATIVES CONSIDERED:

Option 1: \$20,000 (EC recommended)

Description – At its meeting of October 30, 2024 Executive Committee resolved that the 2025/26 budget for the Policy Statement Amendment Project should be reduced to \$20,000. Staff have drafted a revised project charter to reflect the reduced budget, with public engagement activities limited to:

- a staff-developed/delivered (with consultant advice) public survey; and
- a staff-developed/delivered (with consultant advice) public workshop with Q/A session in addition to modest communication activities and legal review.

This option anticipates the following general milestones in fiscal 2025/26:

- Proactive and reactive communications about the project
- Virtual engagement with the public
- Approval in principle and/or First Reading

Option 1 communications activities include²:

- **Public Education:**
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
- **Survey promotion:**
 - Posters
 - Printed surveys with pre-paid postage envelopes
 - Social media (free)
 - Social media advertising (paid for)
- **Workshop promotion:**
 - Posters
 - Social media (free)
 - Social media advertising (paid for)

² See “Summary Table of Communications Activities” below for comparative matrix of different communications options at different project budget levels.

Benefits – Reduced cost and reduced need to backfill senior Policy Advisor position due to less project activity. Potentially reduced timeline.

Risks – See previous Risk Assessment section.

Financial implications – With \$42,000 projected to be left unspent at the end of fiscal 2024/25, no new funding would be required, and unspent funds would be in the General Revenue Surplus Fund for use for other initiatives.

Resource requirements –Uncertain until project charter revision approved. Requires significant support of Senior Policy Advisor and additional support from Director of Trust Area Services, and Communication Specialist. Staff hours required for revising the draft Policy Statement will depend on the scope of changes requested by Trust Council. [Staff resources for survey result analysis dependent on extent of open-ended questions.](#)

[Other implications](#) – None

[Option 1b: \\$31,000](#)

[Description](#) – This option includes the same elements as Option 1, but with Trust Area-wide printed advertising in local publications. This option includes [public engagement activities limited to:](#)

- [a staff-developed/delivered \(with consultant advice\) public survey; and](#)
- [a staff-developed/delivered \(with consultant advice\) public workshop with Q/A session in addition to modest communication activities and legal review.](#)

[This option anticipates the following general milestones in fiscal 2025/26:](#)

- [Proactive and reactive communications about the project](#)
- [Virtual engagement with the public](#)
- [Approval in principle and/or First Reading](#)

[Option 1B communications activities include³:](#)

- [Public Education:](#)
 - [Posters](#)
 - [Social media \(free\)](#)
 - [Social media advertising \(paid for\)](#)
 - [Trust-wide printed advertising in local publications](#)
- [Survey promotion:](#)
 - [Posters](#)
 - [Printed surveys with pre-paid postage envelopes](#)
 - [Social media \(free\)](#)
 - [Social media advertising \(paid for\)](#)
 - [Trust-wide printed advertising in local publications*](#)
- [Workshop promotion:](#)
 - [Posters](#)
 - [Social media \(free\)](#)
 - [Social media advertising \(paid for\)](#)

³ See “Summary Table of Communications Activities” below for comparative matrix of different communications options at different project budget levels.

- One printed advertisement in the Driftwood

*includes combined advertising for survey and the workshop

Benefits – Reduced cost and reduced need to backfill senior Policy Advisor position due to less project activity. Potentially reduced timeline.

Risks – See previous Risk Assessment section.

Financial implications – With \$42,000 projected to be left unspent at the end of fiscal 2024/25, no new funding would be required, and unspent funds would be in the General Revenue Surplus Fund for use for other initiatives.

Resource requirements –Uncertain until project charter revision approved. Requires significant support of Senior Policy Advisor and additional support from Director of Trust Area Services, and Communication Specialist. Staff hours required for revising the draft Policy Statement will depend on the scope of changes requested by Trust Council. Staff resources for survey result analysis dependent on extent of open-ended questions.

Other implications – None

Option 2: \$66,000

Description – This option includes the same elements as Option 1, but with public engagement developed and carried out by contractors with staff support, and with more resources allocated to communications. This option includes the following costed items:

- Communications: \$16,000 for further communications materials to support project implementation and specifically promotion of public engagement opportunities
- Legal: \$10,000 to support the legal aspects of the project as needed
- Virtual Community Workshop: \$10,000 for designed and delivery by contractor, with Islands Trust staff attending as subject matter experts
- Trust-wide survey: \$30,000, with \$28,000 for survey design and analysis by contractor and \$2,000 for printing, distribution and return mail costs for print copies of the survey.

Option 2 communications activities include⁴:

- Public Education:
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications
- Survey Promotion:
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Printed surveys with pre-paid postage envelopes
 - Trust-wide printed advertising in local publications*

⁴ See “Summary Table of Communications Activities” below for comparative matrix of different communications options at different project budget levels.

- **Workshop Promotion:**
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - One printed advertisement in the Driftwood

**includes combined advertising for survey and the workshop*

Benefits – The public will receive a virtual engagement option (survey) and Trust Council will receive survey results collected in a consistent manner across the Trust Area; and engagement results of a virtual community workshop that includes attendance by Islands Trust subject matter experts (possibly held over multiple days). Potentially reduced timeline.

Risks – Lack of on-island engagement may lead some community members to feel that they have been insufficiently engaged in the process. This risk can be mitigated by communications that emphasize that Trust Council is open to hearing from the public and providing clear direction on how to share views and feedback.

Lack of skilled contractors available for survey design (on policy topics) and virtual community workshop design, facilitation and note-taking. Building in time in the project schedule (as is proposed in the recommended option) to find skilled contractors will mitigate this risk.

Financial implications – \$42,000 would be carried over from fiscal 2024/25 to support this work, thus requiring \$24,000 in new funding.

Resource requirements – Requires the full-time support of Senior Policy Advisor and additional support from Director of Trust Area Services, and Program Coordinator, Communication Specialist and administrative staff. Staff hours required for revising the draft Policy Statement will depend on the scope of changes requested by Trust Council.

Other implications- None

Option 3: \$96,000⁵

Description – This option reflects the communications and engagement approach previously approved by Trust Council for fiscal 2024/25, but that due to staff vacancies was planned to be implemented in fiscal 2025/26.

This option anticipates the following general milestones in fiscal 2025/26:

- Proactive and reactive communications about the project
- Approval in principle by Trust Council
- A six-month internal referral process to local trust committees and Bowen Island Municipality. During this time, local trust committees and Bowen Island Municipality can opt to undertake local public engagement as determined by them (could include some Trust Area Services staff support as needed) at regular or special meetings/events) to inform their referral responses

This option includes the following costed elements:

⁵ Assumes re-request of \$42,000 in unspent funds from fiscal 2024/25 that will go to the General Revenue Surplus Fund

- Communications: \$26,000 for Implementation of Communications Strategy (design, development and distribution of engagement materials and supports, promotional ads, mail-outs, etc.)
- Legal: \$10,000 to support legal review and advice to Trust Council, as needed
- On-Island Public Engagement: \$20,000 to support local public engagement selected by local trust committees and Bowen Island Municipality. This is a modest amount for Trust Area-wide engagement and would not enable all entities to host in-person special LTC/IM meetings/engagement events or enable in-person Trust Area Services staff participation at all events
- Trust Area-wide survey: \$30,000, with \$28,000 for survey design and analysis by contractor, with \$2,000 for printing, distribution and return mail costs for print copies of the survey.
- Virtual Community Workshop: \$10,000 for design and delivery by contractor, with Islands Trust staff attending as subject matter experts

Option 3 communications activities include⁶:

- Public Education:
 - Mail out to homeowners (Trust Area-wide)
 - Posters
 - Social Media (free)
- Survey Promotion:
 - Posters
 - Printed surveys with pre-paid postage envelopes
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications*
- Workshop Promotion:
 - Posters
 - Public engagement events promotion
 - Social media (free)
 - Social media advertising (paid for)
- Public Engagement Events Promotions
 - Posters
 - Public events communications materials and printing
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications

**includes combined advertising for survey and the workshop*

Benefits – This is consistent with previous direction of Trust Council. The public will receive a virtual engagement option (survey) and Trust Council will receive survey results collected in a consistent manner across the Trust Area; and engagement results of a virtual community workshop that includes attendance by Islands Trust subject matter experts (possibly held over multiple days), in addition to referral responses from LTCs/BIM.

Risks – Risk: A lack of public confidence in the project, and poor levels of public engagement or high levels of engagement at the wrong points in the project, due to the public circulating incorrect information or a lack of understanding.

⁶ See “Summary Table of Communications Activities” below for comparative matrix of different communications options at different project budget levels.

- These risks can be mitigated through implementation of the project communications strategy with support from an external consultant to provide resiliency.

Risk: Extended timeframe incurred by having two referral periods increases the staff resources required for the project and increases risks to the project (e.g. staff turnover, emerging issue that competes for project resources).

- This risk could be mitigated by Trust Council foregoing the proposed approval-in-principle step and moving straight to First Reading, with a concurrent referrals process and a coordinated public engagement process -could reduce the project's timeline by approximately five to six months.

Risk: Adoption of revised Policy Statement in the winter of 2026 after the next local elections risks the project not being completed due to new priorities of the incoming Trust Council.

- This risk could be mitigated by Trust Council foregoing the proposed approval-in-principle step and moving straight to First Reading, which would be followed by a concurrent referrals process and public engagement process.
- This risk could be mitigated by foregoing or holding in-person public engagement over less than six months.
- This risk is being addressed by Trust Council holding special meetings promptly when needed rather than considering the document only at regular quarterly meetings.

Risk: Lack of skilled contractors available for survey design (on policy topics) and virtual community workshop design, facilitation and note-taking. Building in time in the project schedule (as is proposed in the recommended option) to find skilled contractors will mitigate this risk.

Financial implications – Staff are forecasting that approximately \$42,000 will not be spent this fiscal year and will be allocated to the General Revenue Surplus Fund, thus requiring \$54,000 in additional funding for fiscal 2025/26.

Resource requirements – Requires the almost full-time support of Senior Policy Advisor and additional support from Director of Trust Area Services, Program Coordinator and Communication Specialist. Staff hours required for public engagement depend on the options selected by local trust committees/Bowen Island Municipal Council. Staff hours required for revising the draft Policy Statement will depend on the scope of changes requested by Trust Council. See workplan in the September Trust Council agenda package for estimates of resourcing needs.

Other implications - None

Option 4: \$56,000⁷

Description of activities in 2025/26 – Option 2, minus Trust Area-wide virtual workshop.

This option includes the following costed items:

- Communications: \$16,000 for communications materials to support project implementation, particularly promotion of public engagement opportunities
- Legal: \$10,000 to support legal review as needed
- Trust Area-wide survey: \$30,000 with \$28,000 for survey design and analysis by contractor and \$2,000 for printing, distribution and return mail costs for print copies of the survey

⁷ Assumes re-request of \$42,000 in unspent funds from fiscal 2024/25

Option 4 communications activities include⁸:

- Public Education:
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications
- Survey Promotion:
 - Posters
 - Printed surveys with pre-paid postage envelopes
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications**
- Workshop Promotion: N/A
- Public Engagement Events Promotion:
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Public events communications materials and printing

***includes combined advertising for survey and the public engagement events*

Benefits – Reduced cost to Trust Council. Potentially reduced timeline.

Risks – Lack of on-Island engagement may lead some community members to feel that they have been insufficiently engaged in the process. This risk can be mitigated by communications that emphasize that Trust Council is open to hearing from the public and providing clear direction on how to share views and feedback. Additionally, without the virtual workshop, Trust Council would lose a region-wide educational/engagement opportunity.

Financial implications – Staff are forecasting that approximately \$42,000 will not be spent this fiscal year and will be allocated to the General Revenue Surplus Fund, thus requiring \$14,000 in additional funding for fiscal 2025/26.

Resource requirements – Requires the full-time support of Senior Policy Advisor and additional support from Director of Trust Area Services, and Program Coordinator and Communication Specialist. Staff hours required for public engagement depend on the options selected by local trust committees/Bowen Island Municipal Council. Staff hours required for revising the draft Policy Statement will depend on the scope of changes requested by Trust Council.

Other implications- None

Option 5: \$86,000⁹

Description – This option would include all elements of Option 3 minus a Trust-wide virtual workshop. This option includes the following costed items:

⁸ See “Summary Table of Communications Activities” below for comparative matrix of different communications options at different project budget levels.

⁹ Assumes re-request of \$42,000 in unspent funds from fiscal 2024/25

- Communications: \$26,000 for further communications materials to support project implementation and to promote engagement opportunities during the six-month referral process
- Legal: \$10,000 to support legal review as needed
- On-Island Public Engagement: \$20,000 to support local public engagement selected by local trust committees and Bowen Island Municipality. This is a modest amount for Trust Area-wide engagement and would not enable all entities to host in-person special LTC/IM meetings/engagement events or enable in-person Trust Area Services staff participation at all events
- Trust-wide survey: \$30,000 with \$28,000 for survey design and analysis by contractor and \$2,000 for printing, distribution and return mail costs for print copies of the survey.

Option 5 communications activities include¹⁰:

- Public Education:
 - Mail out (Trust-wide)
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications
- Survey Promotion:
 - Posters
 - Printed surveys with pre-paid postage envelopes
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications**
- Workshop Promotion: N/A
- Public Engagement Events Promotion:
 - Consultant support (limited)
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Public events communications materials and printing

***includes combined advertising for survey and the public engagement events*

Benefits – Reduced cost to Trust Council. Constituents receive a virtual engagement option (survey) and Trust Council receives survey results that are collected in a consistent manner across the Trust Area.

Risks – See Risk Assessment section for Option 2 above. Additionally, absence of a Trust Area-wide workshop will deprive Trust Area residents of an opportunity to learn about the Policy Statement prior to participating in engagement activities.

Financial implications – Staff are forecasting that approximately \$42,000 will not be spent this fiscal year and will be allocated to the General Revenue Surplus Fund, thus requiring \$44,000 in additional funding for fiscal 2025/26.

Resource requirements – Requires the full-time support of Senior Policy Advisor and additional support from Director of Trust Area Services, and Program Coordinator, Communication Specialist and administrative staff.

¹⁰ See "Summary Table of Communications Activities" below for comparative matrix of different communications options at different project budget levels.

Staff hours required for public engagement depend on the options selected by local trust committees/Bowen Island Municipal Council. Staff hours required for revising the draft Policy Statement will depend on the scope of changes requested by Trust Council.

Other implications - None

Option 6: \$66,000

Description – This option would include all elements of Options 3 minus a Trust-wide survey. This option includes the following costed items:

- Communications: \$26,000 for further communications materials to support project implementation and specifically promotion of engagement during the six-month referral process
- Legal: \$10,000 to support the legal aspects of the project as needed
- On-Island Public Engagement: \$20,000 to support local public engagement selected by local trust committees and Bowen Island Municipality. This is a modest amount and would not enable all entities to host in-person special LTC/IM meetings/engagement events or enable in-person Trust Area Services staff participation at all events.
- Virtual Community Workshop: \$10,000 for design and delivery by contractor, with Islands Trust staff attending as subject matter experts

Option 6 communications activities include¹¹:

- Public Education:
 - Crisis communications support (as needed)
 - Mail out
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications
- Survey Promotion: NA
- Webinar Promotion:
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
- Public Engagement Events Promotion:
 - Posters
 - Social media (free)
 - Social media advertising (paid for)
 - Trust-wide printed advertising in local publications
 - Public events communications materials and printing

Benefits – Reduced cost to Trust Council. Constituents are offered an event that provides access to subject matter experts; participants in the virtual community workshop can hear the perspectives of people throughout the region, Trust Council receives collated workshop engagement results in a consistent manner.

Risks – All of the risks noted above in Risk Assessment section.

¹¹ See "Summary Table of Communications Activities" below for comparative matrix of different communications options at different project budget levels.

Financial implications – \$42,000 would be carried over from fiscal 2024/25 to support this work, thus requiring \$24,000 in new funding.

Resource requirements – Requires the full-time support of Senior Policy Advisor and additional support from Director of Trust Area Services, and Program Coordinator, Communication Specialist and administrative staff. Staff hours required for public engagement depend on the options selected by local trust committees/Bowen Island Municipal Council. Staff hours required for revising the draft Policy Statement will depend on the scope of changes requested by Trust Council.

Other implications- None

Option 7: \$0

Description – This option would involve no work on the project in the 2025/26 fiscal year

Benefits – Staff and financial resources available for other work.

Risks –The risks of not proceeding include the following:

- Continuing to operate under the guidance of a 30-year old document that does not reflect Trust Council's commitments to improve language and guidance relating to reconciliation, climate change and affordable housing may result in decisions that are not consistent with current values or current/predicted environmental conditions.
- Relationships with Indigenous Governing Bodies may be impacted as Trust Council would not be advancing change in response to feedback and suggestions received.
- Public engagement results may later be viewed as dated and no longer relevant.
- Staff turnover during a pause in the project could result in a loss of corporate memory leading to inefficiencies and loss of knowledge.
- The Province of BC may amend the Islands Trust Act to require the Islands Trust Council to amend or considering amending the Policy Statement at regular intervals. The Local Government Act requires regional districts to, every five years, seek input on the need for review of the regional growth strategies from its citizens; affected local governments; Indigenous Governing Bodies; boards of education, greater boards and improvement district boards; and the Provincial and federal governments and their agencies; and consider whether the regional growth strategy must be reviewed for possible amendment.

Financial implications – Unspent funds from fiscal 2024/25 will be added to General Revenue Surplus Fund.

Resource requirements – Staff time to communicate cancellation or delay of the project.

Other implications- None

SUMMARY TABLE OF ALTERNATIVE OPTIONS							
Activities	Opt 1 (recommended by EC)	Opt 2	Opt 3	Opt 4	Opt 5	Opt 6	Opt 7
Communications (\$10 -\$26K)	X	X	X	X	X	X	

Legal (\$10k)	X	X	X	X	X	X	
Local LTC/BIM led public engagement (\$20k)			X		X	X	
Trust-wide virtual/print survey (\$30k)	X (staff)	X	X	X	X		
Trust-wide Virtual Community Workshop (\$10k)	X (staff)	X	X			X	
SUBTOTAL	\$20k	\$66k	\$96k	\$56K	\$86k	\$66k	\$0

SUMMARY TABLE OF COMMUNICATIONS ACTIVITIES BY ALTERNATIVE BUDGET OPTIONS

Activity	Option 1	Option 1B	Option 2	Option 3	Option 4	Option 5	Option 6
Total budget	\$20,000.00	\$31,000.00	\$66,000.00	\$96,000.00	\$56,000.00	\$86,000.00	\$66,000.00
Communications portion	\$5,000.00	\$16,000.00	\$16,000.00	\$26,000.00	\$16,000.00	\$26,000.00	\$26,000.00
Education							
Crisis Communications Support (as needed)							Y
Consultant support							
Mail out				Y		Y	Y
Posters	Y	Y	Y	Y	Y	Y	Y
Social media (free)	Y	Y	Y	Y	Y	Y	Y
Social media advertising (paid for)	Y	Y	Y	Y	Y	Y	Y
Trust-wide printed advertising in local publications		Y	Y		Y	Y	Y
Survey Promotion							
Mail out							NA
Posters	Y	Y	Y	Y	Y	Y	NA
Printed surveys with pre-paid postage envelopes	Y	Y	Y	Y	Y	Y	NA
Social media (free)	Y	Y	Y	Y	Y	Y	NA
Social media advertising (paid for)	Y	Y	Y	Y	Y	Y	NA
Trust-wide printed advertising in local publications		Y*	Y*	Y*	Y**	Y**	NA
Workshop Promotion							
Mail out					NA	NA	
Posters	Y	Y	Y	Y	NA	NA	Y
Social media (free)	Y	Y	Y	Y	NA	NA	Y
Social media advertising (paid for)	Y	Y	Y	Y	NA	NA	Y
Trust-wide printed advertising in local publications		Y (1 ad in Driftwood)	Y (1 ad in Driftwood)		NA	NA	
Public engagement events Promotion							
Consultant support (limited, things like editorials, ad)	NA	NA	NA			Y	
Mail out	NA	NA	NA				
Posters	NA	NA	NA	Y	Y	Y	Y
Social media (free)	NA	NA	NA	Y	Y	Y	Y
Social media advertising (paid for)	NA	NA	NA	Y	Y	Y	Y
Trust-wide printed advertising in local publications	NA	NA	NA	Y			Y
Public events communications materials and printing	NA	NA	NA	Y	Y	Y	Y
*includes combined advertising for survey and the workshop							
**includes combined advertising for survey and the public engagement events							

CRITICAL SUCCESS FACTORS:

- Full staffing levels within Trust Area Services; administrative support available to manage correspondence as needed
- Adequate internal and external communications to build a shared understanding by members of Trust Council, Indigenous Governing Bodies, referral agencies, and the public, on the revised draft Policy Statement and the project purpose, scope, and timeline.
- Available staff and contractors
- Trust Council leadership.

RECOMMENDED OPTION:

Option 1 is recommended by Executive Committee.

COST/BENEFIT ANALYSIS:

Quantitative Analysis:

Comparable public engagement activities for regional growth strategy/official community plan update processes in BC local governments have larger budgets than recommended and cover smaller geographic areas. However, the overall PSAP budget for the lifetime of the project is proportionate to similar projects in other local governments.

Qualitative Analysis:

Amending the Islands Trust Policy Statement will enable Trust Council to more effectively carry out its mandate to preserve and protect the unique amenities and environment of the Trust Area. It will also help to fulfill Trust Council's commitments to address reconciliation, climate change, and housing.

PURCHASING PROCEDURE:

All expenditures will be in accordance with Procurement Policy 6.5.3.

PROPOSED IMPLEMENTATION STRATEGY:

To be determined per revised Policy Statement Amendment Project Charter, workplan and communications plan.

STAFF RESOURCING

To be determined per revised Policy Statement Amendment Project Charter, workplan and communications plan. Preliminary estimates: in FY 2025-26, the project is estimated to require the following staff time:

- 0.1 FTE - TAS Director
- 0.5 FTE - Senior Policy Advisor
- 0.05 FTE - Program Coordinator
- 0.05 FTE - Senior Indigenous Relations Advisor
- 0.1 FTE – Communications Specialist
- 0.1 FTE - Legislative Services Clerk (or other clerks as available)

NOTE: These rough staff time estimates will be refined as project scope changes.

Without additional staff resources, Trust Area Service's (TAS) regular workload will need to be reduced. During critical periods, a certain amount of overtime is expected to fulfil project needs.

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Change management will be undertaken via proposed updates to the approved project charter and workplan. Communications are guided by a communications strategy. This project will be managed by the Executive Committee

Indigenous Governing Bodies provided comment on the staff draft in Winter 2024 and will also receive the document for comment after First Reading. Staff have, through work with Indigenous Governing Bodies to date, heard an interest for the Policy Statement amendment process, including timelines, to be co-designed with participating Indigenous Governing Bodies, and that this multi-year project is not currently being delivered in a manner that reflects this. Staff have advised that, if there is a desire for fundamental change to the model of project delivery, this would need to be discussed between Islands Trust Council and Indigenous Governing Bodies' leadership.

Requested by: Executive Committee

Prepared by: Director, Trust Area Services/November 14, 2024

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 4, 2024
From: Executive Committee **Date Prepared:** November 6, 2024
SUBJECT: Policy Statement Amendment Project (PSAP) – Project Charter

RECOMMENDATION:

That Islands Trust Council endorse Policy Statement Amendment Project Charter V10.

INTERIM CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Completing the Policy Statement Amendment Project (PSAP) has been included in Trust Council's draft 2025-2028 Strategic Plan. The revised project charter presented by staff now projects Ministerial approval and Trust Council's adoption of the Policy Statement bylaw in the final days of the current term of office (Oct 2026). This removes a risk to the project as a new Trust Council may choose not to adopt the revised Policy Statement bylaw of a previous term's Trust Council.

1 PURPOSE:

To provide Trust Council with a revised Project Charter V10 for the Policy Statement Amendment Project that reflects Executive Committee (EC) direction to reduce the project budget for fiscal year 2025/26 to \$20,000.

2 BACKGROUND:

Policy Statement Amendment Project (PSAP) Charter V9 was endorsed by Trust Council in September 2024 (see Attachment 2) with a proposed project budget for fiscal 2025/26 of \$96,000. At its October 30 regular meeting, Executive Committee resolved to lower the project budget to \$20,000 and update the project charter accordingly, as shown in the resolution excerpt and resolution below:

That Executive Committee forward its 2025/26 budget requests to Financial Planning Committee for inclusion in the draft 2025/26 budget:

....

3. *\$20,000 for Trust Council's Strategic Plan 'Policy Statement Amendment Project'.*

That staff be requested to amend the project charter for the Policy Statement Amendment Project to reflect the proposed adjusted budget of \$20,000 in the fiscal year 2025/26.

