

Executive Committee Revised Agenda

Date: Wednesday, July 3, 2024
 Time: 9:15 a.m.
 Location: Electronic Meeting, Public venue to watch the livestream:
 Islands Trust's Victoria Office: 200 - 1627 Fort Street, Victoria, BC

	Pages
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
2.2.1 Agenda Context Notes - None	
3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING	
None	
4. ADOPTION OF MINUTES	
4.1 Draft Executive Committee Meeting Minutes of June 18, 2024	4 - 8
5. FOLLOW UP ACTION LIST AND UPDATES	
5.1 Follow Up Action List/Director/CAO Updates	9 - 14
5.2 Local Trust Committee Chair Updates	
5.3 Islands Trust Conservancy Liaison Update	
6. BYLAWS FOR APPROVAL CONSIDERATION	
6.1 Mayne Island Local Trust Committee - Bylaw No. 193 - RFD	15 - 39
THAT the Islands Trust Executive Committee approve Mayne Island Local Trust Committee Bylaw No. 193, cited as "Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2023" in accordance with Section 27 of the <i>Islands Trust Act</i> .	
7. TRUST COUNCIL MEETING PREPARATION	
7.1 Roundtable Review of June 18-20 Trust Council Meeting	
7.1.1 Delegation Presentation Materials in Trust Council Agendas	40 - 40
Trustee Elliott - Verbal Discussion	

7.1.2	Public Comment Period Opportunities	
	Verbal discussion	
7.2	Executive	
7.2.1	June Trust Council Business Decision Highlights	41 - 41
	For review and approval to circulate to subscribers and post to the website.	
7.2.2	Trust Council Follow Up Action List	42 - 47
	Items added from June Trust Council meeting.	
7.3	Planning Services - None	
7.3.1	Chair Role	
7.4	Administrative Services - None	
7.5	Trust Area Services - None	
8.	EXECUTIVE COMMITTEE PROJECTS	
8.1	Trust Council Initiated - 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	
	8.2.4.1 Consideration of Reimbursement	48 - 49
	Trustee Maude	
9.	NEW BUSINESS	
9.1	Executive/Trust Council	
9.2	Trust Area Services	
9.2.1	LTC Chairs Report on Local Advocacy Topics	
9.3	Planning Services	
9.3.1	Request for Executive Committee Sponsorship of Rezoning Application Fee - RFD	50 - 92
	THAT the Executive Committee approve financial sponsorship for the \$8,115.12 application fee for rezoning application PLRZ20240055 from the Denman Conservancy Association.	

9.4 Administrative Services

10. CORRESPONDENCE (for information unless raised for action)

10.1 2024-06-27 Trustee Morrison - Trust Council policy on conference reporting 93 - 93

11. WORK PROGRAM

11.1 Review and amendment of current work program 94 - 96

12. NEXT MEETING

The next scheduled meeting of Executive Committee is the Islands Trust Conservancy Board / Executive Committee Liaison meeting July 23, 2024, at 1:00 p.m in the Victoria Office Boardroom.

The next scheduled Executive Committee meeting will be held electronically on Wednesday, July 24, 2024, at 9:15 a.m.

13. CLOSED MEETING

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

14. ADJOURNMENT



Executive Committee

Minutes of a Regular Meeting

Date: Tuesday, June 18, 2024
Location: Harbour House Hotel
121 Upper Ganges Road, Salt Spring Island, BC

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

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (CAO)
David Marlor, Director, Legislative Services (DLS)
Clare Frater, Director, Trust Area Services (DTAS)
Julia Mobbs, Director, Administrative Services (DAS)
Stefan Cermak, Director, Planning Services (DPS)
Alexandra Trifonidis, Executive Coordinator

Members of the public present: A member of the public was present.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:30 a.m.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

The following additions to the agenda were presented for consideration:

- 7.5.6 2024-06-17 Eric March - Letter regarding Public Engagement at the Quarterly Trust Council Meeting
- 7.5.7 Committee of the Whole – Alternate Chair
- 7.6 Glenn Stevens - Delegation Materials

2.2 Approval of Agenda

By general consent the agenda was adopted as amended.

2.2.1 Agenda Context Notes - None

3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING

Chair Luckham to rise and report that at their June 5, 2024, in-camera meeting, Executive Committee advanced in-camera agenda items to Trust Council.

4. ADOPTION OF MINUTES

4.1 Draft Executive Committee meeting minutes of May 15, 2024

By general consent Executive Committee adopted the May 15, 2024, minutes as presented.

4.2 Draft Executive Committee meeting minutes of June 5, 2024

By general consent Executive Committee adopted the June 5, 2024, minutes as presented.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates

CAO Hotsenpiller provided an update on the Follow Up Action List.

5.2 Local Trust Committee Chair Updates

Vice-Chair Peterson reported out on the latest Hornby Island and Salt Spring Island Local Trust Committee meetings. The Hornby Island Local Trust Committee was informed that the Crown land referral from the province regarding the Roger's cell tower has arrived, and more information will be forthcoming. In addition, the Salt Spring Island Local Trust Committee had a joint meeting with Capital Regional District directors and the Salt Spring Local Community Commission, which proved to be a good first step in agreeing to meet more often to see where collaborative work can be done.

No other reports were provided.

5.3 Islands Trust Conservancy Liaison Update

Vice-Chair Elliott reported that the Islands Trust Conservancy held a special closed meeting on June 12th, to consider applications for a new board member.

6. BYLAWS FOR APPROVAL CONSIDERATION - None

7. TRUST COUNCIL MEETING PREPARATION

7.1 Executive – None

7.2 Planning Services - None

7.3 Administrative Services - None

7.4 Trust Area Services

7.4.1 2023/24 Annual Report Content

EC-2024-079

It was MOVED and SECONDED,

that Executive Committee approves the following sections for the 2023/24 Annual Report: Message from the Islands Trust Council Chair; Message from the Chief Administrative Officer; The Islands Trust Area; Organization and Responsibility; 2023/24 Key Accomplishments; Islands Trust Council; Bowen Island Municipality; Legislative Services -

Administrative Fairness and Freedom of Information; and Bylaw Compliance and Enforcement; and approves inclusion of Appendix A: Strategic Plan 2018–2022 (without the implementation table).

CARRIED

7.5 Late Correspondence Items

- 7.5.1 2024-05-17 Trustee Boland - Policy Statement Amendment Project Information Bulletin #1

By general consent Executive Committee received for information.

- 7.5.2 2024-06-05 Minister Cullen, Water, Land and Resource Stewardship - Response letter regarding dock tenures in the Southern Gulf Islands

By general consent Executive Committee requests item 7.5.2 be forwarded to the June Trust Council agenda.

- 7.5.3 2024-06-05 Honourable Anne Kang - Minister of Municipal Affairs - Message regarding Islands Trust's 50th Anniversary

By general consent Executive Committee requests item 7.5.3 be forwarded to the June Trust Council agenda.

- 7.5.4 2024-06-10 M.P. Lisa Marie Barron - Selection Committee invite re: King Charles III Coronation Medal

By general consent Executive Committee requests item 7.5.4 be forwarded to the Gabriola and Thetis Island trustees.

- 7.5.5 2024-06-12 W Thomas - Corrections to Draft Letter to BC Govt. Land Referrals

By general consent Executive Committee requests item 7.5.5 be forwarded to the Hornby Island Local Trust Committee.

- 7.5.6 2024-06-17 Eric March - Letter regarding Public Engagement at the Quarterly Trust Council Meeting

By general consent Executive Committee requests item 7.5.6 be forwarded to all trustees by email.

Discussion ensued around public comment period opportunities at Trust Council, and the Chair recommended a vice-chair bring this up at the next Executive Committee meeting.

- 7.5.7 Committee of the Whole – Alternate Chair

The Chair reported that the three vice-chairs and trustee Bernardo have put their names forward to chair Committee of the Whole meetings. At the end of Trust Council on Thursday, after the adoption of the next Committee of the Whole meeting date, Trust Council will have a session at 20.2 to elect a chair for the next Committee of the Whole meeting.

7.6 Glenn Stevens - Delegation Materials

DRAFT

Trustees raised concern that the delegation is referencing Salt Spring Local Trust Committee issues, not Trust Council issues. Chair will remind Mr. Stevens to keep it to Trust Council business.

Regarding the Trust Council public comment session, the Chair will limit the speakers to two minutes and a vice-chair will monitor the time.

8. NEW BUSINESS

8.1 Executive/Trust Council – None

8.2 Trust Area Services

8.2.1 LTC Chairs Report on Local Advocacy Topics

No reports were provided.

8.3 Planning Services - None

8.4 Administrative Services - None

9. CORRESPONDENCE (for information unless raised for action)

9.1 2024-05-30 Islands Trust Conservancy May 28, 2024, Meeting Highlights

By general consent Executive Committee received item 9.1 for information.

9.2 2024-05-30 CVRD - OCP Bylaw 4373 - forthcoming referral

By general consent Executive Committee received item 9.2 for information.

10. WORK PROGRAM

10.1 Review and amendment of current work program

By general consent Executive Committee received item 10.1 for information.

11. NEXT MEETING

The next Executive Committee meeting will be held electronically on July 3, 2024, at 9:15 a.m.