Deliverables

Reducing the PSAP project budget to \$20,000 will have the following impacts on project deliverables that were proposed in Project Charter V9 previously endorsed by Trust Council:

- Potentially shorter timeline to bylaw adoption

- No staff-supported on-Island community engagement¹
- No Trust Area-wide mail-out
- No print advertising about the online workshop or survey
- Online survey to be designed and administered by staff, rather than consultant²
- Online workshop to be designed and administered by staff, rather than consultant³

Timelines

By foregoing on-Island community engagement, staff estimates that the engagement window following approval-in-principle could be reduced by three months. Draft Project Charter V10 attached as Appendix 1 reflects this three-month timeline reduction.

Reducing the public engagement window by three months may enable Policy Statement adoption by the current Trust Council, rather than running into the next political term. However, the proposed timeframe leaves only short windows after the engagement and referral periods for Committee of the Whole consideration, Trust Council consideration and staff drafting of amendments.

Should Trust Council wish to further shorten the project timelines, the following options may be considered:

- Run public engagement and all referral processes concurrently, after First Reading, rather than in succession as currently outlined, potentially reducing timelines by three-four months; and/or
- Depending on the scope and scale of desired amendment after public engagement and the referral period, schedule frequent (e.g. weekly/bi-weekly) Committee of the Whole, to more quickly advance the draft through its amendment stages.

Resources

This project requires most of Senior Policy Advisor's time. The attached project charter 10 and associated proposed project budget do not include funds to temporarily resource a new staff position in 2025/26 that would take up the standard duties of the Senior Policy Advisor displaced by this project. While removing in-person engagement will save significant staff time, the in-house development, delivery and reporting of a virtual workshop and survey will use more staff time than the previous consultant-delivered model, and the project is still anticipated to make up most of the Policy Advisor's work program. In a separate business case, Executive Committee has requested Trust Council's approval for a temporary Senior Policy Advisor position from March 31, 2025 until March 31, 2026.

The revised, attached project charter reflects a reduced project budget recommended by Executive Committee. The EC-recommended revised project budget of \$20,000 will enable funding the PSAP next fiscal year without an additional tax requisition for this item. However, in staff's view, it does not provide for sufficient communications funding to promote engagement opportunities in the manner expected by communities (i.e. print advertising). Staff recommend that, at minimum, Trust Council allocate \$16,000 to project communications, which would bring the project budget to \$31,000 (option 1b in the business case). The revised project charter also includes a reduction in the public engagement period from six to three months reflecting the shift to virtual-only engagement methods.

3 IMPLICATIONS OF RECOMMENDATION

¹ Electronic participation by TAS staff in regular LTC/IM meetings may still be possible

² Survey design to be approved by Executive Committee

³ Workshop format to be approved by Executive Committee

ORGANIZATIONAL: This project continues to be the dominant project for the organization and is displacing other work. Reducing the project budget will result in less reliance on external consultants and more work for staff. However, eliminating the on-Island engagement component will conserve some staff time.

FINANCIAL: Project Charter V10 shows anticipated spending of \$39,000 in fiscal 2024/25, largely attributable to the costs of engaging legal counsel advice. Additionally, two capacity funding agreements projected to be signed last fiscal year were signed in April 2024 resulting in \$4,000 going to the surplus fund and \$4,000 being costed to the project this fiscal year. Due to changing timelines and projected underspending in fiscal 2024/25, staff is shifting anticipated spending on communication and public engagement to fiscal 2025/26.

If Trust Council approves a \$20,000 PSAP budget for fiscal 2025/26, the money could be drawn from surplus and no additional tax requisition will be needed to fund it.

POLICY: There are no policy implications.

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

The reduced project budget will result in most project communications being designed in-house rather than by external consultants. The reduced project budget will not allow for a Trust Area-wide mail-out or print advertising.

FIRST NATIONS RELATIONS: Project Charter V10 does not depart from the planned engagement/referral processes with Indigenous Governing Bodies. However, as protocol agreements are negotiated and the referral system is reviewed/changed there may be shifting expectations. Through the work with Indigenous Governing Bodies to date, staff has heard strongly and on multiple occasions from several First Nations that the Policy Statement work should go further in:

- acknowledging Indigenous desires for self-governance and their inherent rights to be self-governing decision-makers within their respective territories, and to be stewards;
- co-designing process and timelines with participating First Nations; and
- reflecting that United Nations Declaration on the Rights of Indigenous Peoples affirms First Nations' right to participate in decision-making matters and requires obtaining First Nations' free, prior and informed consent.

Staff committed to representatives of the Indigenous Governing Bodies that these messages would be conveyed to Trust Council throughout the amendment process.

OTHER: See background section above for discussion of the implications of a reduced budget on project deliverables.

4 RELEVANT POLICY(S):

[Islands Trust Act \(S. 15\)](#)

[Islands Trust Council Policy 1.2.1](#) (Policy Statement Amendment)

[Islands Trust Council Policy 6.5.2](#) (Budget Control and Adjustment Authority)

[Islands Trust Reconciliation Declaration](#)

5 ATTACHMENT(S):

PSAP Project Charter V10 (changes from V9 marked in red text)

PSAP Project Charter V9

RESPONSE OPTIONS

Recommendation:

That Islands Trust Council endorse Policy Statement Amendment Project Charter V10.

Alternative:

1. That Trust Council amend Policy Statement Amendment Project Charter V10 as follows:
 - By; and
 - By
 2. That Trust Council endorse Policy Statement Amendment Project Charter V10, as amended.
-

Prepared By: Senior Policy Advisor

Reviewed By/Date: Director, Trust Area Services/November 17, 2024

Policy Statement Amendment Project - Project Charter V10

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

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

Objectives

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

In Scope

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

Out of Scope

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

Workplan Overview

Major Deliverable/Milestone	Dates
Past Years (FY 2019-20, 2021-22, 2022-23, 2023-24) -IGB early engagement Phases 1 (2019-2021), 2 (2021-2022), and 3 (2023) -Public engagement Phases 1 (2019-2020), 2 (2021), and 3 (2022) -Policy review and analysis by Trust Council’s committees/working groups and staff (2020-22) -Amendment drafting and legal review Phase 1 (Apr-Jun 2021), Phase 2 (Dec 2022-Mar 2023) - IGB Early engagement Phase 3	2019-2024
Present (FY 2024-25) - Review and revision of draft Policy Statement by Committee of the Whole	May - December 2024
Proposed Next Steps (FY 2024-25) - Approval in principle by Trust Council - Three -month public engagement (referrals to local trust committees and Island Municipalities; Staff-led Trust-wide survey; and Staff-led virtual community workshop) - Amendments and First Reading - Bylaw referral to IGBs, regional districts, Conservancy Board and others	Jan 2025 May– August 2025 Sept - Nov 2025 Nov 2025 - Feb 2026
Final Adoption (FY 2025-26/2026-27) -Trust Council receives referral responses and passes resolutions on further revisions required -Amendment drafting and amendment/ Second and Third Reading by Trust Council -Refer proposed bylaw to Minister with final FN engagement report; allow six months for review - Ministerial Approval (estimated—no statutory timeline), and Adoption -Final graphic design and distribution, celebration event, implementation planning	Feb 2026 March—April 2026 April 2026 Oct 2026 Oct 2026— Nov 2026

Project Team

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

Budget

Item	FY 24-25	FY25-26	FY26-27
Communications	\$10,000	\$5,000	\$10,000
Public Engagement	\$0	\$5,000	\$0
Legal Review	\$25,000	\$10,000	\$5,000
Capacity Funding	\$4,000	\$0	\$0
Total Activity Costs:	\$39,000	\$20,000	\$15,000

Approved by:

Clare Frater, Director, TAS

Endorsement: TC

Date: TC-2024-**XXX** Dec. **XX**, 2024

*Timeline assumes Trust Council schedules special meetings between regular quarterly meetings.

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 3, 2024

From: Legislative and Information Services **Date Prepared:** October 15, 2024

SUBJECT: Rescind Trust Council Policy 6.6.1 By-Election Funding

RECOMMENDATION:

That Trust Council rescind Trust Council Policy 6.6.1 By-Election Funding in its entirety.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

This policy is of minimal value and does not reflect ongoing practice. Given the rarity of by-elections, the insignificant cost of such undertakings in relation to the total Trust Council budget, and Trust Council's maintained minimum balance in surplus funds, rescinding this policy will have no negative impact on the organization. Small administrative gains will be had having one less policy to monitor and administer.

1 PURPOSE: To adjust policy to reflect actual operational practices in relation to funding by-elections.

2 BACKGROUND:

[Section 54 of the Local Government Act](#) sets out the requirement for when local governments must hold by-elections. As these are mandatory (unless the vacancy occurs after June 1 in the year of a local government general election), Trust council has no choice but to fund a by-election as necessary.

[Trust Council Policy 6.6.1 By-election Funding](#) was adopted December 9, 2005 and has not been updated since that time. The policy reads, in part, as follows:

1.1 The budget process will include an annual "Contribution to Surplus" as recommended by the Financial Planning Committee to fund by-elections.

The intent of the policy was to ensure that funds are added to surplus each year to cover the cost of potential by-election. Funding for any needed by-election in the year would then come from surplus monies. The policy was in place to ensure that there were appropriate funds in the surplus to cover a by-election in any given year.

As by-elections are unpredictable, it is difficult to determine an appropriate amount to place (as per current policy) into the surplus for this purpose. Given that Islands Trust has a healthy surplus in relation to the expected costs of a by-election, staff recommend that Policy 6.6.1 is no longer required. If a by-election is required, Staff would provide budget adjustment information as per [Trust Council Policy 6.5.2 Budget Control and Adjustment Authority](#).

The cost of a by-election depends on which regional district and geographic area the by-election will be covering. For planning purposes we estimate that on average one by-election will cost between \$10,000 and \$15,000.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

There are no organizational implications.

FINANCIAL:

In a year where there is a by-election, funding would be from surplus, which could result in higher expenditure for the year than planned.

POLICY:

Rescinding Policy 6.6.1 would mean that if there is a by-election, Policy 6.5.2 Budget control and Adjustment Policy would apply for any budget adjustments to accommodate a by-election.

IMPLEMENTATION/COMMUNICATIONS:

Policies listed on the Islands Trust website will be updated to remove Policy 6.6.1.

FIRST NATIONS RELATIONS:

There are no First Nations relations implications.

OTHER:

There are no other implications.

4 RELEVANT POLICY(S):

[Section 54, Local Government Act](#)

[Policy 6.5.2 Budget Control and Adjustment Authority](#)

[Policy 6.6.1 By-Election Funding](#)

5 ATTACHMENT(S):

Linked - [Policy 6.6.1 By-Election Funding](#)

RESPONSE OPTIONS

Recommendation:

That Trust Council rescind Trust Council Policy 6.6.1 By-Election Funding in its entirety.

Alternative:

Do not rescind Policy 6.6.1. This would result in, as per policy, a need to estimate by-election funding required to be maintained in surplus, and a discussion and decision by Trust Council on an appropriate amount to add to surplus in any one given year.

Prepared By:

David Marlor, Director, Legislative and Information Systems

Reviewed By/Date:

Interim Chief Administrative Officer/October 28, 2024



Policy:	6.6.1
Approved By:	Trust Council
Approval Date:	December 9, 2005
Amendment Date(s):	
Policy Holder:	Legislative Services Manager

BY-ELECTION FUNDING

Purpose

To provide a reliable and predictable funding source for by-elections.

A. Definitions

n/a

B. Policy

1. The Budget Process

- 1.1 The budget process will include an annual “Contribution to Surplus” as recommended by the Financial Planning Committee to fund by-elections.

2. Funding By-Elections

- 2.1 When by-elections are required, funding for the by-election will be authorized by Trust Council or the Executive Committee as an “Appropriation from Surplus” in accordance with policies 6.3.1 (Budget Process Policy) and 6.5.1 (Reserves and Surplus Policy).

C. Legislated References

Islands Trust Act

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

n/a

BRIEFING

To:	Executive Committee	For the Meeting of:	November 20, 2024
From:	Trust Area Services	Date Prepared:	November 14, 2024
SUBJECT:	Session proposals for AVICC		

PURPOSE:

To advise Executive Committee about session proposals for the Association of Vancouver Island and Coastal Communities (AVICC) Convention, and planned next steps for AVICC/UBCM resolutions.

BACKGROUND:

On October 30, 2024, the Executive Committee received correspondence from AVICC regarding the 2025 AVICC AGM & Convention 1st call for Resolutions and Convention Information. At the meeting, two Vice-Chairs indicated they might be submitting proposals for sessions. By general consent, Executive Committee asked staff to forward the AVICC information to trustees.

On November 1, 2024, staff e-mailed trustees to advise that AVICC was seeking proposals for sessions to hold at the April 11-13, 2025 convention in Nanaimo. Staff advised trustees that if they had a session they would like Islands Trust to propose, they needed to complete a provided form and provide it to the Executive Coordinator by November 11. Staff further advised that all submissions would be included on the November 20, 2024 Executive Committee agenda and that sessions proposals selected by Executive Committee would be submitted to AVICC by the December 2, 2024 deadline.

No proposals have been received from trustees in response to this invitation.

Staff will provide any AVICC/UBCM resolutions suggested by staff or trustees by the internal December 6, 2024 deadline to Executive Committee for its December 18, 2024 agenda.

ATTACHMENT(S): None.

FOLLOW-UP: Staff will follow up as directed.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: ICAO



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** November 20, 2024
From: Trust Area Services **Date Prepared:** November 14, 2024
SUBJECT: Implementing Heritage Conservation Areas in the Islands Trust Area Publication

RECOMMENDATION:

That the Executive Committee approve the *Implementing Heritage Conservation Areas in the Islands Trust Area* publication.

1. PURPOSE:

To seek endorsement from Executive Committee for the *Implementing Heritage Conservation Areas in the Islands Trust Area* publication.

2. BACKGROUND:

The Islands Trust Area represents one of the most well-known and dense concentrations of recorded archaeological site and heritage sites in British Columbia. Outside of the recorded archaeological site boundaries are vast and significant First Nations cultural heritage sites, not currently protected by provincial legislation. There are also many heritage structures of those who came to this region more recently— the Chinese, European, Hawaiian, Japanese and others—that lack protection. Local trust committees (LTCs) have not previously prioritized the protection of First Nations cultural heritage sites and values through progressive land use planning.

In the past year, several LTCs have requested Regional Planning Team staff to engage with Indigenous Governing Bodies for major project work, to clarify how LTCs can take meaningful action to better preserve and protect the Indigenous homelands on which the Islands Trust works. Indigenous Governing Bodies' staff and Islands Trust planners have been mutually exploring the Local Government Act's Heritage Conservation Areas tool to achieve long-term protection of island heritage resources. As a result, Regional Planning Team members proactively drafted the attached publication which was edited by Islands Trust communications staff. The Province's of British Columbia's heritage planner has communicated suggested edits and additions to this publication to Islands Trust staff. Those edits and suggestions have been incorporated into the document.

The inclusive approach of this publication intends to foster mutual respect, strengthen partnerships between Indigenous and non-Indigenous communities, and contribute to a shared commitment to protecting and celebrating the rich heritage of the Trust Area.

3. IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: This publication supports current strategic priorities, and support planners in their work and provides more information to the public on Heritage Conservation Areas.

FINANCIAL: None. No print copies anticipated in the near future.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Once approved, this publication will be available on the Islands Trust website, and will be shared with Islands Trust planning staff to assist them in their work with individual LTCs, and will be provided to Bowen Island Municipality. It will also be shared with trustees as part of future trustee orientation materials.

FIRST NATIONS RELATIONS: The Regional Planning Team has been engaging with Indigenous Governing Bodies to examine progressive land use planning tools for heritage protection on the islands, outside of the boundaries of registered archaeological sites. The use of the *Local Government Act*, the 'Heritage Conservation Areas' tool has consistently been identified as the primary means for any LTC or island municipality to achieve meaningful protection of First Nations interests across the islands. Planning staff are currently working with the Squamish First Nation and the K'ómoks First Nation to draft Heritage Conservation Area objectives, guidelines, and exemptions that can be used across the Trust Area.

OTHER: It may be of interest that in 1984 Islands Trust published an Islands Heritage Book documenting heritage buildings in the Trust Area: <https://islandstrust.bc.ca/document/island-heritage-buildings-2023/> . Staff are not aware of any effort to inventory to status of these buildings today.

4. **RELEVANT POLICY(S):** [Communications Policy](#)

5. **ATTACHMENT(S):** Draft Implementing Heritage Conservation Areas in the Islands Trust Area publication

RESPONSE OPTIONS

Recommended: That the Executive Committee approve the *Implementing Heritage Conservation Areas in the Islands Trust Area* publication.

Alternative:

- 1) That the Executive Committee request revisions to the *Implementing Heritage Conservation Areas in the Islands Trust Area* publication.
- 2) Request no further action.

Prepared By: Communications Specialist, November 14, 2024

Reviewed By/Date: Director, Trust Area Services, November 15, 2024

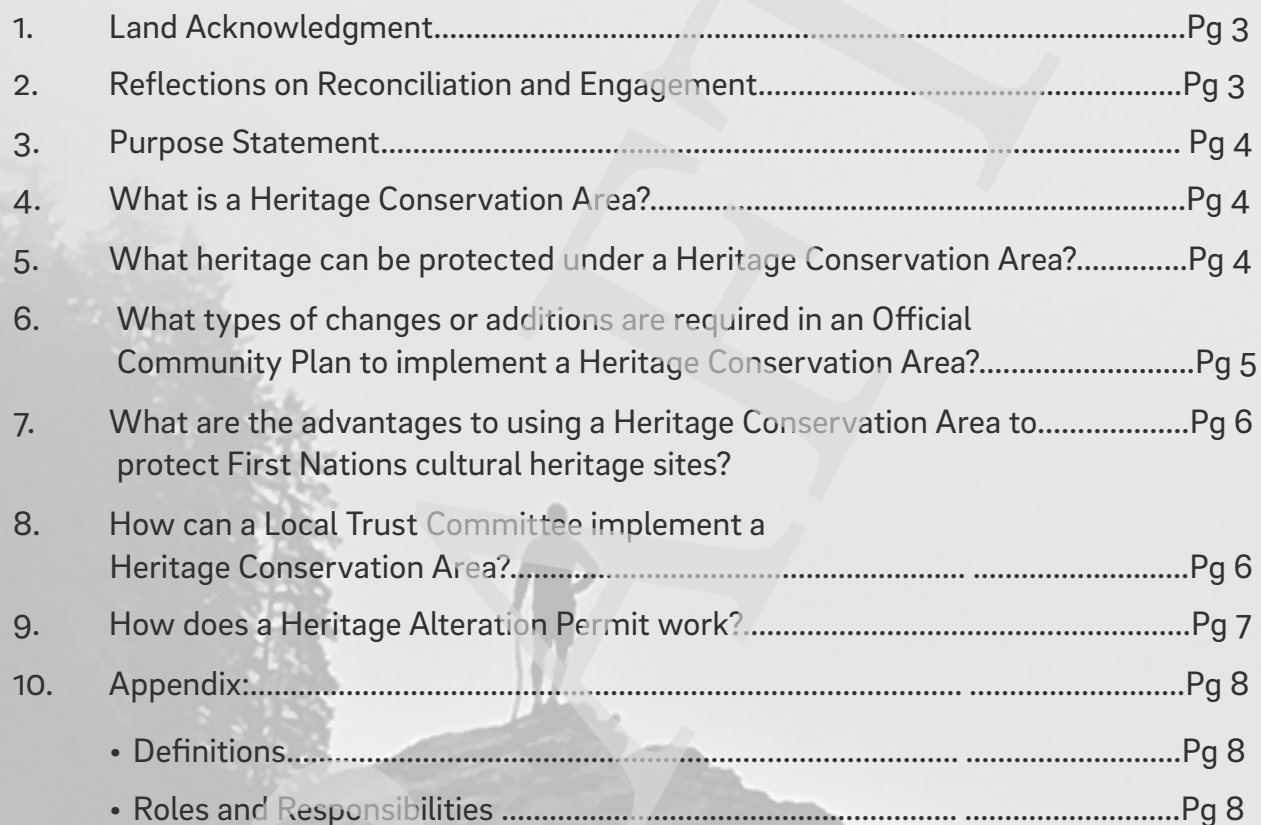


Islands Trust

Implementing Heritage Conservation Areas in the Islands Trust Area

DRAFT

Implementing Heritage Conservation Areas in Islands Trust Areas



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Land Acknowledgment

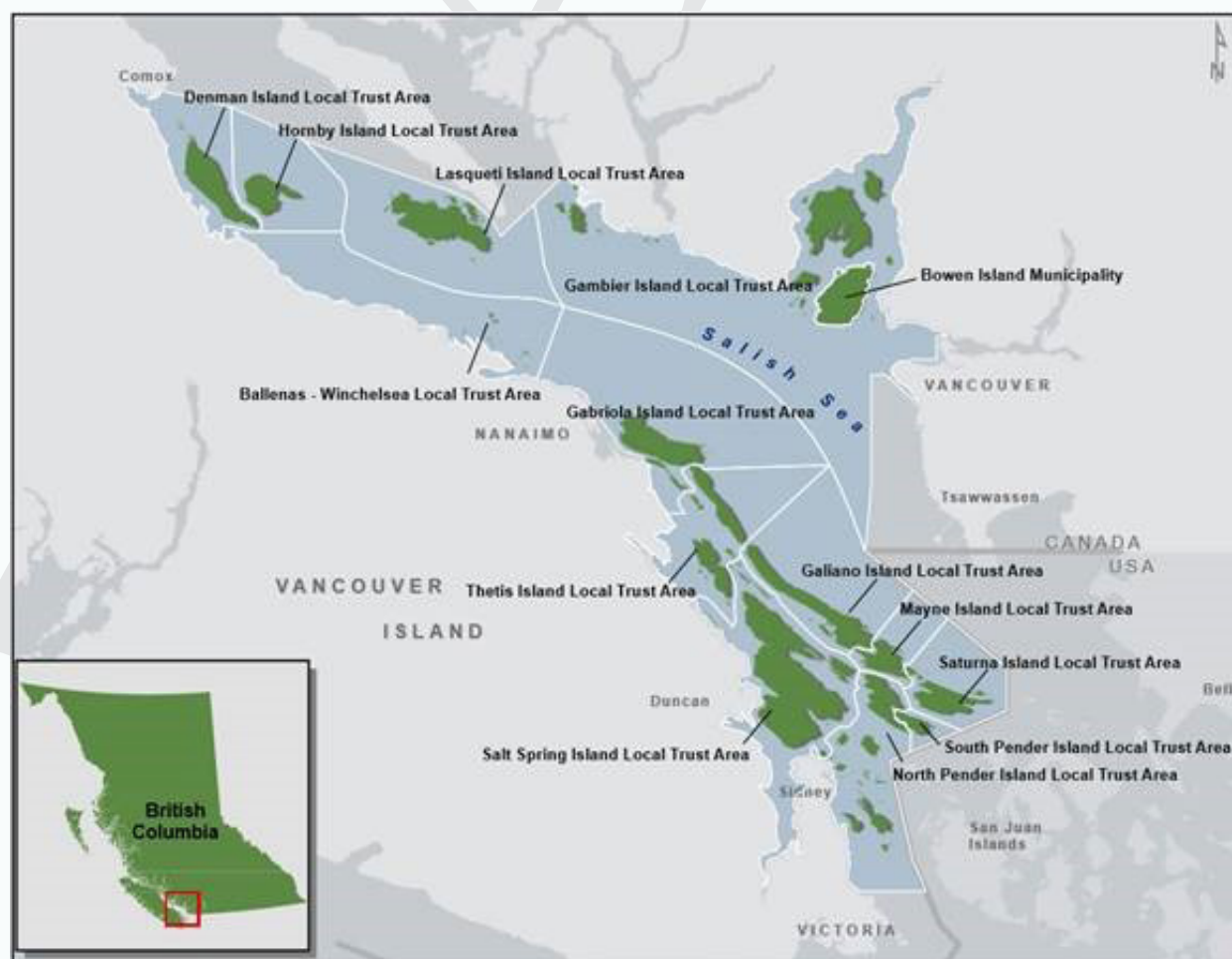
Islands Trust and Islands Trust Conservancy respectfully acknowledge that the lands and waters that encompass the Islands Trust Area have been home to Indigenous Peoples since time immemorial. We are committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea. The Islands Trust Area is located within the treaty lands and territories of the BŦKĖĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEŁ, Qualicum, scə́wathən, sə́lilwətəł, SEMYOME, shíshálh, Sḵwx̱wú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth, STÁUTW, Stz'uminus, łəʔəmən, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁŁP, W̱SIKEM, Xeláltxw, Xwémalhkww, Xwsepsum, and xʷməθkʷəy̓əm First Nations.