12. CLOSED MEETING (if applicable) – None

13. ADJOURNMENT

The meeting adjourned at 11:17 a.m.

Peter Luckham, Chair

Certified Correct:

DRAFT

David Marlor, Director Legislative Services

Minutes are not official until adopted at a subsequent meeting.

DRAFT

Follow Up Action Report

Executive Committee

Chief Administrative Officer

Progress	Activity	Responsibility	Dates	Status
0%	1 Explore future education/workshop sessions on decision-making to benefit trustees.	Russ Hotsenpillier	Meeting: 24-May-2023 Target: 26-Sep-2023	In Progress

Director Legislative Services

Progress	Activity	Responsibility	Dates	Status
0%	1 Staff to forward the draft Code of Conduct to Trust Council Committee of the Whole in June 2024 for discussion and recommendation to Trust Council. On hold pending work of the Governance committee on the Code of Conduct, also planned for June/July.	David Marlor	Meeting: 24-Apr-2024 Target: 07-Jun-2024	In Progress
100%	2 Staff to work with Chair Luckham and Vice Chair Elliott to respond to correspondent Rapport regarding Trust Council's response to serious concerns.	Clare Frater David Marlor	Meeting: 24-Apr-2024 Target: 18-Jun-2024	Completed
0%	3 Staff to work with Vice-Chair Peterson and Chair Luckham to prepare a request for decision for September Trust Council with options and a recommendation on policy for Disposition of Trust Council Delegations.	David Marlor	Meeting: 15-May-2024 Target: 01-Sep-2024	In Progress
0%	4 Staff to prepare materials for a future Trust Council session on agreements with other agencies, governments and First Nations.	David Marlor	Meeting: 15-May-2024 Target: 01-Sep-2024	In Progress

Follow Up Action Report

Executive Committee

Director Legislative Services

Progress	Activity	Responsibility	Dates	Status
0%	5 Staff to respond directly to letter: 2024-05-17 K'ómoks First Nation Addition to Reserve Application Letter by June 10, 2024 As per EC, staff are not to forward the letter to the June Trust Council agenda. *Left a message with KFN informing them we would not meet the deadline but will be providing a response letter.	David Marlor	Meeting: 05-Jun-2024 Target: 10-Jun-2024	In Progress

Director of Planning Services

Progress	Activity	Responsibility	Dates	Status
25%	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: 05-Sep-2024	In Progress
0%	2 Staff to provide to Executive Committee and Islands Trust Conservancy options for sharing GIS resources.	Stefan Cermak	Meeting: 31-Jan-2024 Target: 30-Sep-2024	In Progress

Director, Administrative Services

Progress	Activity	Responsibility	Dates	Status
0%	1 Review Islands Trust Policy 6.5.2 as a whole and specifically make recommendations to amend the policy to ensure the policy is clear in regards to the process and decision making authority related to proposed 'overspends' for any particular budget item.	Julia Mobbs	Meeting: 21-Oct-2020 Target: 18-Sep-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
40%	1 Staff to work with trustees to organize two film screenings of the movie Dust n Bones and reconciliation discussions subject to support of affected local trust committees. (A grant in aid of 4,500 (from History and Heritage Grants in Aid program was provided in 2020 to host screenings on three islands but due to Covid-19 restrictions only one screening occurred.) EC previously indicated interest from Gabriola and Salt Spring Islands. As SSI LTC and Gabriola LTC initially expressed an interest in hosting a screening, Vice Chairs Peterson and Elliott will assess if the interest remains and will be involved in outreach and organizing those screenings.	Clare Frater	Meeting: 26-Feb-2020 Target: 28-Mar-2025	In Progress
0%	2 Investigate options for policies or policy updates for formal opportunities for First Nations presentations and engagement at Trust Council meetings.	Clare Frater	Meeting: 07-Oct-2021 Target: 28-Mar-2025	In Progress
0%	3 Staff to develop policy regarding s. 8 (2) (h.1) (iii) and (iv) of the Islands Trust Act. This request responded to changes to the Islands Trust Act to give Trust Council new discretionary powers relating to supporting and give financial assistance to others to (iii)engage in activities to gain knowledge about the unique amenities and environment of the trust area and to increase public awareness, understanding and appreciation of the unique amenities and environment; (iv)preserve and protect the unique amenities and environment of the trust area. Executive Committee has discussed there may be an opportunity to concurrently review the secretariat services, and grants in aid policies with the intention of identifying administrative efficiencies.	Clare Frater	Meeting: 12-Apr-2022 Target: 03-Dec-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
25%	4 Staff to: a) evaluate the implications of a longer referral response window, and; b) consider how Trust Council and local trust committees (LTC's) might consult with First Nations to better understand what changes to the current referral process should be made to both improve communication and to further reconciliation, and report back to Trust Council.	Clare Frater Stefan Cermak	Meeting: 29-Jun-2023 Target: 05-Sep-2024	In Progress
20%	5 Staff to add to a future EC agenda: Honoraria for Indigenous elders providing welcomes or presentations at local trust committee meetings.	Clare Frater	Meeting: 20-Dec-2023 Target: 21-Aug-2024	In Progress
0%	6 Staff to develop a project charter for a webinar in 2024 on the role of Islands Trust.	Clare Frater	Meeting: 20-Dec-2023 Target: 31-Mar-2024	In Progress
0%	7 Staff to send an invitation to San Juan County to attend Trust Council in June or Sept and indicate their preference.	Clare Frater	Meeting: 31-Jan-2024 Target: 12-Mar-2024	In Progress
90%	8 Deliver a two hour webinar to trustees, regarding the legislative framework of, and responsibilities under, the Canadian Species at Risk Act.	Clare Frater	Meeting: 27-Mar-2024 Target: 10-Sep-2024	In Progress
10%	9 Prepare a project charter for a project that requests the Province for NAPTEP funding changes. Apply for one-time Grant for Local Governments to Advance Biodiversity Conservation on Private Lands in preparation for request to Province.	Clare Frater	Meeting: 27-Mar-2024 Target: 03-Jul-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
100%	10 Staff to work with Chair Luckham and Vice Chair Elliott to respond to correspondent Rapport regarding Trust Council's response to serious concerns.	Clare Frater David Marlor	Meeting: 24-Apr-2024 Target: 18-Jun-2024	Completed
0%	11 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: 01-Sep-2024	In Progress
49%	12 Staff to schedule one Trust Council Committee of the Whole meeting after June's Trust Council, polling trustees for day and evening availability for consideration of the new draft of the Policy Statement and provision of recommendations to Trust Council.	Clare Frater	Meeting: 05-Jun-2024 Target: 12-Jun-2024	In Progress
100%	13 Staff to invite legal counsel to attend the next Committee of the Whole meeting.	Clare Frater	Meeting: 05-Jun-2024 Target: 31-Jul-2024	Completed
10%	14 Staff to develop a protocol agreement in cooperation with Snuneymuxw First Nation's for Trust Council's consideration.	Clare Frater	Meeting: 05-Jun-2024 Target: 30-Sep-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
100%	15 Staff to prepare minister meeting requests for submission by June 21, 2024, to meet with the following minister(s) at the 2024 Union of British Columbia Municipalities Conference in order of top 3 preferences: (c) Minister of Health concerning gray water and composting toilet guidelines (b) Minister of Municipal Affairs concerning indigenous relations (a) Premier concerning 50th anniversary and future of Islands Trust governance	Clare Frater	Meeting: 05-Jun-2024 Target: 21-Jun-2024	Completed
10%	16 Implement the Executive Committee approved "The Role of the Trust" webinar project charter.	Clare Frater	Meeting: 05-Jun-2024 Target: 12-Jun-2024	In Progress



Islands Trust

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

File No.: Bylaw No. 193
6500-20 (2023 LUB
Amendments)

DATE OF MEETING: July 3, 2024
TO: Islands Trust Executive Committee
FROM: Narissa Chadwick, Island Planner
SUBJECT: Mayne Island Local Trust Committee – Bylaw No. 193

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Mayne Island Local Trust Committee Bylaw No. 193, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2023” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

Mayne Island Local Trust Committee has referred Bylaw No. 193 to the Executive Committee for approval under Section 27 of the *Islands Trust Act*. Staff recommends that the Executive Committee approve the bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

IMPLICATIONS OF RECOMMENDATION

Organizational

There will be no organizational changes required as a result of the bylaw being approved.

Financial

There will be no anticipated costs to the organization as a result of the bylaw being approved.

Policy

The bylaw as it is not contrary to or at variance to the Islands Trust Policy Statement.

Implementation/Communications

Communication to **Mayne Island Local Trust Committee** regarding the Executive Committee decision by **July 5, 2024**.

Other

None.

PURPOSE

Mayne Island Local Trust Committee Bylaw No. 193, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2023”, if adopted, will amend the Mayne Island Land Use Bylaw No. 146 (LUB) in a number of ways. The bylaw includes: setback changes, minor changes to site specific zoning, site specific zoning for properties with existing temporary use permits and expansion of permissions for contractor yards.