Reflections on Reconciliation and Engagement

In 2019, Islands Trust Council passed a Reconciliation Declaration that commits the organization to “establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous Peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long term relationship-building and healing process.”

This journey begins by acknowledging the history and impacts of colonialism, and the systemic racism against Indigenous Peoples. The journey also involves acknowledging that while the Islands Trust Area represents one of the most well-known and densest concentrations of recorded archaeological sites in British Columbia, Islands Trust has not previously prioritized the protection of heritage sites and values. It also entails taking meaningful action to preserve and protect the Indigenous homelands on which Islands Trust resides and operates, while being mindful of our roles in these endeavors.

Throughout its work to advance Reconciliation the Islands Trust intends to foster meaningful connections and promote understanding.



Purpose Statement

The purpose of this document is to guide and inform the use of heritage conservation area designations to protect the cultural heritage of the Islands Trust Area.

For decades, the Islands Trust Council and local trust committees have had the powers to recognize and protect the cultural heritage and historical significance of the area, but have generally failed to act. This has resulted in the cultural heritage of the region being desecrated, destroyed, and impacted as settler communities built on top of Indigenous village sites, and extracted resources from culturally significant areas. It has also resulted in heritage structures of those who came to this region more recently— the Chinese, European, Hawaiian, Japanese and others—being impacted and destroyed.

This document also outlines the organization's commitment to advancing Reconciliation by providing guidance that honours the Indigenous principle of “nothing for us, without us”, and the organization's commitment to public engagement.

What is a Heritage Conservation Area?

A Heritage Conservation Area (HCA) is a key heritage conservation tool outlined in the Local Government Act (section 614) that is available to local governments, regional districts, and Islands Trust. HCAs provide a legal and enforceable method for communities to identify, record, and ensure long-term protection of valued heritage sites. They offer flexibility for Local Trust Committees (LTCs) or island municipalities to achieve a variety of development and planning goals while prioritizing heritage conservation.

An HCA is implemented in a manner similar to a Development Permit Area, but focuses specifically on preserving heritage. Subdivisions, developments or land alterations in a Heritage Conservation Area may require a heritage alteration permit.

In collaboration with First Nations/Indigenous Governing Bodies, Islands Trust staff planning staff recommend that LTCs/Bowen Island Municipality implement HCAs as a way to preserve and protect culturally and spiritually significant places on the islands.

What heritage can be protected under a Heritage Conservation Area?

Heritage is a broad and multifaceted concept that holds different meanings for various groups and decision-makers. It encompasses not only physical resources like buildings and structures but also intangible elements such as stories, cultural values, and the use of landscapes and ecosystems. Heritage encompasses building and structures, as well as elements of the landscape associated with intangible cultural heritage traditions such as stories and cultural practices and traditions. Heritage can reflect a wide array of historical, cultural, and ecological significance, making it essential to recognize both tangible and intangible forms of heritage.

An HCA can be used to protect special features or characteristics of an area such as sites, features,

buildings or structures that have significant heritage value worthy of preservation. Each HCA can be uniquely tailored to the specific island heritage it seeks to protect, and can be a crucially important tool for preserving the heritage of the islands for future generations. It is important to acknowledge that all types of heritage can be included in the physical conservation aspects of the HCA.

By adding a well-drafted HCA designation, developed through engagement with Indigenous Governing Bodies, to an Official Community Plan, a local trust committee or Bowen Island Municipality can offer a needed layer of heritage protection beyond what is available through the provincial Heritage Conservation Act, which only protects archaeological sites, or individually designated heritage sites. The Local Government Act permits a local trust committee or Bowen Island Municipality to designate any place with cultural heritage values, whether physical or not, as a heritage conservation area so long as it describes the special features or characteristics that justify the designation.

What types of changes are required in an Official Community Plan to implement a Heritage Conservation Area?

The protections, restrictions and geographic boundaries that apply to an HCA must be described in the Official Community Plan, or as an addendum to a Official Community Plan. This includes:

- **Designation:** geographic designation described with text or shown on a plan (e.g. specific buffer areas such as 200m from high water mark; specific parcels; or an entire island).
- **Justification:** description of the overall heritage significance that justifies the designation
- **Objectives:** statement of the objectives of the designation
- **Description of special features and characteristics:** a list of the features or characteristics that contribute to the heritage value and character of the area
- **Guidelines:** a list of guidelines, that can be listed in the Land Use Bylaw, that clarify the objectives that are to be achieved (i.e. requirements that any subdivision, alteration of land, or construction must adhere to in order to minimize impacts of heritage resources). Examples include guidelines around protection of the ground surface from heavy machinery movement or replanting any disturbed areas with native vegetation, or guidelines on what types of septic systems can be used to limit disturbance
- **Exemptions from Permit Requirements:** a list of circumstances, that can be listed in the Land Use Bylaw, when a heritage alteration permit is NOT required (i.e. internal renovations; no ground disturbance; removal of trees smaller than xx cm; DBH etc)

What are the benefits to using Heritage Conservation Area designations to protect First Nations cultural heritage sites?

- **Increased public awareness** of what cultural heritage values are present on the Islands which can help to build a culture of conservation
- **Increased recognition and protection** of post-1846 places of significance to Indigenous Peoples including continuing cultural uses and significance of the islands (sites not well-protected under the Heritage Conservation Act)
- **Increased recognition and protection** of heritage structures of those who came to this region more recently. Settler heritage may have significant heritage – the Chinese, European, Hawaiian, Japanese, and others
- **Opportunities to work closely with Indigenous Governing Bodies** in formally reviewing HAPs using agreements which clarify roles and responsibilities of staff and elected officials in the issuance of heritage alteration permits
- **Encouraging a broad focus** promotes a broad focus on heritage protection, rather than a narrow focus limited to the boundaries of previously documented archaeological sites, which allows for a more integrated approach to conservation. Expanding the focus to include heritage aligns well with ecological conservation efforts, creating opportunities for mutual support between these areas. This approach can also tie heritage conservation efforts to existing Official Community Plan (OCP) guidance on environmental conservation, potentially bringing certain conservation activities under local rather than solely provincial jurisdiction

What steps are needed for a local trust committee or island municipality to implement a Heritage Conservation Area?

To implement a Heritage Conservation Area (HCA), a Local Trust Committee (LTC) or Island Municipality should:

1. Request staff to engage with provincial Heritage Branch planners and legal counsel during drafting of the HCA. This ensures that the final HCA is legally sound and aligns with provincial guidelines.
2. Engage with Indigenous Governing Bodies to collaborate on drafting objectives, statements, guidelines, exemptions, and the geographic area to which the HCA will apply.
3. Engage with community members and organizations about proposed heritage conservation areas. This includes, at a minimum, holding a public hearing and giving notice to the owner of each property that is to be included in a Heritage Conservation Area.

Official Community Plan and Land Use Bylaw amendments about HCA designations must go through a series of routine bylaw development steps, including First Reading, referrals, public hearing, Second and Third readings, and Adoption.

Finally, within 30 days of adopting the bylaw, the local trust committee or island municipality must notify the Land Title Office and the Heritage Branch about the new Heritage Conservation Area.

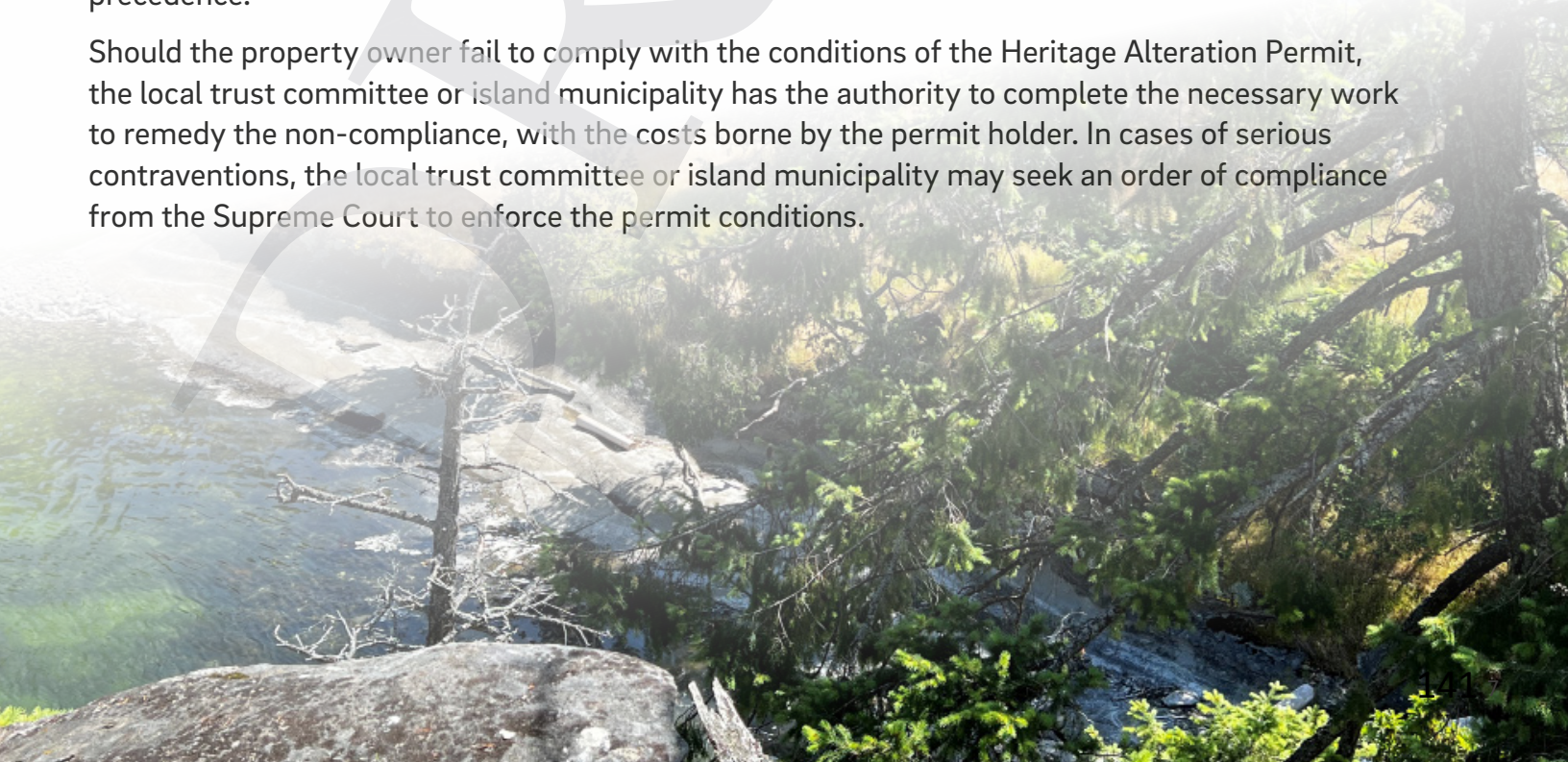
How does a Heritage Alteration Permit work?

A Heritage Alteration Permit is required when a property owner wishes to make alterations to a designated heritage site prior to subdivision, construction, or land modifications. The application must detail the proposed changes and can be submitted alongside other permits, such as building permits, siting and use permits, or development variance permit applications.

The Heritage Alteration Permit process does not allow for changes to the use or density provisions of the Land Use Bylaw, nor can it alter residential tenures or floodplain specifications. Once the application is submitted, the local trust committee or island municipality evaluates the proposed alterations and decides whether to approve or deny the issuance of the Heritage Alteration Permit. The local trust committee or island municipality may also choose to engage with Indigenous Governing Bodies or delegate the review authority to staff, who may work with an Indigenous Governing Body under a letter of understanding or protocol agreement for further review. The local trust committee or island municipality can also recommend to an applicant or property owner to take measures to mitigate impacts and/or require that applicants or property owners take mitigation measures as a condition of issuing a Heritage Alteration Permit.

The local trust committee or island municipality can deny the Heritage Alteration Permit if the proposed alterations are inconsistent with the heritage protection guidelines set out by the Heritage Conservation Area. However, local trust committee or island municipality cannot refuse to issue a Heritage Alteration Permit solely to prevent legitimate property development. If the permit is issued, a notice is registered with the Land Title Office, and if there is any conflict between the Heritage Alteration Permit and the Land Use Bylaw, the terms of the Heritage Alteration Permit will take precedence.

Should the property owner fail to comply with the conditions of the Heritage Alteration Permit, the local trust committee or island municipality has the authority to complete the necessary work to remedy the non-compliance, with the costs borne by the permit holder. In cases of serious contraventions, the local trust committee or island municipality may seek an order of compliance from the Supreme Court to enforce the permit conditions.



Contact

Regional Planning Team

Islands Trust

info@islandstrust.bc.ca

T 250.246.2063

BRIEFING

To: Executive Committee **For the Meeting of:** November 20, 2024

From: Trust Area Services **Date Prepared:** November 15, 2024

SUBJECT: Reconciliation Learning Group – next steps

PURPOSE:

Provide Executive Committee an update following the conclusion of the Culturally Committed, S I Y É Y Æ | Good Friend Dedicated Learning Circle attended by interested trustees and staff.

BACKGROUND:

Islands Trust [Reconciliation Declaration](#) commitment is to establish and maintain mutually respectful relationships between Indigenous and non-Indigenous peoples and strive to create opportunities for knowledge-sharing and understanding.

In March 2023, Trust Council passed the following resolution:

That a reconciliation learning group be initiated comprised of trustees who indicate interest; and that a learning plan be developed and implemented through monthly, virtual meetings.

In January 2024, Islands Trust signed a \$25,000 contract with Culturally Committed to deliver the following for 20 people by November 30, 2024:

- A self-paced, three-part Introduction to Indigenous Cultural Safety webinar
- Quarterly private learning environment for trustees and staff will to participate in relationship with three dedicated Coast Salish Culturally Committed mentors and a facilitator
- Monthly virtual workshops focused on topics related to Cultural Safety and Humility.

After staff put out a call to trustees, appointed Conservancy Board members, senior staff and staff directly supporting the reconciliation program, the following people joined the Reconciliation Learning Group:

Trustees	Appointed Board members	Staff
Sam Borthwick Mairead Boland Tobi Elliott Kristina Evans Sue Ellen Fast Dag Faulk Judith Gedye Lisa Gauvreau Mikaila Lironi Peter Luckham	Charles Kahn Risa Smith	Stefan Cermak Joe Elliott Lori Foster Clare Frater Renée Jamurat

Laura Patrick Tim Peterson		
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On October 26 2024, staff issued a survey to trustees to assess their experience and desire for additional learning. This is in addition to a survey issued directly by Culturally Committed. The survey was open until November 15, 2024. The results are attached.

- The proposed Reconciliation Action Plan budget for 2025/26 includes \$27,500 for training of staff and trustees. This is not anticipated to be sufficient 20 people to continue with the Culturally Committed programming in 2025/26 as delivered in 2024/25 due to increasing cost of the program.

With the end of the contract with Culturally Committed in November 2024, staff are seeking Executive Committee's feedback on proposed next steps:

1. Monthly Reconciliation Learning Group discussions until April 2025 with the Senior Indigenous Relations Advisor about:
 - identified topics of interest, and
 - options for next year.
2. Development of an internal Cultural Safety Learning Pathway.
 - The learning pathway would include the development and delivery of learning modules. The modules would include the learning of the historical context and provide a detailed overview of the history of First Nations peoples in the region, including pre-colonial history, the impact of colonization, treaties, and residential schools, etc. The participants would learn about cultural competency, cultural safety, and understanding of anti-Indigenous-racism to support creating respectful space when engaging with First Nations. The participants would do some self-reflection and explore scenarios and options to facilitate respectful engagements that create safe space for Indigenous people.
 - Islands Trust may need to contract a consultant/facilitator to work with the Senior Indigenous Relations Advisor to develop this program that would be delivered face-to-face and virtual delivery. The goal would be to deliver three-cohorts, one for administration staff, one for land planners/Conservancy staff, and one for trustees. Each program will have similar learning outcome with content and learning customized for each group.
3. Request for Decision to Trust Council in March 2025 about Reconciliation Learning Group next steps that aligns with a draft 2025-2028 Reconciliation Action Plan (draft anticipated to be ready for initial review by March 2025).

ATTACHMENT(S):

1. Results of survey of Reconciliation Learning Group members, October/November 2024

FOLLOW-UP: Unless directed otherwise staff will e-mail Reconciliation Learning Group members to propose monthly discussions with the Senior Indigenous Relations Advisor about identified topics of interest, and about options for next year. Staff will also develop a developed Request for Decision to Trust Council in March 2025 that aligns with a draft 2025-2028 Reconciliation Action Plan.

Prepared By: Senior Indigenous Relations Specialist

Reviewed By/Date: Director, Trust Area Services

ISLANDS TRUST CULTURALLY COMMITTED IN-HOUSE SURVEY

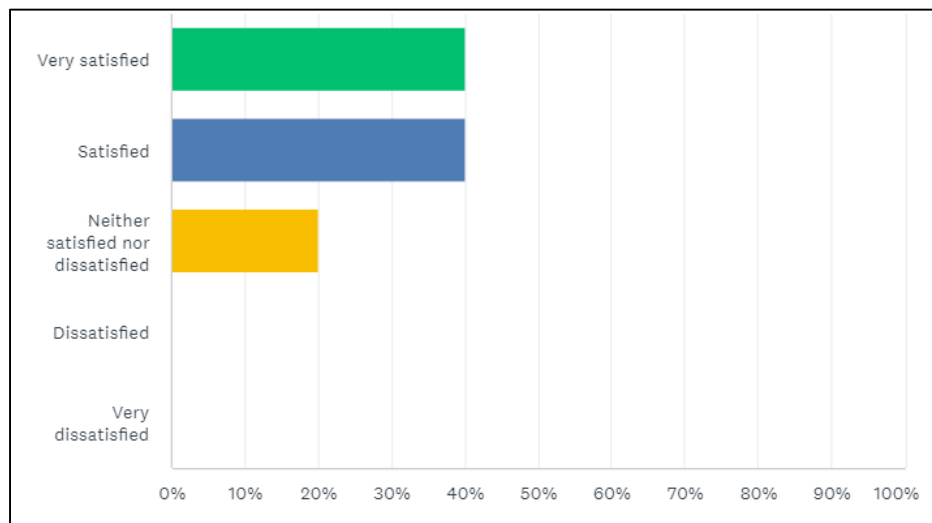
Of the 20 Reconciliation Learning Group participants, five responded to the in-house survey issued October 26 to November 15, 2024. This was in addition to a survey issued by Culturally Committed.

Comments

- I'm so glad I took part in this, just wish I didn't have so many conflicts with the schedule.
- I didn't think this course was particularly relevant to the work of the Islands Trust. Culturally Committed is geared to medical/dental practitioners to help them relate better to the Indigenous clients they serve. This is very specific and unrelated to the Islands Trust.
- Every opportunity to listen and learn is important on a journey of Reconciliation. I truly appreciate the quality and breadth of speakers you bring and the generosity and commitment of the mentors.

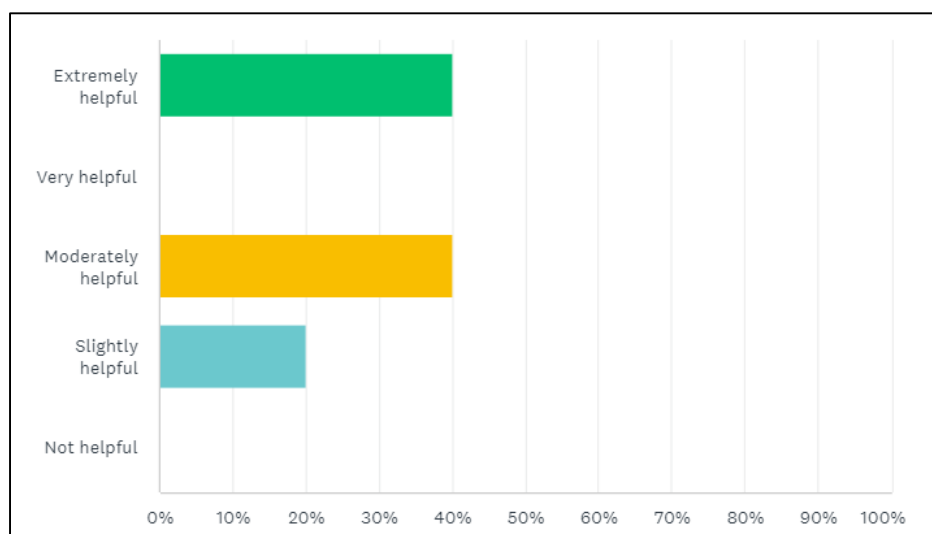
Overall Satisfaction

How satisfied are you with the "Culturally Committed" learning journey?



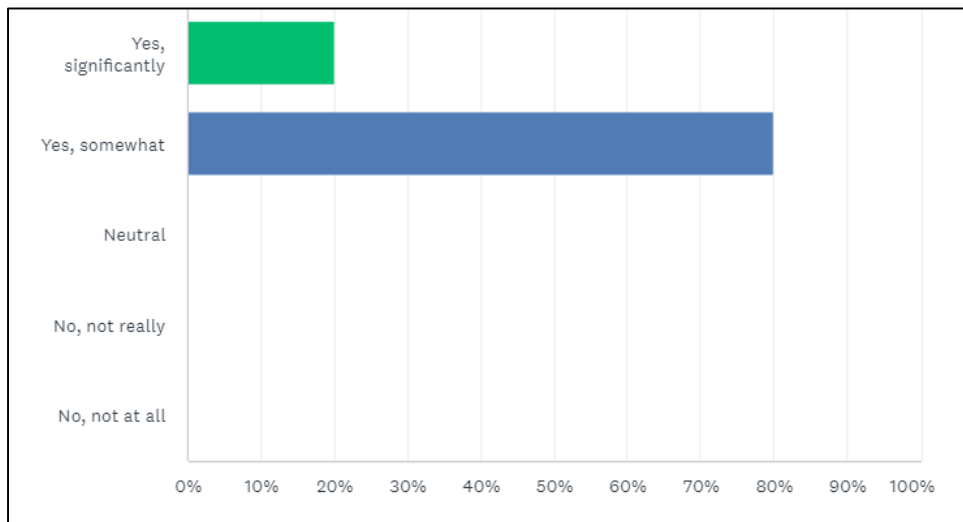
Workshop Topics

How relevant and helpful were the workshop topics in guiding your understanding of culturally safe practices and relationship-building with First Nations?



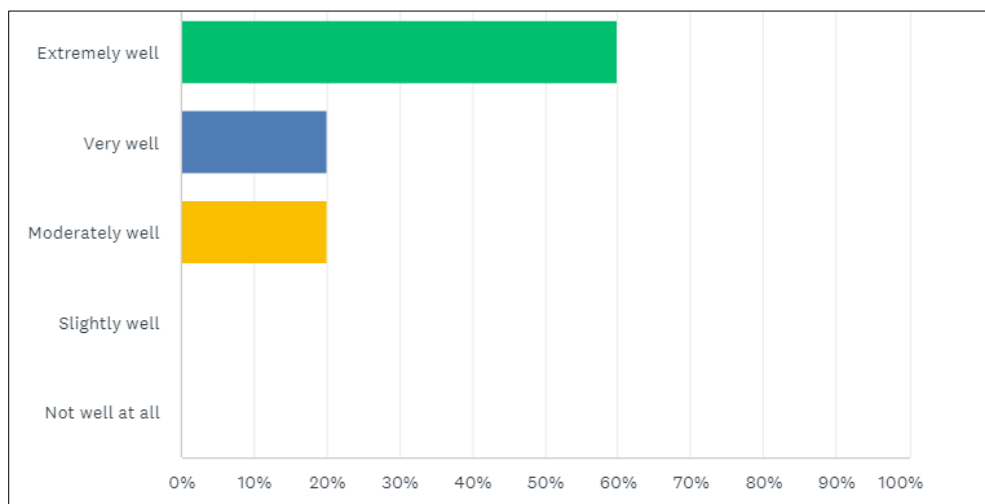
Relationship Building

Do you feel the training has or will help you in building more respectful and meaningful relationships with Indigenous mentors and First Nations' leaders?