BACKGROUND

Mayne Island Local Trust Committee Bylaw No. 193

The Mayne Island Local Trust Committee's Official Community Plan (OCP) and Land Use Bylaw (LUB) minor amendments project was launched with a project charter in July 2023. Since then the Mayne LTC has focused on LUB amendments only. Direction to draft bylaws was provided via resolution at the LTC's November 27th, 2023 regular meeting. In subsequent meetings the LTC has identified and discussed a number of topics and made two referrals to the Advisory Planning Commission.

At their March 2024 regular meeting the Mayne Island LTC, through resolution confirmed that *"the Mayne Island Local Trust Committee Bylaw No. 193 cited as "Mayne Island Land Use Bylaw No.146, 2008, Amendment No.1, 2023" is not contrary or at variance with the Islands Trust Policy Statement"*. At the same meeting the Mayne Islands LTC, through resolution, chose not to hold a public hearing as the land use bylaw amendments are consistent with the OCP. In accordance with S.467 of the *Local Government Act*, notice was given prior to presenting the bylaw to the LTC for First Reading.

The bylaw was read for the First, Second, and Third time on June 24, 2024.

Issues Relating To Provincial Interest

Bylaw No. 193 was referred to the following agencies:

- Capital Regional District – Building Inspection
- Capital Regional District – Regional Parks and Community Services
- Island Health
- Mayne Island Fire Rescue
- Mayne Island Agricultural Hall Society
- Campbell Bay Musicfest Society
- Ministry of Transportation and Infrastructure
- Ministry of Municipal Affairs
- Galiano, North Pender, Saturna, Salt Spring and South Pender Local Trust Committees.

Issues Relating To First Nation Interest

Staff initiated referrals to Cowichan Tribes, Halalt First Nation, Ts'uubaa-asatx Nation, Lyackson First Nation, Malahat First Nation, 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 the WSANEC Leadership Council.

Issues Relating To Resources and Enforcement

Staff do not anticipate any increase in enforcement resources. The proposed amendments which include permitting contractor yards as a home business and setback reductions may reduce enforcement issues.

Public Comments

At the time of writing this report, no public comments related to this bylaw have been sent directly to the Executive Committee.

Staff Comments

The Executive Committee is requested to approve Mayne Island Local Trust Committee Bylaw No. 193, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2023” in accordance with Section 27 of the *Islands Trust Act*.

This recommendation has been provided to the Executive Committee at this time as the Mayne Island LTC following a year of discussion, which included consideration of APC recommendations, referral agencies and other bodies as well as input from the community, has read the Bylaw for the third time.

KEY ISSUES/CONCEPTS

- Minor amendments to the Land Use Bylaw

RELEVANT POLICY

- 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 Mayne Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 193, cited as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2023” is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Mayne Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Narissa Chadwick, Island Planner	June 20, 2024
Concurrence:	Stefan Cermak, Director of Planning Services	June 25, 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. 193
7. First Nations follow-up Tracking



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Mayne Island Local Trust Committee

Bylaw No.: MA-193

Bylaw Type: Land Use Bylaw

Date of resolution referring bylaw to Executive Committee: 24-Jun-2024

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

Recieved by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: MA-193

Trust Area: Mayne Island Local Trust Committee

Type: Land Use Bylaw

Bylaw No.: MA-193

Application No.:

Trust Initiated: Yes

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 24-Jun-2024

Bylaw Sent to Referrals: Yes

Date Proposed Bylaw to Web: 15-Apr-2024

Resolutions:

Resolution Waiving Public Hearing: No

Resolution Authorizing Public Hearing: No

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: ,

Date:

File complete and ready for Public review: No

Public Hearings:

Location:

Proofread By: ,

Legal Paper: Gulf Island Driftwood

First Publish Date: 12-Jun-2024

Second Publish Date: 19-Jun-2024

Alternate Paper:

First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held:

Second Reading Date: 24-Jun-2024

Third Reading Date: 24-Jun-2024

Referrals: Bylaw MA-193

Agency	Sent	Received
Bylaw Enforcement <i>Islands Trust: Warren Dingman</i> <i>Comment:</i>	18-Apr-2024	
Campbell Bay Musicfest Society <i>Campbell Bay Musicfest Society: Campbell Bay Musicfest Society</i> <i>Comment: Happy with the Amendment as worded. No changes requested.</i>	18-Apr-2024	26-Apr-2024
Capital Regional District - All Referrals Aggie Chan and Jessica Arnet <i>625 Fisgard Street: Aggie Chan</i> <i>Comment:</i>	18-Apr-2024	
Cowichan Tribes <i>5760 Allenby Rd: Tracey Flemming</i> <i>Comment: No Comment Received</i>	18-Apr-2024	
Galiano Island Local Trust Committee <i>200 - 1627 Fort Street: Jas Chonk</i> <i>Comment: Interests Unaffected by Bylaw.</i>	18-Apr-2024	14-May-2024
Halalt First Nation <i>7973 Chemainus Rd: Raven August</i> <i>Comment: No Comment Received</i>	18-Apr-2024	
Island Health <i>3rd Floor, 6475 Metral Drive: Referrals Referrals</i> <i>Comment: Interests unaffected by bylaw.</i>	18-Apr-2024	03-May-2024
Lake Cowichan First Nation <i>313B Deer Road: Carole Livingstone</i> <i>Comment: This application is located within the Ts'uubaa-asatx Nation statement of intent area; it is the interest of the Ts'uubaa-asatx Nation to respectfully maintain our rights and access to the lands and resources throughout our territory. 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>	18-Apr-2024	24-Apr-2024
Lyackson First Nation <i>8017 Chemainus Road: Linda Aidnell</i> <i>Comment: No Comment Received</i>	18-Apr-2024	

Referrals: Bylaw MA-193

Agency	Sent	Received
Malahat First Nation 110 Thunder Road, RR4: Heather Adams <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 this project.	18-Apr-2024	18-Jun-2024
Mayne Island Agricultural Hall Society Mayne Island Agricultural Hall Society: Tina Hudson	18-Apr-2024	
Mayne Island Fire Department 520 Felix Jack Road: Kyle Stobart <i>Comment:</i>	18-Apr-2024	
Ministry of Municipal Affairs and Housing Planning and Land Use Management: Ron Burleson <i>Comment:</i> Thank you for referring Bylaw No. 193 to the Ministry of Municipal Affairs. Staff have reviewed the submission and do not have any comments on the contents of the bylaw at this time. Please ensure that when the final bylaw is referred to the Minister of Municipal Affairs for review, the submission package includes a record of comments from all stakeholders, including First Nations, and information on how the Islands Trust responded to each comment.	18-Apr-2024	09-May-2024
Ministry of Transportation and Infrastructure Ministry of Transportation and Infrastructure: Dana Spilde <i>Comment:</i> The Ministry of Transportation and Infrastructure (MoTI) has received and reviewed your referral dated April 18, 2024 to amend the Mayne Island Land Use Bylaw No.146, 2008. The proposal does not fall within Section 52 of the Transportation Act and will not require formal Ministry approval and signature. The Ministry has no objections to the proposed amendments. The Ministry is in support of the proposal however we have the following comments. -Regarding Derelict Vehicles the Ministry wants to ensure that Islands Trust and Bylaw officers are working with MoTI to avoid the issue of Derelict Vehicles just getting moved from private property and into the ROW causing expenses to the Ministry for monitoring or removal. Disposal (off island) or removal must be undertaken by the land / vehicle owner. -Relating to the Music Festival grounds and Site-Specific zone- 1, Section 11, Mayne Island, Cowichan District, Plan 39587,327 Campbell Bay Road. A Special Event Permit must be submitted for review and approval to MoTI prior to any event taking place with proper traffic control measures that will not cause problems for the travelling public.	18-Apr-2024	26-Apr-2024
North Pender Island Local Trust Committee Islands Trust: Jas Chonk <i>Comment:</i> Interests unaffected by bylaw.	18-Apr-2024	14-Jun-2024
Pauquachin First Nation 9010 West Saanich Road: Darlene Henry	18-Apr-2024	

Referrals: Bylaw MA-193

Agency	Sent	Received
<i>Comment: No Comment Received</i>		
Penelakut Tribe Box 360: Denise James <i>Comment: No Comment Received</i>	18-Apr-2024	
Salt Spring Island Local Trust Committee 1 - 500 Lower Ganges Road: Claire Olivier <i>Comment: Interests unaffected by bylaw.</i>	18-Apr-2024	23-May-2024
Saturna Island Local Trust Committee 200 - 1627 Fort Street: Jas Chonk <i>Comment: Interests unaffected by bylaw.</i>	18-Apr-2024	23-May-2024
Semiahmoo First Nation 16049 Beach Rd: Chief & Council <i>Comment: No Comment Received</i>	18-Apr-2024	
Snuneymuxw First Nation 668 Centre Street: Desiree Thomas <i>Comment: Snuneymuxw First Nation defers comment on the above-mentioned referral. Snuneymuxw's deferral is only applicable to initial notification and non-transferrable. Snuneymuxw's deferral does not mean that there are no potential impacts to Snuneymuxw's Aboriginal and Treaty rights and title, or contributions to cumulative effects, from this referral. Nor does Snuneymuxw's deferral define or derogate from Snuneymuxw's Aboriginal and Treaty rights and title. Snuneymuxw reserves the right to review this deferral if new information arises. Please feel free to contact our Referrals Clerk by phone at any time between 8 am and 4 pm, Monday to Friday, by email at landsclerk@snuneymuxw.ca if you have any questions.</i>	18-Apr-2024	19-Apr-2024
South Pender Island Local Trust Committee 200 - 1627 Fort Street: Jas Chonk <i>Comment: Interests unaffected by bylaw.</i>	18-Apr-2024	10-May-2024
Stz'uminus First Nation 12611A Trans Canada Hwy: Chenoa Akey <i>Comment:</i>	18-Apr-2024	
Tsartlip First Nation PO Box 70: Karen Harry <i>Comment: No Comment Received</i>	18-Apr-2024	
Tsawout First Nation Box 121: Cathy Webster <i>Comment: No Comment Received</i>	18-Apr-2024	
Tsawwassen First Nation 1926 Tsawwassen Drive: Victoria Williams	18-Apr-2024	01-May-2024

Referrals: Bylaw MA-193

Agency	Sent	Received
<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.		
Tseycum First Nation 1210 Totem Lane: Chief Tanya Jimmy <i>Comment:</i> No Comment Received	18-Apr-2024	
WSANEC WSANEC Leadership Council Society: Joni Olsen	18-Apr-2024	

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File Name: 2023 LUB Minor
Amendments

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
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.
	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.
	4.2	Forests
	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.2	Forests

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

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

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

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	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: 24-Jun-2024

Reading:

PROPOSED

MAYNE ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 193

A BYLAW TO AMEND MAYNE ISLAND LAND USE BYLAW NO 146, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Mayne Island Land Use Bylaw No. 146, 2008, Amendment No. 1, 2023”.

2. Mayne Island Local Trust Committee Bylaw No. 146, cited as “Mayne Island Land Use Bylaw No. 146, 2008,” is amended as follows:

2.1 Section 1.1 – Definitions is amended by inserting:

“Animal Shelter” means a facility operated by a not-for-profit organization devoted to the welfare, protection and human treatment of stray, abandoned, abused and owner surrendered domestic and companion animals.

2.2 Section 1.1 – Definitions is amended by inserting:

“Livestock” means grazing animals kept either in open fields or structures for training, boarding, home use, sales, or breeding and production, including but not limited to: cattle, horses, goats, sheep, hogs, llamas, and alpacas.

2.3 Section 1.1 – Definitions is amended by deleting the definition for “Personal watercraft” in its entirety.

2.4 Section 1.1 – Definitions is amended by deleting the definition of “contractor yard” and replacing it with ““contractor yard” means the use of land, buildings, or structures for the storage of materials, equipment, or vehicles for a building, construction, landscaping business, or other trades and services.”

2.5 Section 3.1 – Permitted in All Zones, Subsection 3.1 is amended by adding “(9) the raising of poultry excluding roosters”.

2.6 Section 3.2 – Prohibited in All Zones, Subsection 3.2(1) is amended by deleting “cattle, sheep, goats, pigs, donkeys, llamas, ostriches, emus” and replacing it with “livestock”

2.7 Section 3.2 – Prohibited in All Zones, Subsection 3.2(3) is deleted in its entirety and the following subsections re-numbered.

- 2.8 Section 3.3 – Siting and Setback Regulations, Subsection 3.3(3) is amended by adding “and for the purposes of this subsection paved parking areas or similar surfacing, concrete and asphalt paving, or similar surfacing of the land are “structures” after “(e) stairs or walkways required to access the foreshore or a permitted dock”.
- 2.9 Section 3.3 – Siting and Setback Regulations, Subsection 3.3(2) is amended by adding “structures used exclusively for storing fire wood, that are open on at least one side and do not exceed 108ft²/10m² in area” after “height,” and before “or utility shed”.
- 2.10 Section 3.3 – Siting and Setback Regulation, Subsection 3.3(3) is amended by adding “(f) wooden patios up to 30m² (323ft²) in area”.
- 2.11 Section 3.3 – Siting and Setback Regulation, Subsection (4) is amended by adding “(f) wooden patios up to 30m² (323ft²) in area”.
- 2.12 Section 3.3 – Siting and Setback Regulations, article 3.3(6)(a) is amended by deleting “area less than 3 metres in width” and replacing it with “of 3.0 metres or less.”
- 2.13 Section 3.6 Home Occupation Regulations, Subsection 3.6(1) is amended by adding “(l) contractor yards”.
- 2.14 Section 3.6 Home Occupation Regulations, Subsection 3.6(3) is amended by adding “or contractor yard” after “agricultural” and before “use”.
- 2.15 Section 3.6 Home Occupation Regulations, Subsection 3.6(5) is amended by adding “On properties with home occupations other than contractor yards” before “There may be no”.
- 2.16 Section 3.6 Home Occupation Regulations is amended by adding “(13) The following additional regulations apply to contractor yards as a home occupation:
 - (a) No vehicles, equipment or materials may be stored within a setback area;
 - (b) Vehicles, equipment and material storage must be screened by a landscape screen not less than 2m in height and complying with the provisions of Section 3.8;
 - (c) The area used for the storage of vehicles, equipment, and materials, in combination with all other buildings and structures, may not exceed the maximum permitted lot coverage;
 - (d) The total exterior area used for the storage of vehicles, equipment, and materials may not exceed 32.5m² (350ft²) on lots of less than 2 hectares (5 acres);
 - (e) The storage of a maximum of one contractor vehicle is permitted on lots smaller than 0.5ha (1 acre); and
 - (f) Contractor vehicles and equipment may only be operated before the hours of 7:00 am (8 am on Saturdays, Sundays or Holidays) or after 7:00 pm.

- 2.17 Section 3.14 – Derelict Vehicles, is amended by inserting, “Boats and Trailers” in the section title.
- 2.18 Section 3.14 – Derelict Vehicles, Subsection 3.14(1) is amended by inserting after “one” “of the following: trailer, boat, or” before “unlicensed motor vehicle” and replacing “the vehicles” with “they”.
- 2.19 Section 3.14 – Derelict Vehicles, Subsection 3.14(2) is amended by inserting, “boats” after “trailers” and before “or”.
- 2.20 Section 3.14 Derelict Vehicles, Subsection 3.14(3) is amended by inserting, “boat or trailer” after “motor vehicle,” and before “parts or scrap”.
- 2.21 Section 5.5 Rural (R) Zone, Subsection 5.5(14) Site-Specific Zone R(c) is amended by deleting “Lot 1, Section 8, Mayne Island Cowichan District, Plan VIP70074 and” and “500 and.”
- 2.22 Section 5.5 Rural (R) Zone, Subsection 5.5(14) is amended by inserting two new rows in the table as follows:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
R (h)	Lot 1, Section 8, Mayne Island, Cowichan District, Plan VIP70074 500 Felix Jack Road	(1) In addition to the uses permitted in 5.5(1) above, community water storage and distribution facilities, and a veterinarian clinic and animal shelter accessory to the veterinarian clinic are permitted in this location, subject to: (a) The maximum floor area of indoor animal shelter space is 47m² (500ft²) (b) Outdoor animal shelter space fully enclosed by fencing. (c) The maximum number of animals housed by the animal shelter is 30.
R (i)	Lot 1, Section 11, Mayne Island, Cowichan District, Plan 39587 327 Campbell Bay Road	(1) In addition to the uses permitted in 5.5(1) above, a music festival is permitted in this location, subject to: (a) Camping and occupancy of recreational vehicles is restricted to the area designated as ‘Camping Area’ on Schedule 5.5(a). (b) The owner must provide on-site parking for a minimum of two hundred (200) vehicles on the property in the areas designated as ‘Day Parking’ and ‘Overnight Parking’ on Schedule 5.5(a).

2.23 Section 5.5 Rural (R) Zone, Subsection 5.5(14) is amended by inserting Plan 1, attached to and forming part of this bylaw, as 'Schedule 5.5(a)' following the table.

2.24 Section 5.14 Community Service (S1) Zone is amended by inserting four new rows into the table as follows:

Column 1	Column 2	Column 3
Site-Specific Zone	Location Description	Site Specific Regulations
S1 (b)	Lot 6, Section 8 and 11, Mayne Island, Cowichan District, Plan 8200	(1) In addition to the uses permitted in 5.14(1) above, one accessory dwelling unit for the accommodation of school staff and family is permitted as a principal use
S1 (c)	Lot 19, Section 12, Mayne Island, Cowichan District, Plan 23126 437 Fernhill Road	(1) In addition to the uses permitted in 5.14(1) above, a thrift store, archive, museum storage, and fall fair activities are permitted in this location. (2) Despite 5.14 (3), front, rear, exterior and interior side lot line setbacks are 0 metres (0 feet)
S1(d)	Lot 9, Section 12, Mayne Island Cowichan District, Plan 3138	(1) Despite 5.14 (3), front, rear, exterior and interior side lot line setbacks are 0 metres (0 feet)
S1 (e)	Lot 16, Section 12, Mayne Island, Cowichan District, Plan 715 430 Fernhill Road	(1) Despite 5.14 (3), front, rear, exterior and interior side lot line setback are 0 metres (0 feet)

2.25 Section 5.19 Resource Conservation (RC) Zone, Subsection (1)(b) is amended by adding "one" after "and" and before "utility" and removing the "s" from "shed".