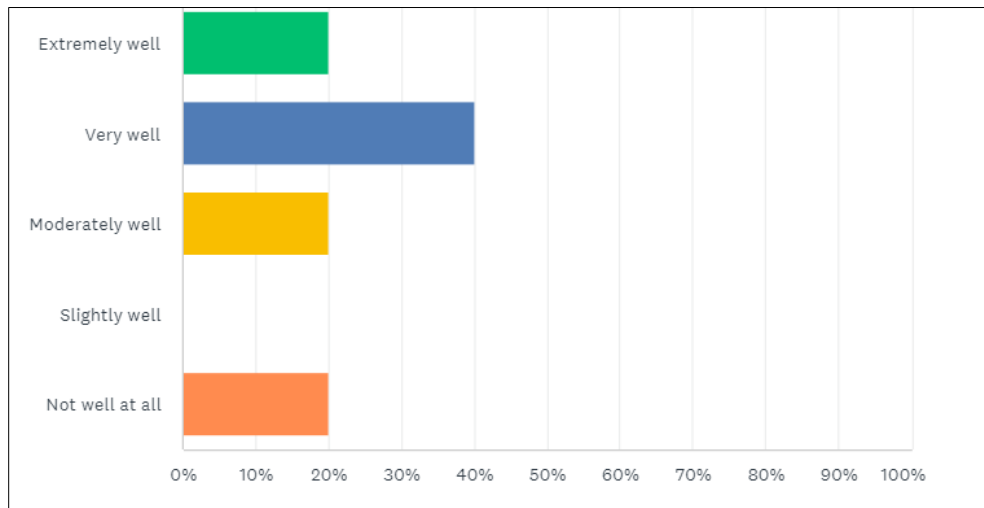
Facilitation of Conversation

How well did the learning journey deepen your learning about engaging respectfully with Indigenous cultural safety and humility in mind?



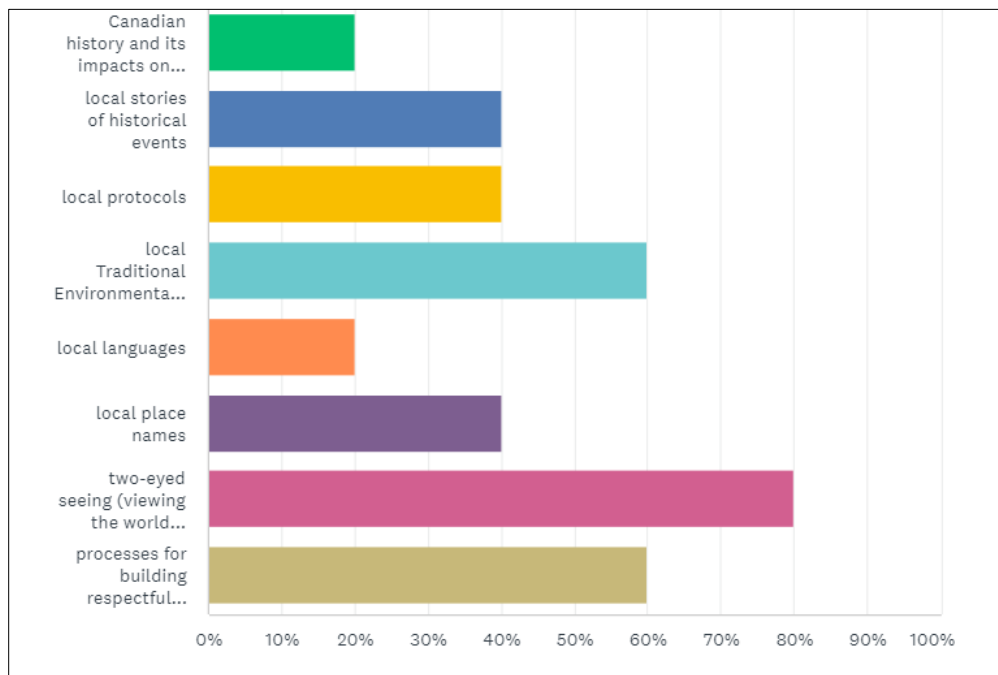
Facilitation of Conversation

Do you feel the learning enhanced your ability to be an effective Islands Trust trustee?



Future Learning Opportunities

What learning opportunities would you be interested in in the future? A few options are offered below but we encourage you to provide additional suggestions:



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** November 20, 2024
From: Planning Services **Date Prepared:** November 13, 2024
SUBJECT: Approval to Submit a Grant Application to the Watershed Security Fund

RECOMMENDATION:

That the Executive Committee confirm that Islands Trust Council Committees have the authority to approve staff's preparation and submission of grant applications associated with Trust Council initiatives, taking into consideration the factors listed in Trust Council's *Policy 6.5.4 Grants and Donations Administration*.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The recommendation by staff reflects what has been approved in Trust Council's policy on grants administration.

PURPOSE:

To confirm the Regional Planning Committee's authority to support staff to proceed with a grant application.

BACKGROUND: On November 13, 2024, the Regional Planning Committee carried the following motion via resolution-without-meeting (RWM):

RPC RWM 2024-01

THAT Regional Planning Committee refer the following resolution, RPC 2024-024, to the Executive Committee for confirmation of the committee's authority to approve staff to proceed with a significant grant application.

RPC 2024-024

that Regional Planning Committee approve staff proceeding with a grant application up to \$500,000, over two years, from the Watershed Security Fund, to implement key initiatives under the Islands Trust Freshwater Sustainability Strategy, including staffing, consulting, and technical resources to undertake the following projects and initiatives:

- 1. Islands Trust Area Freshwater Footprint,*
- 2. Islands Trust Area Watershed Resiliency Mapping,*
- 3. Freshwater Sustainability Regulatory and Policy Audit,*
- 4. Freshwater Helpdesk,*
- 5. Islands Trust Freshwater Atlas*
- 6. Freshwater Sustainability Technical Advisory Committee, and*
- 7. Watershed governance.*

The RWM was initiated by the Chair of RPC who expressed concern, after conclusion of RPCs regular business meeting November 4, 2024, that resolution RPC 2024-024 was carried without authority.

Staff drafted the recommend resolution (RPC2024-024) as per [Trust Council's Policy 6.5.4 Grants and Donations Administration](#). This policy states:

2.26 "Committees must pass a resolution to proceed with committee-initiated grant applications before seeking staff support for grant applications, taking into consideration the factors listed in this policy."

Staff interpret the policy to be that RPC is authorized to initiate grant applications. The policy states Executive Committee approval is only required for staff-initiated projects, which this is not. The Freshwater Sustainability Strategy is a long-standing strategy of Trust Council who has delegated work on this project to RPC.

The Request for Decision considered by the RPC regarding the Watershed Security Strategy Grant Application for Implementation of the Islands Trust Freshwater Sustainability Strategy is attached for further information.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Reconfirm that committee's may initiate grant fund applications as per Policy 6.5.4

FINANCIAL: Potential sources of revenue.

POLICY: None. The policy will stand as written if EC confirms the authority.

IMPLEMENTATION/COMMUNICATIONS: Staff will draft a briefing with EC's resolution for the next RPC regular business meeting. Pending Executive Committee discussion, staff will proceed with the grants application as requested by RPC.

FIRST NATIONS: None.

OTHER: None.

RELEVANT POLICY(S): [Trust Council's Policy 6.5.4 Grants and Donations Administration](#)

ATTACHMENT(S): 1. RFD to RPC: Watershed Security Strategy Grant Application for Implementation of the Islands Trust Freshwater Sustainability Strategy dated October 31, 2024

RESPONSE OPTIONS

Recommendation:

That the Executive Committee confirm that Islands Trust Council Committees have the authority to approve staff's preparation and submission of grant applications associated with Trust Council initiatives, taking into consideration the factors listed in Trust Council's *Policy 6.5.4 Grants and Donations Administration*.

Alternative: That the Executive Committee seek further information [identify information]. Note that if the Executive Committee is unable to make decision of how to interpret Policy 6.5.4 that the current opportunity to apply for funding will pass.

Prepared By: Director, Planning Services
Reviewed By/Date: ICAO/Nov 15

Late Correspondence for the Executive Committee meeting of November 20, 2024

RECEIVED ON:

2024-11-18

1. Trustee Middleton- Request for additions to Trust Council December Agenda

RECEIVED ON:

Correspondence related to agenda item 7.1:

2024-11-17

1. J Margison - Letter for Nov. 20 EC Mtg re- Galiano Bylaw 282

2024-11-18

2. A Forget - Galiano By Law 283

2024-11-18

3. J Bartley - Protest Bylaw 283 Executive Committee for Approval

2024-11-18

4. M Czuma - re- bylaw 283

2024-11-18

5. S Webster - Letter of concern.Galiano Island bylaw 283

2024-11-19

6. A Moses - Galiano LTC proposed bylaw 283

2024-11-19

7. B Hotte - Protesting Bylaw 283 Galiano Local Trust Committee November 8, 2024

2024-11-19

8. D Arber - NB Islands Trust Executive Committee

2024-11-19

9. D Holmes - Proposed Galiano Local Trust Committee Bylaws # 283 284

2024-11-19

10. G Gaylor - Galiano Bylaws 283 and 284

2024-11-19

11. J Buttery - Bylaw 283 Bylaw 284

2024-11-19

12. J Webster - Letter of concern..Galiano Island bylaw 283



Islands Trust Council
200 – 1627 Fort St
Victoria BC V8R 1H8

October 31, 2024

VIA E-MAIL: execadmin@islandstrust.bc.ca

Dear Chair Luckham and Trustees,

Re: Policy Statement Amendment Project

Thank you for the opportunity to comment on Phase 4 community engagement about the new draft Islands Trust Policy Statement.

I'm writing to inform you that Bowen Island Municipal Council adopted the following resolution at its meeting on October 28, 2024.

RES#24-479 Whereas Trust Council's letter dated October 16, 2024 advised the Province of the conclusion that "without systemic change the Islands Trust cannot meet the challenges of [its] time";

Whereas Trust Council has requested the Province review the governance model of the Trust; the object and mandate of the Trust; decision making structures with respect to DRIPA; the geographic scope and marine authority of the Trust; and the funding of the Trust;

Whereas the Islands Trust Council has formulated no public strategic plan for the 2022-2026 term;

And whereas the Islands Trust has not meaningfully engaged with Bowen Island Municipality, in the spirit of its protocol agreement, on the Islands Trust Policy Statement or its request for comprehensive governance review to the Province;

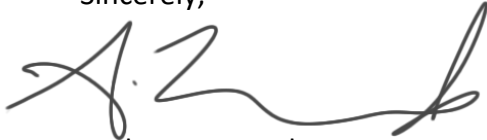
BE IT RESOLVED that Bowen Island Municipality does not support any direction of resources to engagement on the Islands Trust Policy Statement until these issues are resolved; and

That a letter be sent to the Islands Trust Council notifying them of this resolution, and that a copy be sent to each Islands Trust Trustee.

CARRIED UNANIMOUSLY

I look forward to more meaningful engagement with the Islands Trust that will support our mutual interests in preserving and protecting Bowen Island.

Sincerely,

A handwritten signature in black ink, appearing to read 'A. Leonard', with a stylized flourish at the end.

Andrew Leonard
Mayor

cc. Peter Luckham pluckham@islandstrust.bc.ca
Aaron Campbell acampbell@islandstrust.bc.ca
Alex Allen aallen@islandstrust.bc.ca
Ben Mabberley bmabberley@islandstrust.bc.ca
Dag Falck dfalck@islandstrust.bc.ca
David Graham dagraham@islandstrust.bc.ca
David Maude dmaude@islandstrust.bc.ca
Deb Morrison <dmorrison@islandstrust.bc.ca>
Grant Scott gscott@islandstrust.bc.ca
Jamie Harris jharris@islandstrust.bc.ca
Jeanine Dodds jdodds@islandstrust.bc.ca
Joe Bernardo jbernardo@islandstrust.bc.ca
Judith Gedye jgedye@islandstrust.bc.ca
Kate-Louise Stamford kstamford@islandstrust.bc.ca
Ken Hunter kehunter@islandstrust.bc.ca
Kristina Evans kevans@islandstrust.bc.ca
Laura Patrick lpatrick@islandstrust.bc.ca
Lee Middleton lmiddleton@islandstrust.bc.ca
Lisa Gauvreau lgauvreau@islandstrust.bc.ca
Mairead Boland mboland@islandstrust.bc.ca
Mikaila Lironi mlironi@islandstrust.bc.ca
Sam Borthwick sborthwick@islandstrust.bc.ca
Sue Ellen Fast sfast@islandstrust.bc.ca
Susan Yates syates@islandstrust.bc.ca
Timothy Peterson tpeterson@islandstrust.bc.ca
Tobi Elliott telliott@islandstrust.bc.ca
Julia Mobbs, Interim Chief Administrative Officer jmobbs@islandstrust.bc.ca

From: angelo scaia <[REDACTED]>
Sent: Saturday, November 2, 2024 8:28 AM
To: EC
Subject: Downtown saltspring space

Dear trustees.

I heard that the Islands Trust is taking over the space where Apple photo was. I was wondering if this true? I'm not sure where I should voice my disappointment about this but I feel that prime retail space in Ganges would be more appropriately occupied by a local business.

There is little options for small businesses as is, and I know of many business owners who would have jumped on that space if they had the chance, myself included. I don't see any reason why a governing body should occupy one of the few large and prime retail spaces in Ganges.

What are your thoughts on this and is there a chance that Islands Trust will not take the space? I and many others feel that this space should be occupied by a local small business and if it's at all possible, Islands Trust should facilitate this and find another space. It truly takes away some of the character and potential for the downtown core. Office space can be anywhere, only those who work there will be using the space, whereas small business owners only have so my options on this Island to provide easily accessible locations for thousands of people in the community.

I and many others strongly oppose this and would love to speak more with you on this matter.

Thank you for your time.

Angelo Scaia

Axe & Reel
Outdoor Emporium

[REDACTED]
[REDACTED]

Saltspring Island B.C
V8K 2V5

From: Stewart Brands <[REDACTED]>
Sent: Monday, November 4, 2024 11:21 AM
To: Executive Admin
Subject: Islands' Trust Act and Protective Covenants

Hello Executive people and whomever it may interest,

In my learned view of the Trust region I have some thoughts which could be transfigured into directives regarding the Trust Act wording and Conservation in general within the region.

I wrote learned because I have lived almost every day on Galiano Island for 52 years within the rainforest habitats as a naturalist with a not insignificant Degree in Science from the University of Western Ontario.

I witnessed the creation of the Islands' Trust and the initial conditions that caused it. Those initial conditions were the increasing pressures from outside the archipelago to accelerate development and associated razing of the rare, mostly mature, ecosystem habitats of each island.

I have seen how the Trust planning has facilitated an exponential increase in the downsizing of lots and approvals for building permits along with the dozens upon dozens of amendments and variances to Official Community Plans.

One would have to assume these are the Trust's response to the ever-present and growing pressures to raze the forests and overtake the natural habitats for replacement with homes and gardens.

The Trust was created to moderate and in many cases stop this progression of pressure to destroy natural habitat including areas that do not have rare species. The synergies of the total habitat on each Island are rare to the Planet as a whole. This understanding created the Trust. It was not from the will to protect one small area of one endangered species but the whole rare forest system of each island.

In this fundamental acted upon initiative of conservation makes the Conservancy the mind and heart of the Islands' Trust. The Planning budget ought to be made available to any initiative the Trust Conservancy identifies as being in the context and in harmony with the purpose of Preserving and Protecting natural habitats in any state of degradation or climactic condition.

Change number 1:

For this reason, I maintain that the Protective Covenants should be made free of any cost to any landowner who wishes to establish one in the Gulf Island region. That would include surveyor costs for the conserved land as well.

Development and lot downsizing schemes, some with the return of millions of dollars to the land's owner, have full free use of Trust planning budgets to facilitate their realization.

Conservation Protective Covenants do not have full assistance from the Trust budget with the excuse that the landowner "gains" in reduced land taxes. There is and should be no reason to impede the conservation in perpetuity of any natural habitat on the Gulf Islands. This is entirely in harmony with the meaning and initial conditions of the Act.

There are costs to conserving and protecting natural Gulf Island habitats and the tax savings for a land owner is an appropriate and not too great an incentive to preserve their land for the well being of all the natural habitats both conserved and not.

Change number 2:

That the word amenities be removed from the wording of the Act entirely and replaced with the words "natural intrinsic and primary habitats".

These are what need protecting and what the Trust was created for. The Object of the Trust must contain reference to the natural habitats in this way to make the Act distinct from other regional locations. The natural habitats are the subjects of the verbs to Protect and to Preserve.

"Amenities" is a vague word that is unfit for defining a Statute Law. The word has a vague meaning. Statute Laws require clear and concise word meaning resembling scientific nomenclature.

If people in the Executive, who are concerned with the wording of the Islands' Trust Act, need a definition of the word "amenities" then it can simply be found in a dictionary. Writing a letter on our behalf to all levels of the Provincial Government for a definition of that vague word is not relevant to the process of clarifying the wording of the Islands' Trust Act. The intent of the Act is to facilitate protection of rare world class natural habitats on well -defined islands.

Natural habitats are described in scientific terms with scientific nomenclature. They are not "amenities" nor does the word "amenity" have a sufficiently distinct a meaning to use in the Islands' Trust Act because its meaning is based on peoples' emotional perceptions.

Change number 3:

The Trust is worded The Islands Trust. This is grammatically incorrect. It should be changed to the Islands' Trust. This indicates that the Trust is shared and owned (plurally) by all of the islands indicated by the high comma after the "s" of Islands. That indicates a collective possession which is the reality. The words Islands Trust convey nothing but islands and trust in a juxtaposition role only. Grammatically there is no connection between the two words as they are presently written.

It should be "Islands' Trust" to be accurate and correct in meaning.

These are three changes that would harmonize the Islands' Trust Act with the initial conditions of the Trust's function ,purpose and creation.

Let me know what you think and keep well,Stewart Brands.

From: Sandy Pottle <[REDACTED]>
Sent: Monday, November 18, 2024 8:30 AM
To: Executive Admin
Subject: Galiano Island proposed bylaw 283, the bylaw of concern due to exemption (p),
Attachments: jenine georgeson .docx

Dear Executive Committee

Please return Galiano Bylaw 283 to the LTC with direction for further consideration of exemption (p).

I believe that the Executive Committee has a responsibility to direct the LTC give further consideration of the bylaw with reference to the legal opinion of Young Anderson.

I am aware that this OCP amendment will have to be approved by the Province but do not feel the islands Trust Executive should shirk it's responsibility to make informed decisions that affect the preserve and protect mandate.

I am forwarding you a copy of a delegation presented at a Galiano Island LTC meeting by a member of Galiano Island Community. Jenine Georgeson is First Nations. She raises very relevant points on this matter. I hope you will find them helpful in your deliberations.

Yours sincerely

Sandy Pottle
[REDACTED]

Galiano island BC
V0N1P0

Hello,

My name is Jeannine Georgeson. On the non-Indigenous side of my family, I am a 6th generation resident of Galiano, mother and grandmother to the 7th and 8th. On my Indigenous side, it goes back many generations – your guess is as good as mine as to how many it could be.

I stand here today as an Indigenous woman and hopefully, one day a matriarch. It has been brought to my attention that one of our Trustees has brought forward a Notice of Motion to replace Standing Resolution 2019-053. In lines: c, d, and e, the Trustee suggests the changes to include “and organizations”. This would be a disservice to the Indigenous community members that come from families who have been residents of these communities for generations but are not affiliated with these Indigenous organizations and due to the oppression and division of the Indian Act efforts to erase our Indigeneity, we are not a part of or represented by Indigenous governing agencies. I propose our Trustees consider replacing the proposed “and organizations” with Knowledge Holders in an effort to be inclusive of all Indigenous community members with a proven historical connection to these lands and waters.

In this same motion, the Trustee proposed the addition of the line “Direct staff to not take enforcement action against any Indigenous Peoples in regards to their traditional and Inherent Rights.” I am curious what the parameters of Traditional and Inherent rights would be in the context of this proposed addition. Would this include mining if an Indigenous person holds the mining rights title, development in a watershed, or logging of our forests? I believe this motion to include this line is disguised to serve a small portion of Indigenous community members and is not put in as an effort to preserve our lands and waters for our future generations. Indigenous people deserve the right to learn and practice their cultural and inherent rights but these to be in line with the long-standing laws, practices, and protocols of Indigenous people since time immemorial and not dictated by individuals or organizations.

I was a part of the Freshwater Sustainability strategy in 2021 as an Indigenous Knowledge Holder with other Knowledge Holders from throughout the Islands Trust region. With the support and guidance of Planner Chadwick and Lisa Wilcox through the lengthy and thorough process, they provided us with the space to have our voices heard regarding our connections to water, land, the cultural practices and teachings that have been a part of who we are as Indigenous people for generations. We all had time to review, consider, provide input, request edits, and approve the draft document that was created in collaboration with other agencies.

In Bylaw 283, it has been suggested by a Trustee that “Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage” be exempt from any requirement for a development permit. I ask you, who would stand to gain from this motion?? Any Indigenous person taking action to preserve our land, waters, and culture for future generations would not favour including this motion! Water, fresh and salt, is sacred to our people for many reasons and proposing that Indigenous people be exempt from requiring a permit to develop on one of our most sacred resources is baffling to me! You have to be living under a rock to not see the impacts colonization, development, and human activities are having on our waters both fresh and salt and the fight we are having to protect these resources.

Why would developing on or in the area of one of our most sacred resources be something an Indigenous person would want to proceed with? Indigenous people and allies all over the world are fighting to protect this natural resource and it's being suggested in this document to exempt Indigenous people from requiring a permit so they can proceed for their own selfish reasons and not consider our future generations and what the impact of these actions would have. This proposed inclusion would not serve Indigenous peoples as a collective but only as individuals.

As for the term "federal Indigenous status", this is the Indian Act hard at work to create division and oppress Indigenous people further. Please look at myself and my family lineage and tell me I am not Indigenous because I do not have a status card and I do not carry the same rights as someone with a card. Please tell me I do not have a right to culture, language, or practice in my territory because I do not have a status card. The inclusion of the term "federal Indigenous status" continues to perpetuate the oppression and erasure of Indigenous people through the Indian Act and it would be detrimental to our Indigenous brothers, sisters, and children if this is the narrative the Islands Trust wants to create for our people. Yes, I have something against the Indian Act and I would hope the Islands Trust would as well considering whose land you are on and what has been taken from our people for too long. I suggest keeping this term out of policies, procedures, and motions.

Sincerely,

Jeannine Georgeson
Galiano Island, BC

From: Jennifer Margison [REDACTED] >
Sent: Sunday, November 17, 2024 9:29 PM
To: Executive Admin
Subject: Letter for Nov. 20 EC Mtg re: Galiano Bylaw 282
Attachments: Letter of Concern re Galiano Bylaw 283.pdf; Legal Opinion on Bylaw 283 Exemption (p) copy.pdf

To the Islands Trust Executive Committee:

Please accept the following letter as correspondence regarding Agenda Item 7.1. of the November 20 Executive Committee meeting.

7.1 Galiano Island Local Trust Committee - Bylaw Nos. 283 and 284 - Request for Decision 25 - 67

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 283, cited as “Galiano Island Official Community Plan Bylaw 108, 1995, Amendment No. 1, 2022” in accordance with Section 27 of the Islands Trust Act.

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 284, cited as “Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2022” in accordance with Section 27 of the Islands Trust Act.

We ask that you not approve Bylaw 283 and return it to the Galiano Local Trust Committee based on the concerns in the attached letter and legal opinion.

Sincerely,

Carmita de Menyhart and Jorge Menyhart
Jennifer Margison and Jim Henshall
John Ronsley

Memorandum

TO: Kim Stockdill
FROM: Guy Patterson
DATE: September 27, 2023
RE: Summary of DP exemption opinion
FILE No.: 00002-0958

You asked for a summary of our previous advice on whether the following proposed development permit exemption (the "proposed exemption") would be valid:

Land owned by a person with federal Indigenous status living in their traditional territory with proof of family lineage.

We assumed the reference to land ownership meant ownership under the BC Torrens system for registration of title to land, and that a person's entitlement to the exemption would not be called into question. We reviewed possible arguments in support of and against the validity of the exemption, including under the provincial *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*, and concluded that it would likely be invalid, but severable.

The main reason we concluded it would likely be invalid was based on a theory that a local government's authority to specify exemptions under a development permit scheme, although not subject to any express limits or criteria in the statute, would be interpreted in light of the development permit scheme more generally. The scope of that scheme, in our view, is limited to regulation of land development activities, and therefore granting an exemption based on the identity of a landowner might be considered as falling outside the powers the legislature intended to grant to local governments.

Despite our conclusion that the exemption would most likely be invalid, we suggested two potential arguments in favour of it. First, section 8.1 of the *Interpretation Act* says all legislation must be construed as being consistent with UNDRIP. We thought there might be some support in UNDRIP for the proposed exemption, in which case it might be open to the LTC to interpret the *Local Government Act* as authorizing the proposed exemption. Second, the LTC and the Islands Trust both have strong policy statements favouring reconciliation, and the proposed exemption might be defended based on those kinds of policies.