2.26 Section 5.19 Resource Conservation (RC) Zone, Subsection 5.19 (2) is amended by removing "Density (2) The maximum lot coverage is 5%".

2.27 Section 4.1 (1) Senior Citizens Housing Comprehensive Development One (CD1) Zone, is amended by deleting "Senior Citizens Housing" and inserting "Housing" after "Comprehensive Development One".

2.28 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone, is amended by deleting "Senior Citizens Housing" and inserting "Housing" after "Comprehensive Development One" in the section title.

2.29 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone is amended by replacing "The purpose of Senior Citizens Comprehensive Development One Zone is to provide for and regulate the development of housing for senior citizens in one

location in a comprehensive manner” with “The purpose of the Housing Comprehensive Development One Housing Zone is to provide for, and regulate, the development of multiple units of attached and detached housing, including housing for seniors and affordable housing, in a concentrated area”.

- 2.30 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone, Subsection 5.25(1)(a) is amended by replacing “Senior citizen residential use” with “residential use”.
- 2.31 Section 5.25 Senior Citizens Housing Comprehensive Development One (CD1) Zone, Subsection 5.25(2) is amended by replacing “A maximum of eight duplexes, containing two dwellings each to “16 dwelling units”.
- 2.32 Section 5.26 Comprehensive Development Two (CD2) Zone, is amended by deleting subsection 5.26(17), subsection 5.26(18), and removing “Schedule 5.26 (a) CD2 zone”.
- 2.33 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 1, Section 8, Mayne Island, Cowichan District, Plan VIP70074 from “R” to “R(h)”.
- 2.34 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 1, Section 11, Mayne Island, Cowichan District, Plan 39587 from “R” to “R(i)”.
- 2.35 Schedule “B” – Zoning Map, is amended by changing the zoning of Lot 6, Section 8 and 11, Mayne Island, Cowichan District, Plan 8200 from “S1” to “S1 (b)”.
- 2.36 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 19, Section 12, Mayne Island, Cowichan District, Plan 23126 from “S1” to “S1(c)”.
- 2.37 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 9, Section 12, Mayne Island Cowichan District, Plan 3138 from “S1” to “S1(d)”.
- 2.38 Schedule “B” – Zoning Map, is amended by changing the zoning classification of Lot 16, Section 12, Mayne Island, Cowichan District, Plan 715 from “S1” to “S1 (e)”.

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 24TH DAY OF JUNE 2024.

READ A SECOND TIME THIS 24TH DAY OF JUNE 2024.

READ A THIRD TIME THIS 24TH DAY OF JUNE 2024.

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

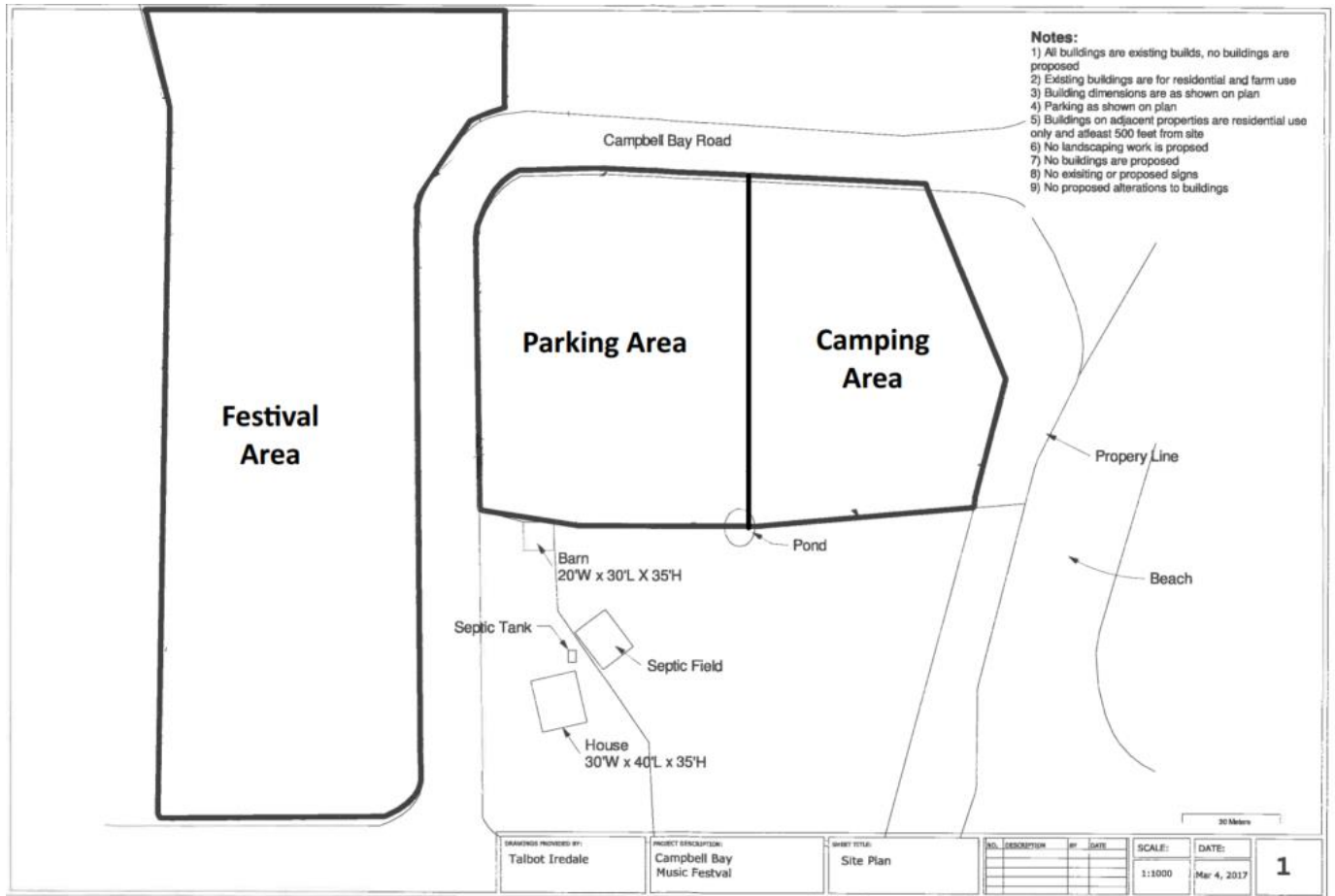
ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

Mayne Island Local Trust Committee
Bylaw No. 193

Plan 1



First Nation Engagement

Referral of: Mayne Island Bylaw 193

First Nation: Cowichan Tribes

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Halalt

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

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

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
April 24, 2024	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

First Nation: Lyackson

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Malahat

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC
June 18, 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 this project.	JC

First Nation: Pauquachin

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Penelakut Tribe

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Semiahmoo

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Snuneymuxw

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
April 19, 2024	Snuneymuxw First Nation defers comment on the above-mentioned referral. Snuneymuxw's deferral is only applicable to initial notification and non-transferrable. Snuneymuxw's deferral does not mean that there are no potential impacts to Snuneymuxw's Aboriginal and Treaty rights and title, or contributions to cumulative effects, from this referral. Nor does Snuneymuxw's deferral define or derogate from Snuneymuxw's Aboriginal and Treaty rights and title. Snuneymuxw reserves the right to review this deferral if new information arises.	JC

First Nation: Stzuminus

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Tsartlip

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Tsawout

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: Tsawwassen

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
May 1, 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

First Nation: Tseycum

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

First Nation: WSANEC

Date	Comment/Action	Initial
April 18, 2024	Sent Referral	JC
June 13, 2024	Sent Follow-up Email in regards to Notice of First Reading.	JC

From: Tobi Elliott
Sent: Tuesday, June 18, 2024 6:43 AM
To: Alexandra Trifonidis
Cc: EC
Subject: Re: June Trust Council Delegation Presentation Materials / Speaking Notes

Hi Alexandra and EC,

Just a note for a future debrief, I would like to ask if we can follow this protocol for all future delegations: not include supplementary materials in the agenda and have them be distributed to all Trustees outside of the package.

I think it makes a lot of sense, reduces the agenda package size and focusses us on Council materials.

If we have a debrief session after TC, maybe we could add this to the list of items to discuss.

Thank you, Tobi

On Jun 11, 2024, at 12:05 PM, Alexandra Trifonidis
<atrifonidis@islandstrust.bc.ca> wrote:

Dear Trustees:

Please find attached the following delegation presentation materials/speaking notes for next week's meeting. Executive Committee requested, by general consent, the presentation materials not be included in the agenda and instead be distributed to all trustees outside of the package:

- Ted Olynk – BC Hydro Operations Update (TC_2024-06-18_BCHYDRO_Presentation.pdf)
- Peter Pare – The Gulf Islands Sue Big Oil Group. Presenter Andrew Gage is from West Coast Environmental Law (TC_P Pare_SBO_IslandsTrust_2024.pptx)
- Glenn Stevens – Clean and Safe Harbours Initiative (TC_2024-05-30_G stevens_PP1 for Deg 5 30 2024 Executed.pdf)
- Ronald Wright – Keep Salt Spring Sustainable (TC_Trust Council-Wright-June draft_Speaking Notes_.doc)
- Jennifer Margison – Friends of the Gulf Islands (TC_2024-05-30_J Mar Presentation for Delegation June TC Meeting.docx)

I'm looking forward to seeing you all next week.

Best,

Alexandra Trifonidis

Executive Coordinator

Islands Trust Council Highlights June 18 - 20, 2024

The following is a list of [agenda](#) highlights of Trust Council's activities and decisions from its June 18-20, 2024, quarterly meeting. These highlights are not the official minutes; Trust Council will adopt those at its September 24-26, 2024, meeting being held in-person in Nanaimo. [Visit the June 2024 Trust Council meeting site to view the recordings.](#)

Strategic Planning Session

Trust Council engaged in a strategic planning workshop. The workshop was open to the public but was not live-streamed due to the technological challenges of live-streaming an interactive session that had trustees forming multiple, simultaneous small groups and then working together collaboratively away from the Council table.

Islands Trust 2023/24 Annual Report

Trust Council approved Islands Trust's 2023/24 Annual Report for submission to the Minister of Municipal Affairs. The annual report will be published in fall 2024.

Islands Trust Appoints Trustees to Transport Canada's General Vessels Technical Working Group

Trustee Lironi was appointed as Trust Council representative to the General Vessels Technical Working Group, with Trustee Boland appointed as the alternate.

March 31, 2024 Audited Financial Statements

The audited financial statements for the year ending March 31, 2024 were approved. The financial statements reflect an annual surplus of \$414,192 arising from increased grant revenue and unspent budgeted funds in the fiscal year.

Integrated Spatial Planning

Trust Council directed staff to explore options available for weaving Integrated Spatial Planning into their strategic planning process.

Ex-officio Members of Council Committees to be Non-voting

Trust Council voted to amend Trust Council Policy 2.3.1 *Council Committee Systems* such that ex-officio members of Trust Council committees shall be non-voting members and shall not be included in determining quorum of a meeting.

Committee of the Whole Meeting

Vice-Chair Maude was appointed to Chair the July 8, 2024 Committee of the Whole meeting which will involve an in-camera meeting with legal counsel.

September Trust Council Meeting

Trust Council will hold its September meeting in Nanaimo from September 24-26, 2024. The agenda will include a public discussion of Trust Council's interpretation of Section 3 of the Islands Trust Act.

Follow Up Action Report

Trust Council

Chief Administrative Officer

Progress	Activity	Responsibility	Dates	Status
50%	1 Trust Council ask the Governance Committee to review the current method of appointment and the make-up of membership for Trust Council standing committees. (added to GC FUAL)	Russ Hotsenpiller	Meeting: 07-Mar-2023 Target: 27-Jun-2023	In Progress
0%	2 That Trust Council direct Executive Committee to work with staff on a coordinated strategy and prepare a request that the Province revisit the provincial grant funding formula to the Islands Trust and further that Trust Council respond to Minister Kang to the effect that TC will revisit the request for a review of the Islands Trust mandate, governance, an d structure and provide the Minister with an update.	Clare Frater Russ Hotsenpiller	Meeting: 07-Mar-2023 Target: 27-Jun-2023	In Progress
50%	3 6.2 Governance Committee Work Program. That Trust Council approved the attached Draft Corporate Planning Framework, and requested that Governance Committee continue work on Corporate Plan development. Advise the Governance Committee of Trust Council decision.	Russ Hotsenpiller	Meeting: 26-Sep-2023 Target: 12-Dec-2023	In Progress
0%	4 THAT Trust Council hire a qualified independent consultancy firm to work with the elected officials of Trust Council in the drafting of a Chief Administrative Officer Performance Evaluation Policy using current policies and materials provided by Trustee Patrick and Trustee Falck to Trust Council Dec 7, 2023.	Russ Hotsenpiller	Meeting: 07-Dec-2023 Target: 31-Jan-2024	In Progress

Follow Up Action Report

Trust Council

Director Legislative Services

Progress	Activity	Responsibility	Dates	Status
0%	1 That Trust Council request staff to recommend amendments to Trust Council Policy 6.3.2 to address the use of unspent special property tax requisition funds on new programs or initiatives when the original program or initiative remains ongoing.	David Marlor	Meeting: 15-Sep-2020 Target: 17-Sep-2024	In Progress
0%	2 Staff to research the possibility of self-insurance.	David Marlor	Meeting: 27-Jun-2023 Target: 10-Dec-2025	In Progress
0%	3 5.2.2 Review of Trust Council Policies - Undertake review and and recommend updates and consolidation of policies. Bring one or more policies back to each Trust Council. Work with relevant director.	David Marlor	Meeting: 26-Sep-2023 Target: 12-Dec-2025	In Progress
75%	4 Trust Council request 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 Review ability of TC to fund such a lawsuit - legal advice as necessary. Report back to Trust Council.	David Marlor	Meeting: 26-Sep-2023 Target: 12-Dec-2023	In Progress

Follow Up Action Report

Trust Council

Director Legislative Services

Progress	Activity	Responsibility	Dates	Status
0%	5 That Trust Council request Staff to prepare a draft amendment to the Trust Council Meeting Procedures Bylaw under Section 11 of the Islands Trust Act so that it also applies to all 13 local trust committees, and add amendments to require release of local trust committees' agenda outlines a minimum of two days before release date of full agenda. THAT Trust Council request staff to prepare a draft Local Trust Committee Development Procedures Bylaw under Section 11 of the Islands Trust Act that will establish standard procedures applicable to all local trust committees. THAT Trust Council request Staff to prepare a Public Notice Policy with a model Local Trust Committee Public Notice Bylaw, and a draft Trust Council Public Notice Bylaw.	David Marlor	Meeting: 07-Dec-2023 Target: 17-Sep-2024	In Progress
100%	6 Staff amend follow-up action report so that a percentage complete for each line item is added (April 4, 2024 - A HelpDesk Ticket has been created for this task)	David Marlor	Meeting: 12-Mar-2024 Target: 18-Jun-2024	Completed
100%	7 Staff to work with Trust Council Chair Peter Luckham to draft a letter in response to correspondence 14.5.5 and 14.5.6 and that the above letter be sent to other letter writers (14.5.1 and 14.5.2) expressing similar concerns.	David Marlor	Meeting: 14-Mar-2024 Target: 05-Apr-2024	Completed
0%	8 Staff to amend Trust Council Policy 2.3.1 [Council Committee Systems], by replacing section B.8.4 it in its entirety with "8.4 Ex-officio members of Council Committees and select committees, shall be non-voting members and shall not be included in determining quorum of a meeting".	David Marlor	Meeting: 20-Jun-2024 Target: 24-Sep-2024	In Progress

Follow Up Action Report

Trust Council

Director of Planning Services

Progress	Activity	Responsibility	Dates	Status
20%	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.	Stefan Cermak	Meeting: 29-Jun-2023 Target: 30-Sep-2024	In Progress
0%	2 Staff to report in the September (2024) and March (2025) Trust Council meetings about the tracking of planning staff time and application revenue with regards to cost recovery.	Stefan Cermak	Meeting: 14-Mar-2024 Target: 18-Jun-2024	In Progress
0%	3 Staff to explore options for including an Integrated Spatial Planning approach within the strategic planning process, and report back with recommendations by January, 2025.	Stefan Cermak	Meeting: 20-Jun-2024 Target: 01-Jan-2025	In Progress

Director, Administrative Services

Progress	Activity	Responsibility	Dates	Status
0%	1 Staff to forward the approved Islands Trust audited financial statements for the year ended March 31, 2024, to the Minister of Municipal Affairs.	Julia Mobbs	Meeting: 19-Jun-2024 Target: 31-Jul-2024	In Progress
0%	2 Add to the September 2024 Trust Council meeting a discussion on the Section 3 mandate including any items of correspondence regarding the Section 3. In addition, a placeholder for discussion about the request to the Province regarding Section 3 being advanced to the Executive Committee be included in the program.	Julia Mobbs	Meeting: 20-Jun-2024 Target: 24-Sep-2024	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
0%	1 That Trust Council request staff to provide a report outlining potential options for how the Trust and local trust committees can engage and assist with the Coast Guard Oil Spill response planning process.	Clare Frater	Meeting: 22-Sep-2021 Target: 16-Oct-2026	In Progress
0%	2 Policy Statement Amendment Project - Amend draft Bylaw No. 183 as directed by adopted resolutions. (ONGOING)	Clare Frater	Meeting: 21-Sep-2022 Target: 07-Sep-2026	In Progress
0%	3 Coordinate the provision of expert advice and training to the incoming Trust Council, early in the new term, on the theme of public engagement and consultation, building on lessons learned from the first three phases of Islands 2050 public engagement from 2019 - 2022.	Clare Frater	Meeting: 21-Sep-2022 Target: 03-Dec-2024	In Progress
0%	4 That Trust Council direct Executive Committee to work with staff on a coordinated strategy and prepare a request that the Province revisit the provincial grant funding formula to the Islands Trust and further that Trust Council respond to Minister Kang to the effect that TC will revisit the request for a review of the Islands Trust mandate, governance, and structure and provide the Minister with an update.	Clare Frater Russ Hotsenpiller	Meeting: 07-Mar-2023 Target: 27-Jun-2023	In Progress
0%	5 Staff to create a detailed workplan in addition to the existing project Charter to clarify, and specify, the work involved within each step of the Policy Statement.	Clare Frater	Meeting: 14-Mar-2024 Target: 24-Sep-2024	In Progress
0%	6 Staff to submit the approved 2023/24 Annual Report to the Minister of Municipal Affairs.	Clare Frater	Meeting: 19-Jun-2024 Target: 31-Jul-2024	In Progress