WWW.YOUNGANDERSON.CA

1616 - 808 Nelson Street, Box 12147 Nelson Square, Vancouver, BC V6Z 2H2 | tel. 604.689.7600 | fax. 604.689.3444 | toll free: 1.800.665.3540
201 - 1456 St. Paul Street, Kelowna, BC V1Y 2C6 | tel. 250.712.1130 | fax. 250.712.1180

November 17, 2024

To the Islands Trust Executive Committee,

We are writing to formally protest a recent bylaw decision made by the Galiano Local Trust Committee (LTC). On November 8, 2024, the LTC voted to forward Bylaw 283 to the Secretary of the Islands Trust for Executive Committee approval.

While we support the intent of the bylaw—which seeks to amend the Galiano Island Official Community Plan by replacing the current Galiano Elevated Groundwater Catchment DPA with Development Permit Area 4 (Groundwater Recharge Protection Area)—we have significant concerns regarding an exemption and a voting trustee's potential conflict of interest.

According to the March 14, 2023 Staff Report, "Mapping of recharge and water balance completed in 2021 for Galiano Island identifies that the island has a number of areas of critical concern with respect to groundwater vulnerability." The objectives of this Development Permit Area include:

- Protecting and sustaining access to a reliable and safe water supply for groundwater wells.
- Preserving the quality and supply of surface and groundwater necessary to support ecological services.
- Mitigating the impacts of development and climate change on groundwater supplies.

Bylaw 283 represents the first concrete action stemming from the extensive studies and significant funds invested in the Groundwater Sustainability Project. It aligns with the Trust Policy Statement 4.2.2, which asserts that:

- Neither the density nor intensity of land use should increase in areas with known issues related to the quality or quantity of freshwater.
- The quality and quantity of drinking water sources for current and future Trust Area residents must be preserved and protected.
- The overall health of watersheds and groundwater in the Islands Trust Area must be safeguarded.

However, this bylaw's impact is severely undermined by an extensive list of exemptions. These include lands under PMFL designation, parks, and lands subject to conservation covenants, which collectively diminish the bylaw's intended protections.

While some exemptions are unavoidable—for instance, federal and provincial parks are not subject to local government regulation—our concern lies with an additional exemption (p), introduced by the LTC despite clear opposition from community members and a legal opinion (attached) indicating its likely invalidity. **Exemption (p) reads:**

"Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage."

We respectfully request that the Executive Committee reject Bylaw 283 as long as exemption (p) remains included. This exemption sets a concerning and complex precedent by granting an exemption based on the identity of the landowner rather than land use.

During the September Quarterly Trust Council meeting, discussions about the draft Trust Policy Statement (TPS) and First Nations land jurisdiction clarified this matter. The Acting CAO, Julia Mobbs, emphasized that *"Indigenous rights are collective rights and that fee simple land is indeed subject to your bylaws."* Similarly, the Director of Legislative and Information Services, David Marlor highlighted the principle of equal treatment for fee simple landowners, stating: *"It's not the person; it's the land use and the process."* We find that Bylaw 283 with exemption (p) included is not consistent with these fundamental principles of land use bylaws as far as the Islands Trust is concerned.

We have additional concerns regarding the inadequate information provided during the Community Information Meeting (CIM) and Public Hearing for Bylaws 283 and 284. This lack of transparency has left significant questions unanswered, including:

- How many lots will this exemption impact?
- What will the process be for determining a landowner's eligibility under exemption (p), and who will make these decisions?
- What are the implications for neighboring landowners if one is exempted due to Indigenous status but engages in activities—such as logging—that negatively affect adjacent properties?
- How will eligibility for this exemption be determined in cases where corporations or shareholder groups own land?
- If this exemption is allowed, what precedent will it set for other bylaws across the Islands Trust area, potentially leading to further conflicts within our communities?

The way exemption (p) is written is very problematic.

- The exemption reads as including not only a local First Nations resident but also an owner of a lot who has federal indigenous status BUT could actually reside elsewhere **so long as they reside on their traditional lands in those areas**. That person then owning a lot on Galiano, would qualify for exemption (p) despite the fact that Galiano is not their "traditional territory" and whether or not they actually reside on the lot.
- We don't understand the intent of "with proof of Indigenous family lineage". This becomes an additional criterion to having "federal Indigenous status". Having federal status is in fact proof of lineage, as we understand it. Exemption (p) seems to say that "having status with proof of lineage" implies someone can have status without proof of indigenous family lineage".

Further, we question whether the originator of the inclusion of exemption (p), Galiano Trustee Mabberey, will benefit personally from exemption (p) or whether his family and friends, the people he has publicly stated he is working for will benefit from exemption (p). He has a sign posted at the entrance to his property that states: "GOOD FAITH NOTICE This land is occupied by the Coast Salish Peoples of Galiano island, a Sovereign Nation. DONOT ENTER WITHOUT PRIOR CONSENT Pursuant to Sec. 35 of the Constitution Act 1982 HYCH'KA

LELUM SAR AUGH TA NAOGH". We are unsure what this means and of the implications for the application of this bylaw

While we fully support the Trust's commitment to reconciliation and a stronger role for First Nations in Trust area matters, the potential result for the Islands Trust of approving Bylaw 283 with clause "p" included, is to create a serious controversy and division among the residents of the Islands Trust area, as well a potential legal challenge. This is not a thoughtful or even meaningful Trust movement towards reconciliation. It is surprising that the Galiano LTC went ahead approving Bylaw 283 even after receiving legal counsel informing them that the exemption would likely be invalid. It seems that the Galiano LTC is saying that they don't care about legal opinions unless the opinion supports their view, and they don't care about the possible legal expenses to be borne by the residents of the islands under the mandate of the Islands Trust in case of a legal challenge to Bylaw 283.

The protection of critical groundwater recharge areas is far too important to allow this bylaw to proceed as written. Exemption (p) cannot be framed as reconciliation—it disadvantages all landowners, including Indigenous landowners, and undermines the fundamental purpose of the Groundwater Implementation OCP and LUB Amendments in Bylaws 283 and 284: "to protect the ability of aquifers to provide sustainable water resources to the ecosystems and communities of Galiano Island" (June 2, 2022 memo).

Furthermore, the September 27, 2022 Staff Report introducing these bylaws stated that the proposed DPA, "which is likely to lead to the retention of trees and forest coverage that may otherwise be removed, has the potential to increase support for the ecological integrity of the island. The health of the ecosystem is critical to the sustainability of groundwater resources."

In light of these concerns, we respectfully urge the Islands Trust Executive Committee to return Bylaw 283 to the Galiano Local Trust Committee for revision. The bylaw, as it stands, is inconsistent with the fair and equitable application of regulations, the Trust Policy Statement's Directive 4.2.2, and the stated objectives of the Groundwater Sustainability Project and the Young Anderson legal opinion.

Sincerely,

Carmita de Menyhart, [REDACTED] Galiano

Jennifer Margison and Jim Henshall, [REDACTED] Galiano

John Ronsley, [REDACTED] Galiano

From: Lee Middleton
Sent: Monday, November 18, 2024 11:41 AM
To: Timothy Peterson; David Maude; Tobi Elliott; Peter Luckham
Cc: Joe Bernardo
Subject: Request for additions to Trust Council December agenda

Hi All:

I don't have the EC e-mail but please consider this official correspondence to the Committee.

I have had separate communication with several of you and I am satisfied that you did not purposefully set out recently, in publicly lamenting lack of decorum and a situation where staff and Trustees are fearing an unsafe environment, to cast the behaviour of all Trustees in a negative light directly to the media - but we must recognize that is what has happened.

I know that several Trustees who have served diligently for multiple terms trying to do their best at Council feel extremely slighted to be painted with the brush of bully and tyrant incapable of adult conversation. Again - I know you didn't intend for this outcome - but this is what has happened.

I endorse Trustee Bernardo's request that two items be added to December's Council meeting because they are of the utmost urgency in resolving this very public and messy situation and if other business needs to be deferred I'm sure you are all capable of navigating that difficult choice.

The items I request be added are:

1. In camera session to understand what has happened here and make a plan for moving forward - why is our current seemingly entirely sensible code of conduct violation policy not being used?
2. Session to review the Governance reform recommendations for all the reasons Joe quotes in his letter to Trustees and to address the lack of decision making tools available to support us at Trust Council that was identified by the Governance Consultants (and others before them) three years ago. We are trapped in a cycle of keeping doing the same thing and expecting different results - hence the feelings of frustration, insecurity and indeed anger that we see exhibited. Based on what I have read in the media about EC's concerns here in terms of decorum I should think you would be very eager to have this session on the agenda.

Thank you for considering my request.

Best regards,

Lee

From: Allan Forget [REDACTED]
Sent: Monday, November 18, 2024 9:28 AM
To: Executive Admin
Subject: Galiano By Law 283
Attachments: Letter of Concern re Galiano Bylaw 283.pdf

This is to notify you that I support the attached Letter concerning Galiano By Law 283.

Thank you.

Allan Forget
[REDACTED].

November 17, 2024

To the Islands Trust Executive Committee,

We are writing to formally protest a recent bylaw decision made by the Galiano Local Trust Committee (LTC). On November 8, 2024, the LTC voted to forward Bylaw 283 to the Secretary of the Islands Trust for Executive Committee approval.

While we support the intent of the bylaw—which seeks to amend the Galiano Island Official Community Plan by replacing the current Galiano Elevated Groundwater Catchment DPA with Development Permit Area 4 (Groundwater Recharge Protection Area)—we have significant concerns regarding an exemption and a voting trustee's potential conflict of interest.

According to the March 14, 2023 Staff Report, "Mapping of recharge and water balance completed in 2021 for Galiano Island identifies that the island has a number of areas of critical concern with respect to groundwater vulnerability." The objectives of this Development Permit Area include:

- Protecting and sustaining access to a reliable and safe water supply for groundwater wells.
- Preserving the quality and supply of surface and groundwater necessary to support ecological services.
- Mitigating the impacts of development and climate change on groundwater supplies.

Bylaw 283 represents the first concrete action stemming from the extensive studies and significant funds invested in the Groundwater Sustainability Project. It aligns with the Trust Policy Statement 4.2.2, which asserts that:

- Neither the density nor intensity of land use should increase in areas with known issues related to the quality or quantity of freshwater.
- The quality and quantity of drinking water sources for current and future Trust Area residents must be preserved and protected.
- The overall health of watersheds and groundwater in the Islands Trust Area must be safeguarded.

However, this bylaw's impact is severely undermined by an extensive list of exemptions. These include lands under PMFL designation, parks, and lands subject to conservation covenants, which collectively diminish the bylaw's intended protections.

While some exemptions are unavoidable—for instance, federal and provincial parks are not subject to local government regulation—our concern lies with an additional exemption (p), introduced by the LTC despite clear opposition from community members and a legal opinion (attached) indicating its likely invalidity. **Exemption (p) reads:**

"Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage."

We respectfully request that the Executive Committee reject Bylaw 283 as long as exemption (p) remains included. This exemption sets a concerning and complex precedent by granting an exemption based on the identity of the landowner rather than land use.

During the September Quarterly Trust Council meeting, discussions about the draft Trust Policy Statement (TPS) and First Nations land jurisdiction clarified this matter. The Acting CAO, Julia Mobbs, emphasized that *"Indigenous rights are collective rights and that fee simple land is indeed subject to your bylaws."* Similarly, the Director of Legislative and Information Services, David Marlor highlighted the principle of equal treatment for fee simple landowners, stating: *"It's not the person; it's the land use and the process."* We find that Bylaw 283 with exemption (p) included is not consistent with these fundamental principles of land use bylaws as far as the Islands Trust is concerned.

We have additional concerns regarding the inadequate information provided during the Community Information Meeting (CIM) and Public Hearing for Bylaws 283 and 284. This lack of transparency has left significant questions unanswered, including:

- How many lots will this exemption impact?
- What will the process be for determining a landowner's eligibility under exemption (p), and who will make these decisions?
- What are the implications for neighboring landowners if one is exempted due to Indigenous status but engages in activities—such as logging—that negatively affect adjacent properties?
- How will eligibility for this exemption be determined in cases where corporations or shareholder groups own land?
- If this exemption is allowed, what precedent will it set for other bylaws across the Islands Trust area, potentially leading to further conflicts within our communities?

The way exemption (p) is written is very problematic.

- The exemption reads as including not only a local First Nations resident but also an owner of a lot who has federal indigenous status BUT could actually reside elsewhere **so long as they reside on their traditional lands in those areas**. That person then owning a lot on Galiano, would qualify for exemption (p) despite the fact that Galiano is not their "traditional territory" and whether or not they actually reside on the lot.
- We don't understand the intent of "with proof of Indigenous family lineage". This becomes an additional criterion to having "federal Indigenous status". Having federal status is in fact proof of lineage, as we understand it. Exemption (p) seems to say that "having status with proof of lineage" implies someone can have status without proof of indigenous family lineage".

Further, we question whether the originator of the inclusion of exemption (p), Galiano Trustee Mabberey, will benefit personally from exemption (p) or whether his family and friends, the people he has publicly stated he is working for will benefit from exemption (p). He has a sign posted at the entrance to his property that states: "GOOD FAITH NOTICE This land is occupied by the Coast Salish Peoples of Galiano island, a Sovereign Nation. DONOT ENTER WITHOUT PRIOR CONSENT Pursuant to Sec. 35 of the Constitution Act 1982 HYCH'KA

LELUM SAR AUGH TA NAOGH". We are unsure what this means and of the implications for the application of this bylaw

While we fully support the Trust's commitment to reconciliation and a stronger role for First Nations in Trust area matters, the potential result for the Islands Trust of approving Bylaw 283 with clause "p" included, is to create a serious controversy and division among the residents of the Islands Trust area, as well a potential legal challenge. This is not a thoughtful or even meaningful Trust movement towards reconciliation. It is surprising that the Galiano LTC went ahead approving Bylaw 283 even after receiving legal counsel informing them that the exemption would likely be invalid. It seems that the Galiano LTC is saying that they don't care about legal opinions unless the opinion supports their view, and they don't care about the possible legal expenses to be borne by the residents of the islands under the mandate of the Islands Trust in case of a legal challenge to Bylaw 283.

The protection of critical groundwater recharge areas is far too important to allow this bylaw to proceed as written. Exemption (p) cannot be framed as reconciliation—it disadvantages all landowners, including Indigenous landowners, and undermines the fundamental purpose of the Groundwater Implementation OCP and LUB Amendments in Bylaws 283 and 284: "to protect the ability of aquifers to provide sustainable water resources to the ecosystems and communities of Galiano Island" (June 2, 2022 memo).

Furthermore, the September 27, 2022 Staff Report introducing these bylaws stated that the proposed DPA, "which is likely to lead to the retention of trees and forest coverage that may otherwise be removed, has the potential to increase support for the ecological integrity of the island. The health of the ecosystem is critical to the sustainability of groundwater resources."

In light of these concerns, we respectfully urge the Islands Trust Executive Committee to return Bylaw 283 to the Galiano Local Trust Committee for revision. The bylaw, as it stands, is inconsistent with the fair and equitable application of regulations, the Trust Policy Statement's Directive 4.2.2, and the stated objectives of the Groundwater Sustainability Project and the Young Anderson legal opinion.

Sincerely,

Carmita de Menyhart, [REDACTED] Galiano

Jennifer Margison and Jim Henshall, [REDACTED] Galiano

John Ronsley, [REDACTED] Galiano

From: Joan Bartley <[REDACTED]>
Sent: Monday, November 18, 2024 7:30 PM
To: Executive Admin
Subject: Protest Bylaw 283 Executive Committee for Approval

Attention: Islands Trust Executive Committee

It has been drawn to our attention of the pending proposal of bylaw 283 (p) by the Galiano Local Trust Committee for approval by the Secretary of the Islands Trust for approval.

Please add my name to the November 17, 2024 formal protest:

We ask that you not approve Bylaw 283 and return it to the Galiano Local Trust Committee for amendments based on the concerns in the attached letter and legal opinion.

Respectfully submitted,

Joan Bartley
[REDACTED]

Galiano Island, BC

The EC meeting, to consider proposed bylaw 283, the bylaw of concern due to exemption (p), is on Wednesday so there was not time to ask for additional signatures on the letter. If you agree with the concerns we have outlined in our letter, we ask that you email execadmin@islandstrust.bc.ca **as soon as possible before Wednesday** to express y

legal opinion



November 17, 2024
To the Islands Trust Executive Committee,

We are writing to formally protest a recent bylaw decision made by the Galiano Local Trust Committee (LTC). On November 8, 2024, the LTC voted to forward Bylaw 283 to the Secretary of the Islands Trust for Executive Committee approval.

...potential conflict of interest

...

--

Joan Bartley

[REDACTED]

Winnipeg, MB

[REDACTED]



Virus-free. www.avg.com

From: Marek Czuma <[REDACTED]>
Sent: Monday, November 18, 2024 9:23 AM
To: Executive Admin
Subject: re: bylaw 283
Attachments: Letter of Concern re Galiano Bylaw 283.pdf

This is to notify you that I support the attached letter.
Marek Czuma [REDACTED]

November 17, 2024

To the Islands Trust Executive Committee,

We are writing to formally protest a recent bylaw decision made by the Galiano Local Trust Committee (LTC). On November 8, 2024, the LTC voted to forward Bylaw 283 to the Secretary of the Islands Trust for Executive Committee approval.

While we support the intent of the bylaw—which seeks to amend the Galiano Island Official Community Plan by replacing the current Galiano Elevated Groundwater Catchment DPA with Development Permit Area 4 (Groundwater Recharge Protection Area)—we have significant concerns regarding an exemption and a voting trustee's potential conflict of interest.

According to the March 14, 2023 Staff Report, "Mapping of recharge and water balance completed in 2021 for Galiano Island identifies that the island has a number of areas of critical concern with respect to groundwater vulnerability." The objectives of this Development Permit Area include:

- Protecting and sustaining access to a reliable and safe water supply for groundwater wells.
- Preserving the quality and supply of surface and groundwater necessary to support ecological services.
- Mitigating the impacts of development and climate change on groundwater supplies.

Bylaw 283 represents the first concrete action stemming from the extensive studies and significant funds invested in the Groundwater Sustainability Project. It aligns with the Trust Policy Statement 4.2.2, which asserts that:

- Neither the density nor intensity of land use should increase in areas with known issues related to the quality or quantity of freshwater.
- The quality and quantity of drinking water sources for current and future Trust Area residents must be preserved and protected.
- The overall health of watersheds and groundwater in the Islands Trust Area must be safeguarded.

However, this bylaw's impact is severely undermined by an extensive list of exemptions. These include lands under PMFL designation, parks, and lands subject to conservation covenants, which collectively diminish the bylaw's intended protections.

While some exemptions are unavoidable—for instance, federal and provincial parks are not subject to local government regulation—our concern lies with an additional exemption (p), introduced by the LTC despite clear opposition from community members and a legal opinion (attached) indicating its likely invalidity. **Exemption (p) reads:**

"Land owned by a person with federal Indigenous status living in their traditional territory with proof of Indigenous family lineage."

We respectfully request that the Executive Committee reject Bylaw 283 as long as exemption (p) remains included. This exemption sets a concerning and complex precedent by granting an exemption based on the identity of the landowner rather than land use.

During the September Quarterly Trust Council meeting, discussions about the draft Trust Policy Statement (TPS) and First Nations land jurisdiction clarified this matter. The Acting CAO, Julia Mobbs, emphasized that *"Indigenous rights are collective rights and that fee simple land is indeed subject to your bylaws."* Similarly, the Director of Legislative and Information Services, David Marlor highlighted the principle of equal treatment for fee simple landowners, stating: *"It's not the person; it's the land use and the process."* We find that Bylaw 283 with exemption (p) included is not consistent with these fundamental principles of land use bylaws as far as the Islands Trust is concerned.

We have additional concerns regarding the inadequate information provided during the Community Information Meeting (CIM) and Public Hearing for Bylaws 283 and 284. This lack of transparency has left significant questions unanswered, including:

- How many lots will this exemption impact?
- What will the process be for determining a landowner's eligibility under exemption (p), and who will make these decisions?
- What are the implications for neighboring landowners if one is exempted due to Indigenous status but engages in activities—such as logging—that negatively affect adjacent properties?
- How will eligibility for this exemption be determined in cases where corporations or shareholder groups own land?
- If this exemption is allowed, what precedent will it set for other bylaws across the Islands Trust area, potentially leading to further conflicts within our communities?

The way exemption (p) is written is very problematic.

- The exemption reads as including not only a local First Nations resident but also an owner of a lot who has federal indigenous status BUT could actually reside elsewhere **so long as they reside on their traditional lands in those areas**. That person then owning a lot on Galiano, would qualify for exemption (p) despite the fact that Galiano is not their "traditional territory" and whether or not they actually reside on the lot.
- We don't understand the intent of "with proof of Indigenous family lineage". This becomes an additional criterion to having "federal Indigenous status". Having federal status is in fact proof of lineage, as we understand it. Exemption (p) seems to say that "having status with proof of lineage" implies someone can have status without proof of indigenous family lineage".

Further, we question whether the originator of the inclusion of exemption (p), Galiano Trustee Mabberey, will benefit personally from exemption (p) or whether his family and friends, the people he has publicly stated he is working for will benefit from exemption (p). He has a sign posted at the entrance to his property that states: "GOOD FAITH NOTICE This land is occupied by the Coast Salish Peoples of Galiano island, a Sovereign Nation. DONOT ENTER WITHOUT PRIOR CONSENT Pursuant to Sec. 35 of the Constitution Act 1982 HYCH'KA

LELUM SAR AUGH TA NAOGH". We are unsure what this means and of the implications for the application of this bylaw

While we fully support the Trust's commitment to reconciliation and a stronger role for First Nations in Trust area matters, the potential result for the Islands Trust of approving Bylaw 283 with clause "p" included, is to create a serious controversy and division among the residents of the Islands Trust area, as well a potential legal challenge. This is not a thoughtful or even meaningful Trust movement towards reconciliation. It is surprising that the Galiano LTC went ahead approving Bylaw 283 even after receiving legal counsel informing them that the exemption would likely be invalid. It seems that the Galiano LTC is saying that they don't care about legal opinions unless the opinion supports their view, and they don't care about the possible legal expenses to be borne by the residents of the islands under the mandate of the Islands Trust in case of a legal challenge to Bylaw 283.

The protection of critical groundwater recharge areas is far too important to allow this bylaw to proceed as written. Exemption (p) cannot be framed as reconciliation—it disadvantages all landowners, including Indigenous landowners, and undermines the fundamental purpose of the Groundwater Implementation OCP and LUB Amendments in Bylaws 283 and 284: "to protect the ability of aquifers to provide sustainable water resources to the ecosystems and communities of Galiano Island" (June 2, 2022 memo).

Furthermore, the September 27, 2022 Staff Report introducing these bylaws stated that the proposed DPA, "which is likely to lead to the retention of trees and forest coverage that may otherwise be removed, has the potential to increase support for the ecological integrity of the island. The health of the ecosystem is critical to the sustainability of groundwater resources."

In light of these concerns, we respectfully urge the Islands Trust Executive Committee to return Bylaw 283 to the Galiano Local Trust Committee for revision. The bylaw, as it stands, is inconsistent with the fair and equitable application of regulations, the Trust Policy Statement's Directive 4.2.2, and the stated objectives of the Groundwater Sustainability Project and the Young Anderson legal opinion.

Sincerely,

Carmita de Menyhart, [REDACTED] Galiano

Jennifer Margison and Jim Henshall, [REDACTED] Galiano

John Ronsley, [REDACTED], Galiano

From: Shirley Webster <[REDACTED]>
Sent: Monday, November 18, 2024 5:55 PM
To: Executive Admin
Subject: Letter of concern..Galiano Island bylaw 283

I understand your meeting on Nov 20 will include a review of Galiano Island Local Trust Committee bylaw 283. I support the above letter requesting you not approve bylaw 283 and return it to Galiano Local Trusr Committee for amendments.

Thank you
Shirley Webster
Sent from my iPhone

From: Art Moses <[REDACTED]>
Sent: Tuesday, November 19, 2024 5:03 PM
To: Executive Admin
Subject: Galiano LTC proposed bylaw 283

To members of the Islands Trust Executive Committee

I am writing to urge you not to approve the Galiano Local Trust Committee's proposed bylaw 283 and return it back to the Galiano LTC for revision.

While I support the objectives of the LTC's groundwater sustainability project and the proposed bylaws to establish a Groundwater Recharge Development Permit Area, I have serious concerns about exemption (p) in the proposed OCP amendment bylaw 283.

The exemption would declare that the requirements under the new regulations would not apply to a specific group of fee-simple landowners, while they would apply to all other fee-simple landowners. These individual landowners granted the exemption would not be required to apply for a development permit on land in a groundwater recharge area before carrying out certain land uses potentially harmful to groundwater recharge. Other individual landowners would be required to apply for a permit.

This would be very bad law and very bad land use planning. What's next – a bylaw that exempts certain fee-simple landowners from obtaining CRD building permits, while others still have to get them?