Follow Up Action Report

Trust Council

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
0%	7 Staff to inform Transport Canada's General Vessels Technical Working Group that Trustee Lironi will be Islands Trust's representative on the committee and Trustee Boland will be the alternate.	Clare Frater	Meeting: 19-Jun-2024 Target: 15-Jul-2024	In Progress
0%	8 Trust Council to communicate to all local trust committees to notify Trustee Morrison of interest to collectively engage in conversations around Dark Sky Principles Adoption with relevant Regional Districts. In addition that Staff forward the request for decision to the other local trust committees and the Bowen Island Municipality for their information.	Clare Frater	Meeting: 20-Jun-2024 Target: 15-Jul-2024	In Progress

Executive Coordinator

Progress	Activity	Responsibility	Dates	Status
0%	1 Staff to make arrangements for September Trust Council meeting to be held in Nanaimo, BC.	Lori Foster	Meeting: 14-Mar-2024 Target: 18-Jun-2024	In Progress

From: David Maude
Sent: Wednesday, June 19, 2024 9:02 AM
To: Alexandra Trifonidis
Subject: Fw: ORDER: Eli Mina Book(s) - 2024-06-18 12:38:52

Would like this added to the next EC Agenda for consideration of reimbursement.

Thank you

D

Mayne Island Trustee
Trust Council Vice Chair

Wi'la'mola - we are all travelling together

From: jgedye <[REDACTED]>
Sent: June 19, 2024 5:51 AM
To: David Maude
Subject: FW: ORDER: Eli Mina Book(s) - 2024-06-18 12:38:52

Thank-you David. If this gets approved I'll be sure to spend it again!
Judi

Sent from my Galaxy

----- Original message -----

From: CivicInfo BC <info@civicinfo.bc.ca>
Date: 2024-06-18 12:38 PM (GMT-08:00)
To: CivicInfo BC <info@civicinfo.bc.ca>
Subject: ORDER: Eli Mina Book(s) - 2024-06-18 12:38:52



Thanks for your order of: **Eli Mina Books.**

This is an automated response, detailing the information we have received from you. You do not need to reply to this e-mail.

If paying by cheque, please send cheque with a copy of this confirmation,

Payable to: **CivicInfo BC**

Mail to: **#203 - 4475 Viewmont Avenue, Victoria, BC, V8Z 6L8.**

Note: Orders will not be shipped until paid in full.

Shipping:

Orders will be shipped via regular post within three business days. If you require expedited delivery, please call CivicInfo BC at 250-383-4898 to arrange for a courier. Additional shipping fees apply.

Contact

CivicInfo
250-383-4898
info@civicinfo.bc.ca

Order Information

Name:	Judith Gedye
Organization:	Islands Trust
Address:	200 - 1627 Fort Street
City:	Victoria
Province:	BC
Postal Code:	V8R 1H8
Phone:	250-405-5151
Email:	[REDACTED]

Books Ordered

101 Boardroom Problems:	30
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Payment Information

Sub Total:	\$900.00
Discount:	\$360.00
Shipping:	\$28.55
Tax (GST #R110947694):	\$28.43
Total:	\$596.98
Date/Time of Order:	2024-06-18 12:38:52

[Click here to Review Payment Status or Pay with your Credit Card](#)

PLEASE NOTE THAT IF YOU PAY ON-LINE, THE CHARGE WILL APPEAR ON YOUR STATEMENT AS BEING FROM **CIVICINFO-MINA.**





REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** July 3, 2024

From: Chloë Straw, Planning Team **Date Prepared:** May 30, 2024
Assistant

SUBJECT: Request for Executive Committee Sponsorship of Rezoning Application Fee

RECOMMENDATION:

THAT the Executive Committee approve financial sponsorship for the \$8,115.12 application fee for rezoning application PLRZ20240055 from the Denman Conservancy Association.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The application meets the eligibility requirements for sponsorship of fees under policy. The application fee for this rezoning represents 54% of the annual budget for Applications Sponsored by EC.

1 PURPOSE:

The purpose of the Request for Decision (RFD) is to request the Executive Committee to consider the rezoning application fee sponsorship application from the Denman Conservancy Association (DCA) for rezoning application PLRZ20240055.

2 BACKGROUND:

Staff have reviewed the rezoning application (which applies to both OCP and/or Land Use Bylaw amendments) and confirmed that this application is a major rezoning because both an OCP and rezoning amendment is required (as per [Denman Island LTC Fees Bylaw No. 245](#)). The application fee of \$8,115.12 has been paid. See receipt of application in Attachment 1: Development Application Fee Sponsorship Application Form.

The Denman Conservancy Association has applied for a rezoning application to rezone four properties owned by the DCA from 'Forestry' to 'Conservation,' and to donate four densities to the Islands Trust Affordable Housing Density Bank. As a non-profit organization, the Denman Conservancy Association is eligible for application sponsorship.

One benefit to this rezoning proposal, if approved, will be that no development of any kind will be permitted on these four parcels. Passive recreation will be the only permitted use.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: No organizational impacts from sponsoring the application fee.

FINANCIAL:

Funds to pay for this application fee will come from the 'Applications Sponsored by EC' budget where the funds would otherwise be received from the applicant. Trust Council budgeted \$15,000

for fiscal year 2024/25 to cover costs for applications that are approved by Executive Committee sponsorship.

If the remaining Trust Council budget is not sufficient to cover the full amount of the application fee, partial funding could be provided. (See Alternate Recommendation 1)

POLICY:

The attached application for Executive Committee sponsorship of application fees complies with Islands Trust Policy 4.1.xiii.

IMPLEMENTATION/COMMUNICATIONS:

Staff will inform the applicant of the outcome of their request of the Executive Committee and proceed with processing the rezoning application.

FIRST NATIONS:

N/A.

OTHER:

None.

4 RELEVANT POLICY(S):

[Islands Trust Policy 4.1.xiii: Guidelines for Executive Committee Sponsored Development Applications](#)

5 ATTACHMENT(S):

1. Development Application Fee Sponsorship Application Form
2. Receipt for payment of application fee
3. Application Package
4. List of Directors

RESPONSE OPTIONS

Recommendation:

THAT the Executive Committee approve financial sponsorship for the \$8,115.12 application fee for rezoning application PLRZ20240055 from the Denman Conservancy Association.

Alternative Recommendations:

- 1) THAT the Executive Committee approve financial sponsorship of \$ [insert amount] towards the application fee for the rezoning application PLRZ20240055 from the Denman Conservancy Association.
- 2) THAT the Executive Committee decline financial sponsorship for the rezoning application fee from the Denman Conservancy Association for rezoning application PLRZ20240055.

Prepared By: Chloë Straw, Planning Team Assistant

Reviewed By/Date: Renée Jamurat, Regional Planning Manager – North Office/May 30, 2024

Approved By/Date: Stefan Cermak, Director of Planning Services --

Development Application Fee Sponsorship Application Form

*Under Islands Trust Policy 4.1.xiii, Trust Council Executive Committee may sponsor development application fees. When applying for sponsorship, please submit this form, or the details in a letter, **with your development application**. Applicants are encouraged to file this form with or after their development application.*

To be eligible for Executive Committee Sponsorship:

- ✓ The applicant is a non-profit agency or organization seeking to establish, expand or modify a facility for the benefit of the community at large and consistent with goals in the Official Community Plan (OCP).
- ✓ The applicant is an established or establishing institution supported by taxpayers that is seeking to establish, expand or modify a community facility. (Potential sponsorship of up to one half of the costs of the application)
- ✓ The applicant seeks to implement specific objectives of an OCP with broad community benefits.

The following are NOT eligible for Executive Committee Sponsorship:

- ✗ The applicant is a registered for-profit corporation under the Corporations Act.
- ✗ The applicant is a non-profit agency or organization seeking to establish, expand or modify a facility that would not benefit the community at large.
- ✗ An applicant claims that he or she cannot afford the cost of the application, and the application would not otherwise qualify for sponsorship or initiation.
- ✗ ALR and Subdivision referral application fees are not eligible.