The groundwater recharge sustainability regulations went through a lengthy years-long process of study involving groundwater scientists, planners, trustees and members of the public. The requirements are designed to ensure that the supply of freshwater is assured for all landowners and residents of Galiano no matter who they are.

It makes no sense to exclude a specific group of individuals from measures designed to protect this resource for everybody.

It's doubtful you could find land use bylaws anywhere else in Canada that exempt certain specific individuals from regulations that would apply on their individually-owned, fee-simple land, while applying the rules to others.

As a gesture supposedly promoting reconciliation with Indigenous people, this one would be rather empty. I believe very few Indigenous people on Galiano would qualify for the exemption because few own land here that fall into groundwater recharge areas.

My understanding is that Indigenous rights under the Canadian Constitution are not individual rights; they are communal rights, collective rights held through association with indigenous tribes or nations.

I believe there are much more effective measures the LTC could take to encourage and facilitate reconciliation with Indigenous residents and with our neighbours in the Penelakut Tribe.

As I suggested at the recent Public Hearing into these bylaws, trustees should work to include indigenous knowledge holders, particularly those with expertise in water resources, in a co-management regime along with Trust staff to jointly oversee the protection of groundwater and supervise the administration of these groundwater sustainability bylaws for everyone.

That would be a truly meaningful step toward reconciliation by recognizing the role of indigenous government and collective indigenous knowledge on these Trust islands.

To exempt a small portion of indigenous fee-simple individual landowners from bylaws designed to protect freshwater resources for everyone would be very bad law, an empty gesture for reconciliation and almost certainly to be ruled invalid after putting the Islands Trust through potentially costly litigation.

Thank you for your attention.

Sincerely,

Art Moses,

[REDACTED],

Galiano

Sent from my iPad

From: Brenda Hotte <[REDACTED]>
Sent: Tuesday, November 19, 2024 2:00 PM
To: Executive Admin
Subject: Protesting Bylaw 283 Galiano Local Trust Committee
November 8, 2024

To the Island Trust Executive Committee,

I am writing regarding Agenda Item 7.1. of the upcoming November 20 Executive Committee meeting.

I attended the meeting as I am interested in learning how to solve freshwater issues on Galiano Island.

I support bylaws that focus on conservation.

I do not support that certain individuals on the island would be except from these bylaws. We believe this will cause division in our community.

7.1 Galiano Island Local Trust Committee - Bylaw Nos. 283 and 284 - Request for Decision 25 - 67

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 283, cited as "Galiano Island Official Community Plan Bylaw 108, 1995, Amendment No. 1, 2022" in accordance with Section 27 of the Islands Trust Act.

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 284, cited as "Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2022" in accordance with Section 27 of the Islands Trust Act.

:

We ask that you not approve Bylaw 283 and return it to the Galiano Local Trust Committee for amendments based on the concerns in the attached letter and legal opinion.

Sincerely.

Brenda Hotte [REDACTED]
Frits Huckriede [REDACTED]

From: Daphne Arber <[REDACTED]>
Sent: Tuesday, November 19, 2024 5:08 PM
To: Executive Admin
Subject: NB Islands Trust Executive Committee
Attachments: Legal Opinion on Bylaw 283 Exemption (p) copy.pdf

To all:

I ask you not to approve Galiano's Bylaw 283, and return it to the Galiano Local Trust Committee for amendments based on the concerns in the attached Letter and legal opinion.

Daphne Arber
[REDACTED]

Galiano, BC
V0N 1P0

Memorandum

TO: Kim Stockdill
FROM: Guy Patterson
DATE: September 27, 2023
RE: Summary of DP exemption opinion
FILE No.: 00002-0958

You asked for a summary of our previous advice on whether the following proposed development permit exemption (the "proposed exemption") would be valid:

Land owned by a person with federal Indigenous status living in their traditional territory with proof of family lineage.

We assumed the reference to land ownership meant ownership under the BC Torrens system for registration of title to land, and that a person's entitlement to the exemption would not be called into question. We reviewed possible arguments in support of and against the validity of the exemption, including under the provincial *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*, and concluded that it would likely be invalid, but severable.

The main reason we concluded it would likely be invalid was based on a theory that a local government's authority to specify exemptions under a development permit scheme, although not subject to any express limits or criteria in the statute, would be interpreted in light of the development permit scheme more generally. The scope of that scheme, in our view, is limited to regulation of land development activities, and therefore granting an exemption based on the identity of a landowner might be considered as falling outside the powers the legislature intended to grant to local governments.

Despite our conclusion that the exemption would most likely be invalid, we suggested two potential arguments in favour of it. First, section 8.1 of the *Interpretation Act* says all legislation must be construed as being consistent with UNDRIP. We thought there might be some support in UNDRIP for the proposed exemption, in which case it might be open to the LTC to interpret the *Local Government Act* as authorizing the proposed exemption. Second, the LTC and the Islands Trust both have strong policy statements favouring reconciliation, and the proposed exemption might be defended based on those kinds of policies.

WWW.YOUNGANDERSON.CA

1616 - 808 Nelson Street, Box 12147 Nelson Square, Vancouver, BC V6Z 2H2 | tel. 604.689.7600 | fax. 604.689.3444 | toll free: 1.800.665.3540
201 - 1456 St. Paul Street, Kelowna, BC V1Y 2C6 | tel. 250.712.1130 | fax. 250.712.1180

From: Keith Holmes <[REDACTED]>
Sent: Tuesday, November 19, 2024 9:09 AM
To: Executive Admin
Subject: Proposed Galiano Local Trust Committee Bylaws # 283 & 284

To the Islands Trust Executive Committee

Please accept the following letter as correspondence regarding Agenda Item 7.1. of the upcoming November 20 Executive Committee meeting.

7.1 Galiano Island Local Trust Committee - Bylaw Nos. 283 and 284 - Request for Decision 25 - 67
THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 283, cited as "Galiano Island Official Community Plan Bylaw 108, 1995, Amendment No. 1, 2022" in accordance with Section 27 of the Islands Trust Act.

THAT the Islands Trust Executive Committee approve Galiano Island Local Trust Committee Bylaw No. 284, cited as "Galiano Island Land Use Bylaw 127, 1999, Amendment No. 1, 2022" in accordance with Section 27 of the Islands Trust Act.

I ask that you not approve Bylaw 283 and Bylaw 284 and return them to the Galiano Local Trust Committee for amendments

Question : Why wasn't the incredible mandate given to this island by the Appeal Court decision in August of 1995 - the strongest hand in land-use planning ever dealt a B. C. community - even being played for a fraction of its worth ? Why are we being asked to give away a royal flush to the discard pile. Bylaw # 127 secured equality in the Forest Zone 6000 acres - it secured preservation and protection of the groundwater for the whole island. To advance these draft bylaws would be a total abandonment of public responsibility and concern for our island place. Galiano Island is one distinct recharge area it cannot be broken up - science tells us land-use planning for Galiano Island must consider the whole. There is no place for reconciliation in land-use planning for ground water quantity and quality - every human being must be treated equally.

Sincerely,

Debbie Holmes
Galiano Local Trust 1996 - 2002

From: Geoff Gaylor <[REDACTED]>
Sent: Tuesday, November 19, 2024 4:27 PM
To: Executive Admin
Subject: Galiano Bylaws 283 and 284

Dear Trust Executive,

My name is Geffrey Gaylor, a 49 year resident of Galiano and owner of district lot 51, a 160 acre parcel in the very center of Galiano island, which has been left undeveloped for all those years. I write to express grave concerns about the proposed bylaws 283 to 284 on Galiano island. Galiano's aquifer, as clearly established by hydrologist Al Kohut, in his in-depth studies, is simply that the whole island is trapped water in cacks in the sediment, and it's only sourced by rainwater over the centuries. The aquifer and its ability to sustain development was drastically degraded by clearcut logging of up to 60% of the island as part of a tree farm license by Macmillan Bloedel and subsequent purchasers.

Subsequently we developed a "no increase in density" policy on the whole island based solely on the depleted aquifers capacity to provide potable water for our community. The proposed bylaws 283 and 284 should include the whole island and not just artificially proposed areas that are "solely responsible" for attempting to repair and recharge the whole aquifer compounded by a list of 15 exemptions which add to the exclusion of up to half the island. By mapping these bylaws, we will clearly not provide the preservation of and protection needed for Galiano's water resources.

As a holder of water license 054057 on DL 51 for over 40 years I feel that it is an issue that has not been addressed properly.

I also question the exemption of "Q" which would set a unclear precedent of exemptions by race rather than actual use of the land.

It seems that the participation of the community has been minimal, with no specific big public meetings, and no reference in the last three monthly editions of our local trust information section in our well read Active Page magazine. Many of my acquaintances on the island are expressing concern about this, and it's hurried second and third readings, and the extremely quick hearing by the executive committee to discuss and possibly give approval before going to the Minister Kahlon before enforcement.

With respect, I ask that your committee return the bylaws to our local Galiano committee for more input and discussion on the numerous exemptions included in this proposal.

Sincerely,
Geoff Gaylor
Member of the last 2 OSP Review committees
Past Chair of the Forestry Committee

Community Rep on the O's Forest and Land Use council
Member of The Transportation Advisory Committee
Founding Director of the Galiano Conservancy
Former President of the Galiano Chamber of Commerce

From: [REDACTED]
Sent: Tuesday, November 19, 2024 3:24 PM
To: Executive Admin
Subject: Bylaw 283 Bylaw 284

Dear Sirs Madam

We urge you not pass bylaws 283 and 284.

Today is the first we have heard about these bylaws

We live next to currently protected Crown Lands

How is it that this can come up for ratification without a publicized input in the process?

Again we urge you not to pass bylaws 283 and 284 and to initiate due process

We oppose any groups being excepted from the original goals of the Islands Trust

John and Lois Buttery

[REDACTED]

Galiano BC
VON 1P0

From: Jeff Webster <[REDACTED]>
Sent: Tuesday, November 19, 2024 1:51 PM
To: Executive Admin
Subject: Letter of concern..Galiano Island bylaw 283

I understand your meeting on Nov 20 will include a review of Galiano Island Local Trust Committee bylaw 283. I support the above letter requesting you not approve bylaw 283 and return it to Galiano Local Trust Committee for amendments.

Thank you

Jeff Webster

--

Jeffrey Dean Webster, PhD,
Faculty Emeritus, Psychology,
Langara College,
Email: [REDACTED]

Active Projects Report

Executive Committee

1. Request to Minister for Review of Islands Trust

Activity:

To follow up on the request by Trust Council for a review of the Islands Trust by the Minister of Municipal Affairs.

Responsible

Julia Mobbs

Dates

Rec'd: 01-Nov-2023
Target: 31-Mar-2025

2. Update Islands Trust Policy Statement

Activity:

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

Responsible

Clare Frater

Dates

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

3. First Nations Reconciliation

Activity:

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

Responsible

Clare Frater

Dates

Rec'd: 02-Sep-2020
Target: 31-Mar-2025

Active Projects Report

Executive Committee

4. *Strategic Planning*

Responsible

Dates

Activity:

Julia Mobbs

Rec'd: 03-May-2023

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

Target: 31-Dec-2024

Future Projects Report

Executive Committee

1. *Marine Ecosystems*

Advance the preservation and protection of marine ecosystems.

Responsible

Clare Frater

Date Received

03-May-2023

2. *MOTI MOU's*

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

Responsible

Clare Frater

Date Received

03-May-2023

3. *Climate Change Emergency*

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

Responsible

Clare Frater

Date Received

03-May-2023

4. *Provincial Funding Strategy*

Develop a strategy to request additional funding from the Province, including revisiting the provincial grant funding formula to the Islands Trust.

Responsible

Julia Mobbs

Date Received

07-Mar-2023

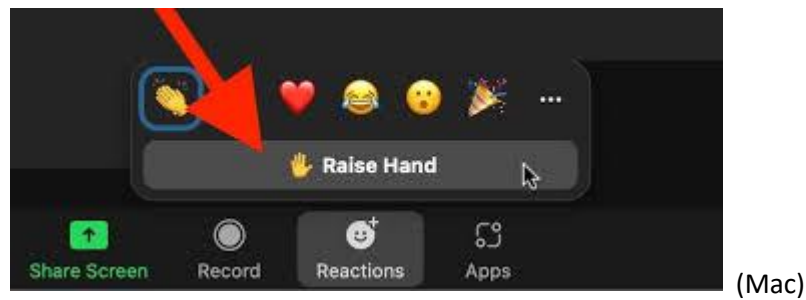
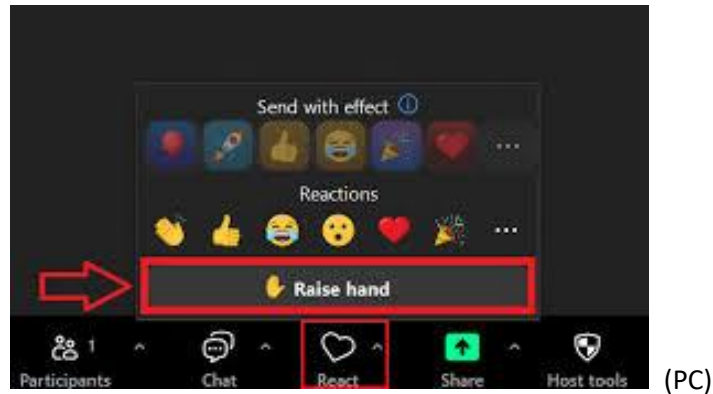
Electronic Meeting Attendee Primer

JOIN THE MEETING	- Electronic attendees are asked to join the meeting or webinar 15 minutes prior to the meeting start time to test audio and visual capabilities. - To join the meeting, click the Zoom meeting or webinar link provided in the personalized email sent to you the morning of the meeting. If you have not been provided a link, navigate to the Islands Trust website event page and click on the Attend button. Staff will then promote you to Participant status. - Once you have joined the meeting, check the following: ✓ Audio – Speak to the meeting staff support person confirming they can hear you and you can hear them ✓ Visual – Turn your video on and ensure your background is as desired ✓ Name – Check your name is correct (E.g. Trustee X) - At this time, if desired, turn off your audio and camera until 2 minutes before the meeting start time.
DURING THE MEETING	- At all times during the meeting, please ensure your sound is muted until you wish to speak. - When wishing to speak, raise your electronic hand and wait for the Chair to address you. - During recesses or breaks, ensure your sound and video are turned off. - When leaving the meeting (stepping out for any reason other than a meeting recess or break), please ensure you notify the <u>minute taker</u> when you leave and when you return. This should be done if you are stepping away and cannot hear the proceedings. If you do not let the minute taker know, it is possible that there could be a vote, and your non-vote would be recorded as abstained (which is a vote in favour under the legislation). If you have not informed staff of your departure from the meeting, you will be considered in attendance. - If you are experiencing connectivity issues, please turn off your video. - If you wish to make motion, please email the motion to motion@islandstrust.bc.ca and carbon copy (cc) the relevant Director.
CLOSED MEETINGS	- During closed meetings, please ensure no one in the surrounding area can hear or see your electronic device consistent with the intent of Islands Trust Policy 2.1.2. - Once a regular meeting has gone into a closed session the meeting will be locked and entry will need to be provided by staff. At this time, email the meeting support staff to grant you access. This includes if you lose your meeting connection and need to be let back into the meeting.

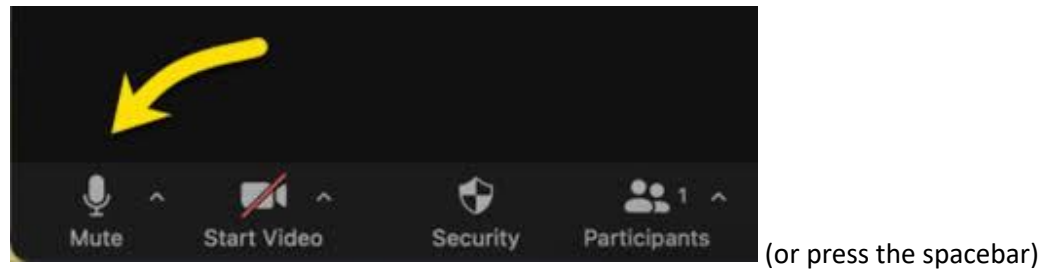
ZOOM CONTROLS

How to:

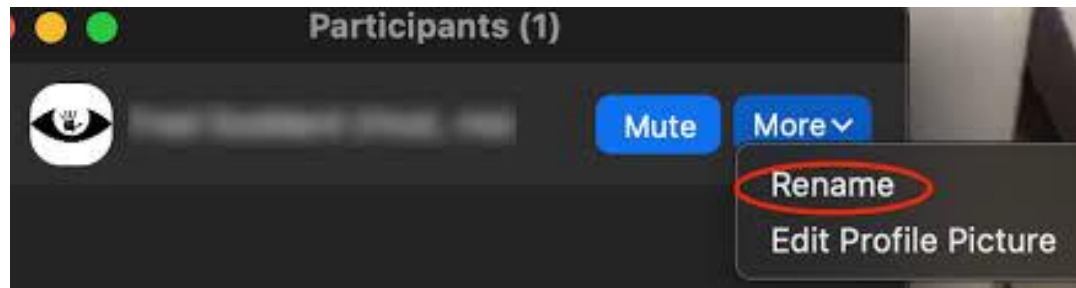
1. Raise your hand



2. Mute and unmute



3. Edit your name



CONTACT STAFF

- Minute taker: Lisa Millard, lmillard@islandstrust.bc.ca
- Meeting logistics: Alexandra Trifonidis, atrifonidis@islandstrust.bc.ca
- Technical issues: Daphne Shaed, dshaed@islandstrust.bc.ca
- General enquiries: execadmin@islandstrust.bc.ca or info@islandstrust.bc.ca

DRAFT Islands Trust Council Quarterly Meeting Schedule

December 3 - 5, 2024

[Visit the meeting webpage to view the AGENDA, to join the meeting electronically, and to view the livestream or attend by phone-in.](#)

Tuesday, December 3		Wednesday, December 4		Thursday, December 5	
10:00	Executive Committee Meeting (Gonzales Room)	9:00	Closed Meeting Public are welcome to attend all sessions excluding the Closed Meeting Rise and Report	9:00	Closed Meeting Public are welcome to attend all sessions excluding the Closed Meeting Rise and Report
12:00	Lunch	10:30	Break	10:00	Break
1:00	Call to Order & Territorial Acknowledgement (Coast Ballroom) Approval of Agenda	10:45	Executive Office (Continued, if needed)	10:15	San Juan County / Islands Trust Joint Session Discussion with County Council Members Fuller, Minney & Wolf
1:15	Respectful Meeting Conduct	11:15	Trust Area Services Consent Agenda Item(s) 10.1.1 - 10.1.3 Decision/Discussion Item(s) 10.2.1		
1:30	General Business Arising Consent Agenda Item(s) 5.1.1 - 5.1.4.6 Islands Trust Active Priorities Chart Committees Work Programs (EC, GC, FPC, RPC, TPC, ITCB) Committee Chair Verbal Reports				
2:00	Trustee Roundtable Emerging issues and island updates				
3:30	Break	12:00	Lunch	12:00	Lunch
3:45	Delegations / Public Comment John Roe - Veins of Life Watershed Society Justine Starke - Capital Regional District Mayor Leonard - Bowen Island Municipality Maxine Leichter - Keep Salt Spring Sustainable Jennifer Margison - Friends of the Gulf Islands Society	1:00	Planning Services Consent Agenda Item(s) 11.1.1 - 11.1.2 Decision/Discussion Item(s) 11.2.1	1:00	New Business Trustee-Initiated Requests for Decision Trustee Morrison - Dark Sky - RFD
5:00	Executive Office Consent Agenda Item(s) 7.1.1 - 7.1.4 Decision/Discussion Item(s) 7.2.1 - 7.2.2	1:30	Legislative & Information Services Consent Agenda Item(s) 12.1.1 Decision/Discussion Item(s) 12.2.1 - 12.2.3	1:30	Correspondence
		3:00	Break	1:45	Disposition of Delegations/Public Comment & Correspondence
		3:15	Administrative Services Consent Agenda Item(s) 13.1.1 - 13.1.2 Decision/Discussion Item(s) 13.2.1 - 13.2.3	2:00	Meeting Wrap-up
5:30	Adjourn for the Day (approx.)	5:30	Adjourn for the Day (approx.)	2:30	Adjournment (approx.)
6:00-7:00	Dinner	6:00-7:00	Dinner		
*times are provided for information and may vary				 Islands Trust	

BRIEFING

To:	Trust Council	For the Meeting of:	December 03-05, 2024
From:	Trust Area Services	Date Prepared:	November 15, 2024
SUBJECT:	Legislative Monitoring Report, November 2024		

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

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

BACKGROUND: The Legislative Monitoring Report was established in 2003. In September 2023, Trust Council requested that the report be provided quarterly at each Trust Council meeting, rather than semi-annually.

The attached legislative monitoring report includes:

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

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

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

ATTACHMENT(S):

1. Legislative Monitoring Report, November 2024
2. Trust Council Requests to the Province of BC for Changes to the Islands Trust Legislation/Regulation and Related Legislation 2007 - present

FOLLOW-UP:

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

Prepared By: Grants Program Manager, Trust Area Services

Reviewed By/Date: Director, Trust Area Services / November 15 2024
Director, Planning Services/ November 14, 2024



LEGISLATIVE MONITORING REPORT

November 2024

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

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

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Planned Legislation				
Mineral Tenure Act reform	Ongoing	The Province is advancing work to reform the Mineral Tenure Act (MTA) in alignment with the United Nations Declaration on the Rights of Indigenous Peoples with a clear process for co-operation and consultation with First Nations in British Columbia and engagement with industry and all interested parties. This includes multiple streams in consultation process including: • engagement with all First Nations rights and title holders; • a First Nations technical advisory group; • existing tables and commitments that could inform MTA reform; and • a technical working group with participants from the FNLC, First Nations Energy and Mining Council, and the B.C. government. Co-operation and consultation with First Nations and engagement with industry and interested groups was due to launch in March 2024. UPDATE November 2024: No further progress	Previous unsuccessful advocacy in 2013 to Ministry of Energy and Mines to consider regulations that would reserve the Islands Trust Area from the staking of mining claims and exploration under the Mineral Tenure Act Trust Council position in the Policy Statement: The Islands Trust Council holds that there should be no extraction of peat, metals, minerals, coal or petroleum resources in the Trust Area	Staff will continue to monitor.
Emergency Management Regulations.	Engagement is now closed with new regulations due to be introduced in 2024.	As part of B.C.'s modernization of emergency management legislation, the Province is creating new regulations for post-emergency financial assistance (often referred to as "disaster financial assistance" or "DFA") and local authority emergency management. This legislation is expected to apply to Bowen Island Municipality. July 17, 2024 The Ministry of Emergency Management and Climate Readiness (EMCR) has released a summary of input received to its 2023 discussion paper, BC's Modernized Emergency Management	None to date.	Staff will continue to monitor

		Legislation: Regulations for Local Authorities. Responses from local governments, emergency management organizations and First Nations revealed four overarching themes, including the need for provincial funding and support. Commentary from UBCM can be seen here. UPDATE November 2024: No further progress		
Heritage Conservation Act Transformation Project	Ongoing	The purpose of the Heritage Conservation Act (HCA) is to encourage and facilitate the protection and conservation of B.C.'s unique cultural heritage. The Provincial Heritage Register lists nearly 60,000 protected heritage sites, of which, over 90% are of First Nations origin. The Province recognizes the need to transform the HCA to better meet the needs of all British Columbians. Transforming the HCA will provide for alignment with the UN Declaration and will support the provincial mandate of lasting and meaningful reconciliation. It will also aim to increase certainty and stability for First Nations, landowners, proponents, developers, and government, while supporting sound decision making. Drafting of legislative, policy and program reforms are targeted for Spring 2024. UPDATE: The Joint Working Group on First Nations Heritage Conservation invited stakeholders to participate in virtual engagement sessions on the Heritage Conservation Act Transformation Project. These sessions introduced a proposed suite of near-term legislative, regulatory, policy, and program changes being proposed for Cabinet consideration, and ultimately, legislative introduction in Spring 2024. Two sessions were held on September 26 and September 28, 2023 Current Status (updated January 2024)	None to date. Local trust committees and Bowen Island Municipality can designate Heritage Conservation Areas in their OCPs. To date, only Salt Spring Island Local Trust Committee has done so with the Ganges Village Core Heritage Conservation Area to recognize and protect the identifiable heritage features and character of the village. Heritage Conservation Areas may require a heritage alteration permit for: alteration of land, feature, building, or structure, subdivision (Bowen), additions, or new construction. Staff have drafted a Implementing	Staff will continue to monitor. Capital Regional District staff are also monitoring.

		Given recent feedback, rather than introducing a near-term package of legislative amendments, the HCATP will instead work towards the development of a more comprehensive package. This means that changes will not be introduced this legislative session, but will be developed for future legislative sessions, which will allow time to ensure the proposed legislative amendments are more responsive to First Nations and stakeholder feedback. UPDATE November 2024: No further progress	Heritage Conservation Areas publication.	
Federal Planned Legislation				
Marine Mammal Regulations Amendments	Engagement opened on June 03, 2024 and will close to new input on September 03, 2024	NEW: Fisheries and Oceans Canada is seeking feedback to inform potential amendments to the Marine Mammal Regulations. The feedback will inform the Marine Mammal amendment process, which includes long-term planning for Southern Resident Killer Whales (SRKW) protection and recovery, and proposed administrative amendments. DFO is seeking feedback in relation to potential adjustments to: Pacific Killer Whale approach distances; administrative issues concerning outdated references to Indigenous peoples and geographic locations; updated terminology regarding drone use; and, a title change of Section 38 "Disturbance Authorization" to "Disturbance License", to ensure it is in alignment with other legislation. UPDATE November 2024: No further progress	Previous advocacy about marine mammal protection	
New Regulations under the Canada National Marine Conservation Areas Act	Regulations are currently being drafted	Parks Canada is developing new regulations under the Canada National Marine Conservation Areas Act to help protect and manage NMCAs. Experience at existing sites like Gwaii Haanas National Park Reserve, National Marine Conservation Area Reserve and Haida Heritage Site has shown that regulations are needed. The NMCA program at Parks Canada is growing, with seven new marine establishment proposals underway. The Southern Strait of Georgia is a Proposed National Marine	Previous advocacy about the proposed National Marine Conservation Area Reserve for the Southern Strait of Georgia.	Staff will continue to monitor.

		Conservation Area Reserve. The What We Heard Report is a summary of feedback from Indigenous and public engagement that took place between April 11 and October 15, 2023. Parks Canada engaged with Indigenous peoples, provinces, territories, industry, non-governmental organizations, and many others on five summary papers that described the regulatory proposal. Feedback came from 73 organizations and individuals representing most regions of Canada, especially coastal regions and the Great Lakes. The regulations will be drafted this spring and published for review and comment in Canada Gazette Part I in Winter 2024. The goal is to have these regulations come into force by 2026. UPDATE November 2024: No further progress		
Proposed Aquaculture Act and Regulations (Federal)	Fisheries and Oceans Canada led two initial rounds of engagement in 2017-18 and in 2019. An online consultation also took place from June - December 2019 along with in-person engagement in some regions. See "What We Heard Report".	The proposed <i>Aquaculture Act</i> is expected to: • define the term aquaculture in legislation • recognize the need for clarity and stability for responsible economic growth of the aquaculture sector • ensure environmental protections enshrined in the <i>Fisheries Act</i> are included and specific to aquaculture • develop enforcement mechanisms specific to aquaculture • respect provincial and territorial jurisdictions • respect roles and responsibilities articulated in treaties and other rights reconciliation arrangements On Aug 17, 2020, the Minister of Fisheries, Oceans, and the Canadian Coast Guard launched the next phase of the Government's public engagement on the first-ever Aquaculture Act. A discussion paper providing background on aquaculture in Canada, rationale for the proposed legislation and an overview of the elements proposed for the new Act, is now available online	Jan 2018 Chair letter to Minister of DFO requesting ecosystem-based study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea. 2018 UBCM resolution calling for DFO to conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased monitoring and	The Province has responsibility for issuing tenures for aquaculture. Local trust committees and Bowen Island Municipality have zoning authority. This generally does not include regulating anything covered through aquaculture licenses from DFO. Once the amendments are complete, a review should be undertaken to determine any

	The next phase of public engagement was open until February 12, 2021	with key questions to guide feedback to the Government on this important initiative. The public is invited to visit https://dfo-mpo.gc.ca/aquaculture/act-loi/consultations-eng.html, and had until February 12, 2021 to participate in this round of consultation. UPDATE January 31, 2023: No further progress since last report. Fisheries and Oceans Canada is continuing in taking time to review and carefully consider the input. UPDATE October 2023: No further progress UPDATE February 2024: No further progress UPDATE November 2024: No further progress	enforcement. Dec 2019 Chair letters to Ministers of DFO and FLNRORD requesting more resources for enforcement of shellfish regulations and tenure licenses. Trust Programs Committee co-sponsored a virtual Baynes Sound/Lambert Channel Ecosystems Forum in May 2020, together with the World Wildlife Fund, and has supported since then via the Secretariat Services program. On January 14, 2021 the Island Trust Chair sent a submission comments pertinent to the federal Aquaculture Act Consultation	necessary zoning amendments. Applications should include foreshore and underwater archaeological reviews to protect historical clam beds, fish weirs, and cultural heritage. Section 35 rights for access should be considered.
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LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Effect				
Bill 16 - Housing Statutes	Royal Assent April 25, 2024	The Housing Statutes Amendment Act, 2024, which supports the recent legislative changes intended to increase the supply of	Some local trust committees have used the	Local trust committees have additional density

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Progress				
None at time of writing.				
Federal Legislation in Progress				
Bill C 73 - Nature Accountability Act	First reading June 13, 2024	The Nature Accountability Bill will enshrine in legislation the Government of Canada’s commitment to protect nature for future generations. The Bill establishes a requirement for the Government to develop a national nature strategy, like Canada’s 2030 Nature Strategy (See discussion section), and report on its implementation, ensuring accountability and transparency which will help drive us collectively to reverse nature loss. UPDATE November 2024: No further progress		
Bill C 33 - Strengthening the Port System and Railway Safety in Canada Act	Consideration in committee in the House of Commons completed on February 07, 2024. At report stage. Awaiting 3 rd reading	Bill C-33 is the Ministry of Transport’s response to the recent supply chain challenges that have impacted Canadians. The bill proposes amendments to federal legislation related to ports, railways, and the transportation of dangerous goods. The proposed amendments would boost the powers of the federal transport minister, increase existing administrative monetary penalties (“AMPs”), and create a new AMP regime to enforce safe transportation of dangerous goods across Canada. In doing so, the Canadian government aims to “remove systemic barriers to ameliorate supply chain problems, and amend existing federal laws to modernize how Canada’s marine and railway transportation systems operate.” The bill would impact the maritime industry by amending the <i>Marine Transportation Security Act</i> and the <i>Canada Maritime Act</i>. The proposed amendments are aimed to: - expand Canada Port Authorities’ mandate over traffic management; - position Canada’s ports as strategic hubs that support	Islands Trust has advocated for better management of large ship anchorages in the Trust Area through letter submissions and input into the Ocean Protection Plan Forums. On Jan 19, 2021 the Chair wrote to the Minister of Transport calling for immediate action to address freighter anchorages in the Southern Gulf Islands. In June 2024, Trust Council appointed appointed	Staff will continue to monitor

		national supply chain performance and effectively manage investment decisions for sustainable growth; and iii. improve the government's insight into ports and their operations. This legislation would make port authorities responsible for managing traffic, which could have implications for anchorages in the Islands Trust Area. UPDATE: Jan 30, 2024 – The Standing Committee on Transport, Infrastructure and Communities passed an amendment to Bill C-33 that would, should the bill pass, require the government to direct vessels out of an area if they've been anchored for longer than 14 days. UPDATE September 2024: Report Stage in progress. See Sitting 340.	Trustee Lironi to Transport Canada's General Vessels Technical Working Group and appointed Trustee Boland as the alternate representative.	
LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Amendment Act	In force effective April 25, 2024	housing in BC. According to the government, this bill presents the second phase of this work by providing governments with new authorities that will allow them to continue to secure important outcomes outside of rezonings, increasing transparency and certainty in the development approval process. Of all the changes listed below, only the changes related to density bonusing apply to the local trust committees. All provisions will apply to Bowen Island Municipality. Some of the changes include: 1. Establishing a new authority for inclusionary zoning that will let local governments require affordable housing and new developments, subject to appropriate financial analysis, consultation and guardrails to ensure homes get built.	density bonus tools already available.	bonus tools at their disposal when considering land use regulatory changes. Bowen Island Municipality will need to consider how the new provisions will affect their planning operations. Staff will monitor for the comprehensive guidance expected in early 2025

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		2. Providing municipalities with clear authorities to protect tenants who are evicted as a result of redevelopment, including financial assistance or help finding alternate housing. 3. Expanding local government authorities to secure important site-level infrastructure like wider sidewalks, protected bike lanes and other infrastructure that is important to building complete communities. 4. Establishing a density bonus framework to parallel the inclusionary zoning, with similar requirements for financial analysis, consultation and reporting. UBCM has published an analysis of the changes for local governments. NEW: Released August 23, 2024 - Interim Guidance Inclusionary Zoning and Density Bonus. Comprehensive guidance is expected in early-2025		
Federal Legislation in Effect				
CANADA SHIPPING ACT, 2001 Interim Order for the Protection of the Killer Whale (Orcinus orca) in the Waters of Southern British Columbia, 2024	Into force June 01, 2024	NEW: The measures for 2024 and 2025 include: • Two mandatory speed-restricted zones near Swiftsure Bank, effective June 1 to November 30, 2024 • Two interim sanctuary zones off Pender and Saturna Islands, effective June 1 to November 30, 2024 • A voluntary speed reduction zone in Tumbo Channel, off the North side of Saturna Island • The continuation of the requirement for vessels to stay at least 400 metres away from all killer whales, including a prohibition from impeding the path of all killer whales in southern British Columbia coastal waters between	Previous advocacy for protection of marine mammals and some communications support to promote awareness of the regulations. In June 2024, Trust Council appointed Trustee Lironi to Transport Canada's General Vessels Technical Working Group and	

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		Campbell River and Ucluelet, including Barkley and Howe Sound. This will be in effect until May 31, 2025 - Disallowing the provision of whale-watching tours to see Southern Resident killer whales - The closure of both recreational and commercial fisheries for salmon, the main component of Southern Resident killer whale diets, in key foraging areas in 2024 and 2025 - Additional measures to reduce contaminants in the environment affecting whales and their prey	appointed Trustee Boland as the alternate representative.	

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
None at time of writing.				

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Guide: Climate action in small and rural communities	Released October 02, 2024	NEW: Access to case studies and climate strategies specifically designed for the small and rural experiences. Produced by the Partners for Climate Protection program, delivered by FCM and ICLEI Canada, the guidebook can help : - develop realistic climate action policies - generate local economic and wellbeing benefits through climate action - identify sector-specific climate challenges and solutions to overcome them		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Land Trust Assessment Tool	Launched November 04, 2024	NEW: The Standards and Practices website provides users with access to the new Self-Assessment Tool. This resource allows organizations to review and summarize the progress of their land trust over time. By reviewing Standards and Practices in the Self-Assessment framework, land trusts are prompted to prioritize undeveloped areas within their organization. Through completing the assessment process land trusts can also determine if essential documentation is complete or insufficient		To be reviewed by Islands Trust Conservancy staff.
Residential school report and map	Released June 28, 2024	New interactive mapping tool and environmental scan report of the 140 former residential schools recognized in the Indian Residential Schools Settlement Agreement. These tools make publicly held data and information about residential schools more accessible, reducing the barriers that Survivors and their families and communities face when trying to find data and information about former sites and buildings. These tools support Indigenous Data Sovereignty, which is a key part of Indigenous cultural heritage, an important means of capturing and sharing collective stories, and central to reconciliation and Indigenous self-determination.	Trust Council held a learning session in 2019 to learn about the legacy of residential schools in Canada and the Trust Area.	To be determined based on new Reconciliation Action Plan.
New Housing Needs Report requirements and guidance	Announced June 19, 2024	The Province has updated its Housing Needs Report requirements and issued guidance documents including a summary of the requirements, a frequently asked questions document and a technical guide to the housing needs report method. All local governments and local trust committees must complete an interim HNR by Jan. 1, 2025, and then municipalities must update their official community plans (OCP) and zoning bylaws by Dec. 31, 2025	Islands Trust received funding from the Province to update HNRs.	Islands Trust has hired a contractor to produce the HNRs. The reports will include a qualitative questionnaire. Completion will be in Feb. 2025.
Online Reporting Tool For Pay	Available	The Pay Transparency Act passed last May placing new requirements on employers to address systemic discrimination in the workplace. This November, employers with 1,000 or more employees will be required to begin posting pay transparency	Staff have investigated the obligations to Islands Trust under the new Act.	This will apply to Islands Trust in 2026.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Transparency Reporting		reports. The same requirement will apply to those with 300 or more employees in 2025, and 50 or more employees in 2026. The Province has developed an online reporting tool to support employers with this reporting requirement and it is available at https://paytransparency.fin.gov.bc.ca/login . A Guidance Document for preparing pay transparency reports using the online reporting tool has also been developed. It is recommended that employers collect gender information from their employees according to the new Gender and Sex Data Standard in order to complete their pay transparency report and that employers allow their employees to voluntarily update the information annually.		Islands Trust processes are already in compliance with Part 2 of the Act, ‘Obligations Of Employers’. Staff inquired with the Public Service Agency if Islands Trust information will be rolled up into the Provincial reporting, or if we will be required to produce a stand-alone report under Part 3 of the Act. Staff learned that the Islands Trust is expected to produce its own report by November 1, 2026.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Engagement: Potential For Change - Responsible	Open until December 01, 2024	NEW: Local elected officials and CAOs are invited to provide comment on the potential for change to the framework that supports responsible conduct in BC. The invitation follows on a discussion paper from UBCM and the Local Government	Trustees were asked, by email, to provide any comments they have on this initiative directly. As	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Conduct Framework for Local Government Elected Officials		Management Association that explores the potential of mandatory codes of conduct and models for their administration and enforcement. The deadline for feedback has been extended to December 1, 2024 .	all CAOs were invited to comment, the Interim CAO provided comments.	
Engagement: BC Climate Action Toolkit	Ongoing	NEW: The Climate Action Toolkit supports Islands Trust and local governments in reducing greenhouse gas (GHG) emissions and advancing climate resilience. Feedback is being sought via an online questionnaire to help enhance the Toolkit's strengths and identify areas for improvement. No deadline stated.		
Engagement: Provincial flood policy guidelines	Open until December 20, 2024	NEW: The Ministry of Water, Land and Resource Stewardship is working to develop provincial flood policy guidance, and is seeking input on a variety of flood-related topics. This work relates directly to the BC Flood Strategy , released on March 21, 2024. Written feedback will be accepted until December 20, 2024, 4 pm .		
Engagement: Taxation of Vacant Lands	Open until December 31, 2024	NEW: The Federal Government is requesting input on the potential application of residentially-zoned vacant land taxes to discourage the speculative holding of land and encourage the development of land into housing. Input is being sought from a variety of stakeholders including municipalities, until December 31, 2024 .		
The State of Canada's Birds 2024 report	Released October 08, 2024	NEW: Findings indicate that while many of Canada's bird populations continue to decline, others have increased due to deliberate and informed conservation efforts. Specifically, the report shows how 463 bird species that regularly occur in Canada have changed since 1970. For each species, the report includes		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		population status, distribution, trends, goals, threats, and conservation actions to protect them. For the first time, the report includes long-term population goals for all native bird species found in Canada that have sufficient data. These goals will help measure progress in maintaining and restoring bird species across the country, and in halting and reversing biodiversity loss.		
Engagement: Draft implementation framework for the right to a healthy environment under the Canadian Environmental Protection Act, 1999	Open until December 04, 2024	NEW: An implementation framework is being developed and must be published by June 2025. The development of the framework is being informed by input and perspectives provided through public engagement. The framework will set out how the right to a healthy environment will be considered when administering CEPA. It will elaborate on: • Foundational principles such as environmental justice, intergenerational equity, and non-regression • Relevant factors to consider in interpreting and applying the right to a healthy environment under CEPA and determining its reasonable limits, such as social, health, economic, environmental and scientific considerations • Mechanisms under CEPA that support the protection of the right to a healthy environment • Research, studies and monitoring activities to support the protection of the right Feedback may be submitted by e-mail or mail until December 4, 2024		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
<u>Engagement: Regulatory Impact Analysis Statement for Regulations Amending the Vessel Operation Restriction Regulations</u>	Released September 14, 2024. Comments due by November 25, 2024	NEW: The proposed Regulations would affect local authorities by accelerating the approval processes for vessel operation restriction applications and enforcement designation requests. Boating communities would also be affected, as the proposed Regulations would enable environmental and safety issues specific to local waterways to be addressed in a timelier manner. In addition, Government of Canada personnel would experience time savings as new restrictions would no longer go through the regulatory process for applications of vessel operation restrictions and enforcement designations.	There have been informal discussions in the past about seeking vessel operating restrictions, as is in place in Cowichan Bay, in areas of the Islands Trust Area with eelgrass or sensitive features	
<u>The Price of Nature - How to Recognize Nature's Value in Natural Asset Management</u>	Published August 22, 2024	NEW: When, why, and <i>how</i> to recognize nature's service values in natural asset management and infrastructure decision making.		
<u>ALC 2023/2024 Annual Report</u>	Released September 03, 2024	NEW: The report includes a review of the tribunal's operations during the preceding period and details on the nature and number of applications, as well as ALC compliance and enforcement, changes in the ALR area, and other matters received by the tribunal during the preceding period.		

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

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

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

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

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

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

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

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

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
That Trust Council request the Chair to submit a resolution to Union of British Columbia Municipalities September 2022 convention concerning a request to the Province for new legislation to protect and restore biological diversity and ecosystem health.	June 2022	AVICC/UBCM resolution	Achieved. The Province has released a draft biodiversity and ecosystem health framework.
That Trust Council request the Lieutenant Governor in Council for the Province of British Columbia to conduct a review of the Islands Trust's mandate, governance and structure. That Trust Council make the request by submitting the letter attached as Appendix 1 to the Lieutenant Governor under Section 8(2)(e) of the <i>Islands Trust Act</i> outlining the potential scope of a review, including, but not limited to: a) An assessment of the optimum governance model to preserve and protect the Trust area pursuant to the Province's vision for the future of the Trust area; b) The object of the <i>Islands Trust Act</i> and clarification of the mandate of the organization; c) The governance structure of the organization; d) The alignment of decision-making processes and structures with the Declaration on the Rights of Indigenous Peoples Act; e) The geographic scope of the organization and in particular authority over marine areas; and f) The funding mechanisms provided to the organization in light of a clarified mandate.	Sept. 2024	Letter to Hon. Anne Kang, Minister of Municipal Affairs	None received to date.

Briefing for Trust Council's Disposition of Delegation: Sue Big Oil

Trustee Sue Ellen Fast
For Dec 2024 Trust Council Public Agenda

RECOMMENDATION:

That Trust Council request staff to explore the non-legal implications of joining with other local governments in BC in the class action suit to Sue Big Oil at the rate of \$0.50/resident of the Trust Area, and report back.

PURPOSE:

To recover a fair share of our costs related to developing policies and plans and taking actions to adapt to and mitigate the climate crisis; and

To benefit the Islands Trust Area on the basis of a reduction in fossil fuel extraction activities and related greenhouse gas emissions.

BACKGROUND:

This recommendation is responding to a delegation from the public:

September 2023 Trust Council received a delegation on North Pender from Peter Pare of the Gulf Islands Sue Big Oil Group

September 2023 Trust Council in response requested staff to report back on options to join the class action suit to sue big oil with other municipalities at the rate of \$0.50/resident of the Trust Area.

The Sue Big Oil lawsuit is being pursued by West Coast Environmental Law. Their website indicates that they are proposing a class action law suit brought by local governments against fossil fuel companies such as Chevron, Exxon Mobil, Saudi Aramco, British Petroleum, and Shell, seeking damages for unreasonable interference with municipal infrastructure caused by the contribution of these fossil fuel companies to climate change. They say the contribution is at least partly responsible for damage to local government infrastructure caused by severe weather events and other effects of climate change.

See suebigoil.ca/how-it-works,

While Islands Trust does not own built infrastructure in the Islands Trust Area, except for lands owned or managed by the Islands Trust Conservancy, Trust Council can work with others to preserve and protect the unique amenities and environment of the Trust Area. In fact "in cooperation with others" is specified in the language of the province's *Islands Trust Act*:

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.

Trust Council declared a climate change emergency in March 2019, committing to take urgent and fair climate action. What Trust Council is doing towards climate action across the Islands Trust Area includes:

- Updating the Islands Trust Policy Statement to more effectively address climate change
- Implementing a Freshwater Sustainability Strategy
- Mapping eelgrass beds throughout the Trust Area
- Working with First Nations and Cultural Knowledge Holders
- Protecting species and ecosystems at risk
- Wetlands restoration to enhance and expand habitat for at-risk species
- Implementing land conservation strategies that consider climate change impacts
- Undertaking landowner stewardship education

Locally, all local trust committees and Bowen Island Municipality have official community plan policies addressing climate change, have greenhouse gas emission reduction targets, and may also have forest and biodiversity protection projects or other climate initiatives underway.

Nine BC communities have made a commitment to Sue Big Oil as of June 2024:

Gibsons
Sechelt
Squamish
Qualicum Beach
Cumberland
View Royal
Slocan
Port Moody
Burnaby

Partner organizations include Sue Big Oil Sunshine Coast, My Sea to Sky, and Denman Island Climate Action Network. Endorsers include the Union of BC Indian Chiefs, Transition Salt Spring, and Hornby and Denman Conservancies.

In the delegation, Peter Pare of the Gulf Islands Sue Big Oil Group referred to the catastrophic costs of the Lytton fire and BC floods of 2021; and described how the islands are disproportionately impacted by climate change, such as:

- Adverse consequences of sea level rise
- Saltwater incursion and foreshore property damages
- Increasingly droughts leading to loss of forest cover
- Stress on local agriculture
- Increased potential for wild fires
- Heavier winter rains leading to road repair, culvert replacement and property damage
- Adverse health effects, referencing tobacco and pharmaceutical companies sued

The delegation requested that Trust Council set aside at least \$0.50 per resident in the 2023 budget towards a community fund to sue Big Oil, as opposed to the \$1 figure recommended by West Coast Environmental Law. See pp. 108 - 112 of September 2023 TC agenda:

<https://islandstrust.bc.ca/document/trust-council-regular-meeting-agenda-part-1/>

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Trust Council should consider how this fits with its Strategic Plan, and priorities for the next fiscal year.

FINANCIAL:

Limited cost will be involved as the investigation will not involve legal aspects. Staff time will be required to undertake the work, and must be prioritized given other work commitments of Trust Council.

POLICY:

No policy implications.

IMPLEMENTATION/COMMUNICATIONS:

Staff will report back to Trust Council.

FIRST NATIONS RELATIONS:

No implications on First Nations Relations

OTHER:

No other implications

RELEVANT POLICY(S):

Islands Trust Act – Section 3, Object of the Islands Trust.

ATTACHMENT(S):

Recommendation: That Trust Council request staff to explore the non-legal implications of joining with other local governments in BC in the class action suit to Sue Big Oil at the rate of \$0.50/resident of the Trust Area, and report back.

Alternative: That Trust Council take no further action.

Other options as determined by Council.

Prepared By: Sue Ellen Fast

Reviewed By/Date:



2024 Union of BC Municipalities Convention Report

The following report provides an overview of activities of the Islands Trust Executive Committee and senior staff while attending the Union of BC Municipalities (UBCM) Convention in Vancouver, September 16 – 20, 2024.

Chair Peter Luckham and Vice-Chairs Tobi Elliott, David Maude and Tim Peterson attended the convention on behalf of Islands Trust Council. In addition, Salt Spring Island Local Trust Committee Chair Laura Patrick; Bowen Island Municipal representatives Judith Gedye and Sue-Ellen Fast; and Sunshine Coast Regional District representative Kate-Louise Stamford attended the convention. The Interim Chief Administrative Officer and Director, Trust Area Services also attended the convention.

MONDAY, SEPTEMBER 16

Province-wide Community-to-Community Forum

The Province-wide Community to Community Forum, co-hosted by UBCM and First Nations Leadership Council, Included speakers Grand Chief Stewart Phillip, President of the Union of BC Indian Chiefs; Kimberly Murray, Special Interlocutor for Missing Children and Unmarked Graves and Burial Sites associated with Indian Residential Schools; and keynote speaker, the Honourable Jody Wilson-Raybould.

Welcome and opening remarks by Musqueam Elder Larry Grant included comments on implementing and legislating UNDRIP, collaborative land use planning, and inclusive regional governance.

PANEL 1: TRUTH BEFORE RECONCILIATION, Speaker Kimberly Murray, Special Interlocutor for missing children and unmarked graves and burial sites associated with Indian Residential Schools.

This session focused on the missing and disappeared children and unmarked burials, reviewed the facts and findings of the Truth and Reconciliation Commission and the impacts of residential schools that still exist today. One panelist noted, "Reconciliation is not about forgiving and forgetting, it's about remembering and committing to doing differently moving forward."

Recommendations for local governments made by the panel that could advance knowledge of unmarked graves and burial sites included:

- Open your records management systems to see what information they contain
- Open your historical and current maps
- Develop protocols with Indigenous Nations around land use
- Share your mapping data so Indigenous communities can overlay it with theirs
- Use your power to implement concrete, sustainable actions within your own communities

Sacred Responsibility: Searching for the Missing Children and Unmarked Graves report is available https://osibis.ca/wp-content/uploads/2023/07/InterimReport_Summary_web.pdf
[Reading : Sites of Truth, Sites of conscience.](#)

Take home messages:

The offices for investigation into deaths were not built for these kinds of atrocities.
There is no repatriation policy to return children or land where children are buried.

PANEL 2: CITY OF VANCOUVER UNDRIP ACTION PLAN

<https://vancouver.ca/files/cov/undrip-action-plan-2024-2028.pdf>

In October 2022, Musqueam, Squamish, Tsleil-Waututh and the City of Vancouver became the first intergovernmental partners to collectively approve a strategy to implement UNDRIP at the local government level in Canada. More recently, the City approved an UNDRIP Action Plan. This work, led by the City's UNDRIP Task Force, is an important example of reconciliation in progress.

The panel discussed how development of the five-year action plan built on inter-governmental relationships that have been developing since 2013. The action plan was developed with the leadership of an inter-governmental table with elected officials from City of Vancouver, Musqueam, Squamish and Tsleil-Waututh and contains 88 deliverables across five themes:

- A. Relationship Foundations
- B. Redress Housing and Land
- C. Cultural Presence
- D. Stewardship and Addressing Environmental Racism
- E. Communication and Accountability

Importantly, the plan also lays out progress reporting requirements for transparency and accountability.

Khelsilem from Squamish Nation noted, "At no point was this a negotiation, with lawyers going back and forth, it was a true collaboration, working together as equals."

PANEL 3: IMPLEMENTING/LEGISLATING UNDRIP WITHIN LOCAL GOVERNMENTS

The Union of BC Indian Chiefs and First Nations Summit have passed resolutions calling on provincial and federal governments to legislate requirements for local governments to implement UNDRIP. First Nations Leadership Council will share their perspective on the topic. What would this look like? What are the implications for local governments? What are the opportunities and challenges?

Panelists noted that local governments are still waiting for guideline and resources from the Province, but that work has begun between Ministry of Municipal Affairs and UBCM to develop a toolkit with resources to help local governments.

Stories of success were shared by attendees about the best moments had in work with a neighbouring First Nation/local government.

Some commonalities in success stories included when:

- Local governments were listening
- First Nations were sharing cultural knowledge and it was being respected
- Children were involved

- There was an invitation to connect

PANEL 4: CITY OF PORT ALBERNI AND TSESHAHT AND HUPAČASATH

The City of Port Alberni formed a Reconciliation Committee in 2017 that made recommendations to foster and advance reconciliation between Indigenous and non-Indigenous people in the Alberni Valley. More recently the City, Tseshaht and Hupačasath have undertaken collaborative land use planning and development along the City's waterfront. This panel explored projects that the communities are working on together including the planning and development of the Somass Lands and Clutesi Haven Marina and how this aligns with UNDRIP.

Tseshaht Chief Ken Watts shared the slow road toward better relations with the City and advised local governments to focus on the relationships, take the time to learn as much as you can, and be part of everything that you can be.

PANEL 5: INCLUSIVE REGIONAL GOVERNANCE

The panel presented the work that Westbank First Nation (WFN), a self-governing nation, and Regional District of Central Okanagan (RDCO) are undertaking to develop a functioning inclusive governance model that will ensure meaningful WFN representation on the RDCO Board. This initiative was undertaken in the spirit of fostering mutual understanding, respect, and cooperation between WFN and the RDCO. The model also moves forward implementation of DRIPA/UNDRIP, Article 5 recognizing that, "Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural institutions, while retaining their right to participate fully, if they so choose, in the political, economic, social and cultural life of the State." Panelists shared what has been accomplished to date, and what issues/challenges they are working through along the way.

The government to government relationship took decades to build, and resulted in a local services agreement in which RDCO delivers 14 services to residents living on WFN lands. WFN is a non-voting member of RDCO Board, and has a co-management agreement and MOU with Parks Canada for Black Mountain regional park. Jordan Coble (Counsellor WFN) stated "if you want to be equals, there has to be money put behind it, there has to be administrative staff to be behind the work."

Lisa Pastro, Director of Operations for WFN noted it is not just local governments that need to resource reconciliation, "It starts from the top - regional district boards and councils need to make reconciliation a priority, need to fund that work and have someone actually doing the work (from the Nation)."

PANEL 6: KEYNOTE ADDRESS BY THE HONOURABLE JODY WILSON-RAYBOULD: GOVERNING & POLITICS IN UNCERTAIN TIMES: ADVANCING RECONCILIATION/UNDRIP AT THE LOCAL LEVEL

JWR Discussion paper with 5 potential models of Inclusive Regional Governance:
<https://pub-rdco.escribemeetings.com/filestream.ashx?DocumentId=12351>

Highlights/themes of the keynote address included:

- The need to stick your neck out as a leader
- Why are we fearful and confused when the basic human rights enshrined by the United Nations and the Charter of Rights and Freedoms are applied to Indigenous people?
- DRIPA is only sticking the neck out a little, because the Act is modest in its requirements and its deliverables incremental. Little had changed since DRIPA's adoption
- Change is slow because provincial and federal governments remain designed so that anything to do with Indigenous rights and title is virtually impossible to accomplish and DRIPA does not change that

- DRIPA does not address the dynamics of limited understanding and intransigence in communities: this is where local governments' work comes in
- Local governments can be at the leading edge of the sphere in which they operate. Make actions not only performative, but tangible and impactful
- Push back against patterns of "performative reconciliation" that have taken hold
- Be careful with what you say because you can't take words back
- The real work of reconciliation can be hidden by the symbols and performance. When symbols are taken for the reality, especially when Indigenous people are desperately anticipating and needing reconciliatory action, and come to realize that it has not been real after all.
- Need to be "in-betweeners": walk between and translate between the silos
- Honouring different ways of being are important, the opposite of fear and differences is knowledge, inclusion and equity.
- Pursue a more accurate telling of the story of Canada

TUESDAY, SEPTEMBER 17

Ministry, Agency and Crown Corporation (MACC) Staff Meetings

Trustees Present: Chair Luckham, Trustees Elliott, Maude, Peterson, Fast, Patrick, Gedye, Stamford.

Staff: Julia Mobbs, Clare Frater

- Sarah Fraser Assistant Deputy Minister
- Rob Schweitzer Acting Assistant Deputy Minister

Meeting with Ministry of Forests and BC Wildfire Services re: Wildfire planning and Wildfire Prevention Solutions

The Province's approach to wildfires in coastal areas is focused on a rapid response. Trustees noted this is not reassuring to residents living in a wildfire interface.

Trustees pointed out that locally-produced wildfire exposure maps, prepared by Capital Regional District, show the high risk of wildfire in the Islands Trust Area. This is in stark contrast to BC Wildfire Service's maps which, because of the abundance of private land in coastal/Gulf Island areas, they are marked "no data" or "private managed forest lands" on BC Wildfire Service's Fuel Type maps. Potential for workshops to promote understanding of fire management in light of the preserve and protect mandate, which at times appears to conflict with conservation goals.

Meeting with Ministry of Housing (ADM) and BC Housing staff.

Trustees Present: Chair Luckham, Trustees Elliott, Maude, Peterson, Fast, Patrick, Gedye, Stamford.

- Jessica Brooks, Acting Assistant Deputy Minister (base position: Executive Director, Planning and Land Use Management)
- Sarah Smith BC Housing

Topic 1 Tiny Homes on Wheels - Ministry of Housing, Building Safety and Standards Branch

This topic was dealt with via a virtual meeting between Jun'ichi Jensen, Director, Codes and Standards Branch and Vice-Chair Elliott. Director Frater also attended. The purpose of the meeting was to understand if a request to amend the BC Building Code to permit tiny homes on wheels could be successful, given the Province had refused a 2022 UBCM resolution to that effect. Building Standards Branch staff noted that tiny homes on

wheels are not buildings and local governments can therefore regulate them as they wish. However, the 2025-2030 BC Building Code Update cycle is focused on affordability and will be looking at tiny homes' technical requirements. As yet undefined scope for the project. The best code change proposals offer solutions. A fully developed code change proposal has the best chance of success and it is best to come with a prepared set of proposed code changes.

Topic 2 – Bowen Island Inclusion in Bill 44

Bowen Island Municipality was included within Bill 44 but local trust areas were not. The Minister noted Salt Spring Island Local Trust Committee was exempt from small-scale multi-unit housing requirements because of the Trust's special mandate to "preserve and protect the Trust area and its unique amenities and environment" and pre-existing limitations to critical resources like drinking water and waste disposal. There was a desire to know why the same logic does not apply to Bowen Island which is also an island subject to the Islands Trust's preserve and protect mandate under the *Islands Trust Act*.

Topic 3 - Housing Solutions for Rural and Remote Communities

There is a need for affordable housing solutions specific to rural islands in the Islands Trust Area. Trust Council has discussed potential ideas such as a discrete program within BC Housing to support rural non-profit projects, a separate housing-authority-type entity, a "navigator" service to help non-profit housing organizations in the Islands Trust Area achieve their goals. Islands Trust ask of the Housing Ministry is to explore what can be done to enable housing solutions specific to rural islands in the Islands Trust Area, including ways to remove legislative barriers, and provide stable, secure, and ongoing funding.

Islands Trust extended an offer to work in cooperation with other rural coastal communities and the Province to develop the necessary programs and regulatory tools. As local representatives, we have unique insights into the needs of our communities, and a desire to contribute our perspective towards seeking collaborative solutions to address rural housing challenges and meet provincial housing goals. Focus of the meeting was on:

- asking for an affordable housing program for rural communities to increase "gentle density". There was some discussion on tiny homes.
- BC Housing Director commended Islands Trust on three projects: Galiano, Salt Spring and Hornby.
- It was noted that housing projects on Gabriola and Bowen were announced Friday Sept 20, both for 24 units
- Trustee Elliott connected with Ministry of Housing Assistant Deputy Minister, Jessica Brooks to talk tiny homes. A/ADM Brooks requested a summary document Trustee Elliott had prepared.

Panel Discussions/Workshops

Strengthening Responsible Conduct

Recent years have seen several calls by local governments for new tools and resources to strengthen responsible conduct among local elected officials. The session explored the potential risks and rewards of new approaches to Codes of Conduct and their enforcement in British Columbia. This session was primarily based on a recently published discussion paper authored by UBCM and the Local Government Management Association.

LGMA-UBCM Discussion Paper "Potential for Change: Responsible Conduct Framework for Local Government Elected Officials"

The session provided an overview of the patchwork situation of local governments in B.C. One panellist noted, "British Columbia's framework is entirely unique in its treatment of codes as voluntary and at the discretion of individual local governments. In all other provinces, codes of conduct for local government elected officials are mandatory."

Three resolutions of UBCM in 2021, 2022 and 2023 called on the Province to establish through legislation one or more integrity commissioner offices to advise local governments and enforce codes of conduct. All three resolutions were endorsed by the membership.

While the current situation leaves Code of Conduct adoption up to individual local governments, the discussion paper provides models for potential change, including Provincial requirements for centralized administration and enforcement, or Provincial requirements for local administration and enforcement.

Addressing Systemic Racism and Advancing Reconciliation in BC

Part 1 featured discussion with Charlene Belleau from the Ministry of Indigenous Relations and Reconciliation, Williams Lake First Nation Chief Willie Sellars, Tseshah First Nation Chief Ken Watts, and Williams Lake Mayor Surinderpal Rathor, focusing on providing a better understanding of the history and legacy of Indian Residential Schools, and the ongoing efforts to combat denialism and racism around these issues.

Link to the Sugarcane Documentary on Residential schools here:

<https://films.nationalgeographic.com/sugarcane#theaters>

Part 2 featured ADM Haiqa Cheema, Navpreet Kaur Dua, and Mariam Okwengu from the BC Ministry of the Attorney General, and Hasan Alam from the BC Civil Liberties Association. Discussion covered the BC government's efforts to advance reconciliation and address racial equity by introducing the Anti-Racism Act, the Anti-racism Data Act, and the Racist Incident Helpline (1-833-HELPLINE). It also discussed the importance of combatting and educating about misinformation, improving digital literacy, creating access to low barrier mental health supports, and the importance of speaking out and being proactive rather than reactive.

WEDNESDAY, SEPTEMBER 18

Ministry, Agency and Crown Corporation (MACC) Staff Meetings

Provincial Assistance First Nations Engagement

Meeting with Ministry of Municipal Affairs, re: engagement with First Nations

Trustees Present: Trustee Elliott, Trustee Peterson, Staff: CAO Mobbs, Director Frater

Ministry of Municipal Affairs staff Present:

- Marijke Edmondson, Executive Director, Land Use, Planning and Regional Impacts and Strategic Advisor to Local Government Division
- Kris Nichols, Manager, Planning Advice and Approvals
- Ron Burleson: Director, Land Use, Planning and Regional Impacts Branch

Key Messages from Islands Trust included:

- Appreciation for the five-year grant in 2023 to support First Nations engagement work
- A desire for a closer working relationship with Ministry staff to achieve more guidance and support for First Nations engagement throughout the bylaw and Conservancy plan development process
- Interest in understanding if there is future consideration of Islands Trust decision-making processes and structures to be looked at as part of DRIPA implementation
- Islands Trust is in conversation with Quw'utsun Nation (5 Indigenous Governing Bodies), K'omoks First Nation, Tsawout First Nation and Snuneymuxw First Nation concerning possible protocol agreements
- Islands Trust has found some success through a pilot project to provide capacity funding

Provincial staff noted:

- They often reference Islands Trust as a model for First Nations engagement practices
- They found the \$150,000 grant funding 'under the couch cushions' so do not know if more funding might be available.

Request for Provincial Review

Meeting with Ministry of Municipal Affairs re: 50th Anniversary and request for a review of the Islands Trust Act

Trustees Present: Chair Luckham, Trustee Elliott, Trustee Peterson, Vice-Chair Maude, Trustee Fast, Trustee Gedye, Staff: CAO Mobbs, Director Frater

- Marijke Edmondson, Executive Director, Land Use, Planning and Regional Impacts and Strategic Advisor to Local Government Division
- Michelle Dann, Executive Director, Governance and Structure
- Kara Woodward: Executive Director, Policy, Research and Legislation
- Miriam Starkl-Moser: Manager, Policy and Legislation
- Danielle Lukovich: Manager, Policy Research and Legislation

The focus of this meeting was to ask Provincial staff for advice for how best to present Trust Council's request for a review of the Islands Trust Act, to position it for the best chance at success.

Islands Trust led with the observation that the Trust recently marked its 50th anniversary, but today it is challenged to fulfill its Object while responding to important priorities such as Reconciliation, the impacts of climate change, and need for diverse housing options. And it was noted that the "Unique amenities" discussion is one that continues to emerge.

Provincial staff noted:

- The request is unclear and should be more specific and the challenges created by the Act and the governance model it creates
 - Trustees noted it was Council's intention to be less specific and more general
- Islands Trust should prioritize its problems, issues and asks
 - Past requests: The starting point was not: "change the legislation", "it was please help with this problem."
- The timing of the request is not ideal given the gap in government during the Provincial election
- Generally, the Ministry tries to leave land use decisions with locally elected officials. Do we want this changed? Because opening the Act to an alternative governance model may invite greater

participation by First Nations and less influence by local elected officials. Ministries are currently tasked with true co-development with First Nations, especially when it comes to land.

- Ministry considers there are two different approaches to legislative reform:
 - a) devise theoretical abstract theory, and hope you can implement it well, or
 - b) ask what is achievable through policy and relationship, and develop the legislation that will support you in that space.
- Islands Trust should explore what is achievable through relationships, without legislative change. Other jurisdictions are testing different approaches cooperating with Nations, pushing the boundaries of what can be done in their existing structure.
- Are Islands Trust Area constituents ready for a governance change?
- Islands Trust is likely to receive the following responses to the review request:
 - Do changes recommended by the Governance Study address the issues you have raised and what have you done to implement those recommendations?
 - Please rank the priorities (as was previously suggested by MUNI Minister Robinson in response to past requests)

A trustee noted the term “unique amenities” has caused significant confusion and discussion over decades and it would be helpful if the Province were to clarify this term

Regarding “unique amenities” Provincial staff noted:

- It is the word “unique” that matters. Definitions of the term amenities can change over time and it is better to remain flexible
- Vagueness is also an opportunity. There is room for interpretation, but always it has to be interpreted within the context of the *times and current issues*, which must be that the mandate given is to be enacted through land use planning
- The Province will likely not dictate what constitutes an amenity. That is for Trust Council to determine.

A trustee noted that subdivisions approved through the Ministry of Transportation and Infrastructure are problematic.

Regarding subdivisions and MOTI’s role, Provincial staff noted:

- Regional Districts also find the same thing; it is challenging when an external body is the subdivision approving authority.

A trustee noted that there are current challenges with the Trust that need to be addressed now. Islanders are frustrated.

Provincial staff responded:

- Islands Trust is not alone: local governments around the province are struggling to build consensus.
- Suggest that trustees get active with the Local Government Leadership Academy for training
- Provincial staff are available for assistance and advice.

THURSDAY, SEPTEMBER 19

Mental Health and Local Elected Leaders Workshop:

Speakers included Lt. Governor Janet Austin; Kim MacKenzie from the Canadian Mental Health Association; Mayor Maja Tait, District of Sooke; Councillor Brian Frenkel, District of Vanderhoof; and Mayor Richard Stewart of Coquitlam.

Given a deteriorating tone of discourse, and the increase of attacks on local elected leaders both from the public and fellow local leaders, often fueled by social media, local elected leaders are at increasing risk of mental health consequences of this highly charged environment.

Discussion covered building and supporting a political environment that encourages respectful disagreement; the importance of education on economic, political, and media views; and establishment of peer support networks. Several workshop participants shared their own struggles within the context of holding public office. Participants were encouraged to put a business card in for an informal peer-to-peer network, and it is expected that there may be a resolution brought to next year's UBCM convention to look at formalizing and funding a peer network, and looking at increasing funding for public office holders to access mental health supports.

Floods! Droughts! Watershed Security! Working Together Towards Resilient Communities Workshop:

The climate crisis is a water crisis, impacting local economics, food security, and quality of life. Local governments are on the front lines of increasing climate disasters, working to keep their communities safe and secure. B.C. has two key strategies to transform freshwater management: The BC Flood Strategy and the forthcoming Watershed Security Strategy. This workshop explored what these strategies mean for local governments tackling climate change driven emergencies and disasters and how better watershed governance can advance the health, security and resilience of your community.

This panel brought together water policy experts, legal advisors and local government leaders to explore the future of watershed governance in communities. Examples were shared of how local and regional governments have been working with First Nations to keep communities safe. Attendees learned from communities working to enhance watershed planning and management while recognizing First Nations authority, empowering local voices, improving conversation efforts, reducing water conflicts, and mitigating economic impacts from climate disasters.

Panelists shared information about the BC Watershed Security Coalition:

www.watershedsecurity.ca

BC Watershed Security Coalition is a non-partisan, diverse coalition of over 50 organizations including farmers, hunters and anglers, Indigenous peoples, local governments, businesses, and conservationists, representing 255,000 British Columbians from all walks of life. The Coalition focuses on advancing modern-day solutions that increase community resilience and security.

The purpose of watershed boards is to:

- Establish a collaborative vision for the watershed
- Develop and implement watershed plans (drought, fire, flood and water sustainability)
- Break down silos between different levels of government
- Formal input into land-use-decisions
- Conduct water monitoring and track watershed health indicators

- Lead and coordinate watershed restoration efforts
- Promote compliance and support conflict resolution
- Build community awareness and engage the public

Examples of successful contemporary approaches to watershed governance were shared:

- Cowichan Watershed Board
- Koksilah Watershed Planning Agreement
- Okanagan Basin Water Board

What does winning on water with watershed boards look like?

- From division/conflict over water to: collaborative solutions and social cohesion
- From cycle of reacting to a cycle of crises (instability) to government has a plan to keep BC safe and get ahead of a crisis
- From people feeling despair (overwhelmed by threats) to local watershed projects across BC that collectively demonstrate a story of hope for the future

Shocking Realities : Trends In Electrifying Transportation:

An electrifying presentation about the history of electric transportation in Vancouver, the long legacy of the trolley buses and recent advancements in battery electric buses being rolled across the Lower Mainland. 60% of the 40ft bus fleet is planned to be electric by 2030. A new Electric Bus transport charging hub is being built in the Marpole area to support the fleet. Significant reduction in greenhouse gas emissions for the City and lower maintenance costs.

FRIDAY, SEPTEMBER 20

Address by Honourable Jonathan Wilkinson, Minister of Energy and Natural Resources

Minister Wilkinson discussed a place-based economic strategy, seizing critical minerals, carbon capture, hydrogen production and over \$40 Billion invested in over 100 Clean Growth products.

Minister Wilkinson noted, “Climate change should not be a partisanship issue, it's an issue of science. You understand the need for action on climate. But you see there are some in high positions, who are climate denialists. We have two choices: 1. meet the moment we are living in, build stronger more resilient communities, or 2. stick heads in sands, deny climate change, watch the environment deteriorate, while we watch the planet burn.”

Address by Conservative Party Leader John Rustad

The Conservative leader described a number of policy proposals if his party were to win the provincial election including:

- Involuntary care for people addicted to drugs
- Repeal of Bill 44
- Exploitation of natural resources

Address by Green Party Leader Sonia Fursteneau

The Green Party leader described a number of policy proposals if her party were to win the provincial election including:

- Reliable funding to address infrastructure deficit
- Housing-first model to solve homelessness
- Community health centres

RESOLUTIONS SESSIONS

NR59 Islands Trust Resolution Re. Composting Toilet and Greywater Practice

Islands Trust's resolution was endorsed:

WHEREAS there have been barriers to uptake of alternatives to plumbed sewage disposal systems despite their allowance under the Sewerage System Regulation and the 2016 Manual of Composting Toilet and Greywater Practice;

AND WHEREAS these barriers to uptake may include overly conservative requirements (and their application) for onsite application criteria for residuals in the Manual of Composting Toilet and Greywater Practice:

THEREFORE BE IT RESOLVED that UBCM call upon the Province of British Columbia's Ministry of Health to review the Manual of Composting Toilet and Greywater Practice to update the onsite application criteria for residuals based on current scientific knowledge; and provide funding for demonstration projects and for practitioners' professional development on composting toilets and greywater practices. Islands Trust Requested the Ministry of Health to update the 2016 Manual of Composting Toilet and Greywater Practice (MCTGP) Was presented and read by Chair Luckham on Friday. PASSED

In the backgrounder about the resolution that Islands Trust provided to UBCM, the following was explained: *Despite the Manual of Composting Toilet and Greywater Practice's existence and the need for alternative solutions, there have been barriers to the uptake of composting toilets and greywater practices. The first is that the prescriptive requirements for onsite application criteria for residuals within the Manual of Composting Toilet and Greywater Practice are showing to be overly conservative based on scientific knowledge re pathogen decay and phytotoxin control. The second is that some practitioners, including those signing off on the system, may be overly conservative in their interpretation of the Manual of Composting Toilet and Greywater Practice due to concerns over risks of these systems in relation to health safety.*

THROUGHOUT CONVENTION

The UBCM Convention provides an opportunity for members of the Executive Committee and senior staff to have informal conversations with other attendees. Some of these included:

Networking

- Island Trustees and staff met to socialize with Bowen municipal councillors and staff

- Staff met with BC Ferries staff to discuss options for inter-agency conversations about alleviating the effects of cross-Denman traffic to Hornby, especially speeding vehicles, and about building a stronger inter-agency relationships
- Vice-Chair Peterson discussed rainwater catchment with staff from CSA, with a promise they would follow up on new technologies and approaches to achieving BC Health approval for rainwater catchment for multi-family dwellings
- Staff from the Advocacy Access Program at Disability BC offered assistance as Islands Trust establishes its new Accessibility Committee
- Staff from Hope Air shared information about the program that offers support for medical transportation costs in BC and across Canada

Chair Luckham met with Ministry of Municipal Affairs staff, BC Transit, BC Ferries and engaged with numerous regional and rural communities on common issues and concerns

It is worth noting the EC with members of the CAOHC and Leaders International conducted two interviews with CAO candidates during the convention as it was the only time that all of the members of the committee were available in one place. This prevented those trustees from some session participation on the Wednesday.

FURTHER INFORMATION

In addition to the links in this report, further information is available on the UBCM website. This includes many of the session presentation materials used during the conference.