SECTION 1: APPLICANT INFORMATION

(Please print or type all sections)

Organization Name: Denman Conservancy Association

Primary Contact: Steven Carballeira

Address: P.O. Box 60, Denman Island, BC V0R 1T0

Telephone: 250-335-1864 E-mail: scdenman22@gmail.com

Charitable Status Number (If applicable): _____

Organization Mandate (Attach bylaws, constitution or cite organization website): www.denmanconservancy.org

Board Members (Name, Position): S. Carballeira, Co-Chair, S. Fraser - Co-Chair, Directors: J. Millen,
P. WILLIS, S. MORGAN, F. VANDEMDAM, E. BLAND, D. BELL
L. HERMANUTZ, S. YOSHIHARA, D. FUCHS

SECTION 2: DEVELOPMENT APPLICATION INFORMATION

Check development application where fee refund is requested:

- ☐ Official Community Plan
☒ Zoning Bylaw Amendment
☐ Development Permit

- ☐ Development Variance Permit
☐ Temporary Use Permit
☐ Other: _____

Development Application Submitted? ☒ Yes ☐ No

Application #: PLRZ20240055 (DE-RZ-2024.2)

Development Application Fees Paid (Amount): \$8,115.12

Receipt #: 202463

SECTION 3

Objective of Development Application: To rezone four properties owned by DCA from Forestry to Conservation

Donate four densities to IT Affordable Housing density bank.

Describe how the Development Application furthers official community plan goals:

CONSERVANCY
. IS CITED NUMEROUS TIMES IN OCP. MEMBERS
. VOTED TO PROCEED AT AGM VIA SPECIAL RESOLUTION.

SECTION 4

I/we declare that all of the above statements and the information contained in the material submitted in support of the application are to the best of my/our knowledge true and correct.

Printed Name: Steven Carballeira

Signature: *Steven Carballeira*

Date: May 8, 2024

Contact Information (e-mail and/or phone): scdenman22@gmail.com

INFORMATION TO BE COMPLETED BY ISLANDS TRUST

Date of Executive Committee Consideration: _____ Decision: _____

Financial Details: _____

Fee Refunded: _____

Organization Charitable Status Number: _____

LTC Notified (Date): _____

Applicant Notified (Date): _____

Islands Trust

Suite 200, 1627 Fort St.
Victoria, BC V8R 1H8
(250) 405 - 5151



RECEIPT OF PAYMENT

Receipt Number:	202463
Receipt Date:	June 27, 2024
Date Paid:	June 27, 2024
Full Amount:	\$8,115.12

Payment Details:	Payment Method	Amount Tendered	Check Number
	Check	\$8,115.12	2058

Amount Tendered:	\$8,115.12
Change / Overage:	\$0.00
Contact:	DENMAN CONSERVANCY ASSOCIATION

FEE DETAILS

Fee Description	Reference Number	Amount Owing	Amount Paid
Denman - Major	PLRZ20240055	\$0.00	\$8,115.12

Land Use Application

Application Type: Check all that apply

See Associated Schedules for Information
and Application Requirements

☐ Bylaw Amendment	☐ OCP ☒ Land Use / Rezoning ☐ Land Use Contract	Schedule A
☐ Development Permit	☐ Renewal or Amendment	Schedule B
☐ Development Variance Permit	☐ Renewal	Schedule C
☐ Heritage Alteration Permit		Schedule D
☐ LCRB License	☐ Liquor ☐ Temporary Change ☐ Cannabis Retail	Schedule E
☐ Order - Board of Variance		Schedule F
☐ Siting & Use Permit		Schedule G
☐ Soil Deposit / Removal	☐ Registration ☐ Permit	Schedule H
☐ Strata Conversion		Schedule I
☐ Subdivision Review	☐ Boundary Adjustment	Schedule J
☐ Temporary Use Permit	☐ Renewal	Schedule K

Description of Subject Property:

Civic Address	PID
Legal Description	
See Attached page for legal descriptions of four properties	

Purpose of Application: Provide a brief description (attached additional pages if needed)

Denman Conservancy Association is seeking to rezone four parcels from Forestry to Conservation.
Associated densities would be donated to the Islands Trust Density Bank for Affordable Housing.

Applicant:

Name	Company
Denman Conservancy Association	Denman Conservancy Association
Mailing Address	
P. O. Box 60, denman Island, BC V0R 1T0	
Phone	Email
-	info@denmanconservancy.org

Declaration:

As the owner or agent authorized to act on behalf of the owner(s) of the subject property, I declare the information submitted in support of this application is true and correct in all respects.

Signature

Office Use Only:

Date Received	May 10, 2024	Fees Paid	\$8,115.12	Receipt No.	202463	TAPIS No.	DE-RZ-2024.2
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Owner Authorization:

As the registered owner(s) of the subject property, I/we declare that the information submitted in support of this application is true and correct in all respects. I/we hereby authorize Islands Trust staff or their contractors to conduct site inspections of the subject property for the purpose of processing this application, and hereby authorize and appoint:

Steven Carballeira

Print Name (Complete if applicant is not the owner(s))

... to serve as the agent for this application, and communicate with Islands Trust staff and Islands Trust bodies on our behalf.

All registered owners on title must be listed on and sign the application. Corporations must include a list of directors.

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

Name/Company Name	Signature
Mailing Address	
Phone	Print Name
Email	Date

Application Checklist The following materials must accompany the application:

- ☒ Completed application form
- ☒ Current title search (issued within 30 days)
- ☒ Copies of all title charges (restrictive covenants, rights-of-way, etc.)
- ☐ Application fee (see applicable Local Trust Committee Fees Bylaw for current fees)
- ☒ If applicable, a BC Contaminated Sites Regulation Disclosure Statement (Schedule 1) must be completed
- ☐ If applicable, QEP Report registered in Province of BC Riparian Areas Regulation (RAR) Notification System
- ☐ Required plans, drawings, reports and other information as noted on the applicable schedules and DAI Bylaws

NOTE A complete application and fee must be received before the application will be processed. Fees may be paid using cash, cheque or interac e-transfer (contact Islands Trust for e-transfer procedure). Applicants are advised that processing times may depend on applications volumes and timing of local trust committee meetings. Applicants are encouraged to apply for permission well in advance of scheduled development.

Freedom of Information

The collection of personal information, for the purpose of processing this application, is authorized under the Local Government Act, Community Charter and section 26(c) of the Freedom of Information and Protection and Privacy Act. Enquiries may be directed to a Deputy Secretary at any of the Islands Trust Offices, as noted on page 1 of this form. A request for information, under the Freedom of Information and Protection of Privacy Act may be made to: FOI Coordinator, Islands Trust, 200-1627 Fort Street, Victoria, BC V8R 1H8, Tel. (250) 405-5151, Fax (250) 405-5155.

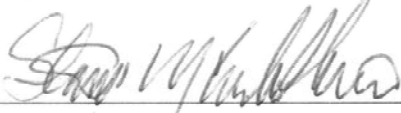
Denman Conservancy Association Directors

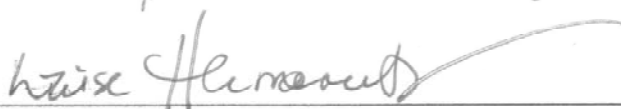
Signing as a Director for the application to rezone the Settlement Lands and Raven Woods and Wetlands from Forestry to Conservation and donate 4 densities to the Islands Trust Density Bank for the use of affordable housing.

Douglas Bell 
4215 East Road, Denman Island, BC V0R 1T0 roxdoug@telus.net

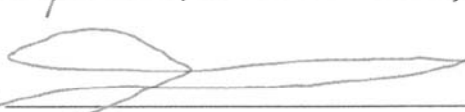
Patti Willis 
3780 Lake Road, Denman Island, BC V0R 1T0 pattiwillis2020@gmail.com

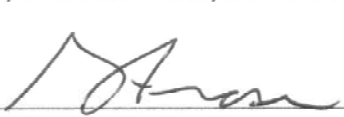
Erica Bland 
1896B Corrigan Road, Denman Island, BC V0R 1T0 erikaaction@gmail.com

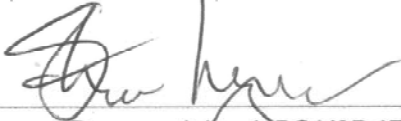
Steve Carballeira 
3060 Lake Road, Denman Island, BC V0R 1T0 scdenman22@gmail.com

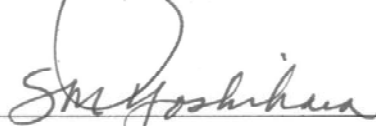
Luise Hermanutz 
6055 Lacon Road, Denman Island, BC V0R 1T0 lhermanu@mun.ca

John Millen 
3811 Denman Road, Denman Island, BC V0R 1T0 millenj@telus.net

Francis van dem Dam 
4215 East Road, Denman Island, BC V0R 1T0 francisvandemdam@protonmail.com

Stirling Fraser 
1721B Scott Road, Denman Island, BC V0R 1T0 stirfraser@gmail.com

Steve Morgan 
2993 Nelson Crescent Denman Island, BC V0R 1T0 stevemorgan42@gmail.com

Susan Marie Yoshihara 
3906 Wren Road, Denman Island, BC V0R 1T0 susan-marie@yoshihara.ca

DD Fuchs 
1989 Tronson Road, Denman Island, BC V0R 1T0 tdfuchs@gmail.com

Justification for Rezoning Four Parcels from Forestry to Conservation

In the Denman Island Official Community Plan, Bylaw No. 185 2008 as amended by the Denman Island Local Trust Committee, Bylaws 198, 199, 210 the following pertinent references for looking favourable on rezoning from Forestry to Conservation were found:

- **Part C2 Freshwater – Objective 4** “ To encourage and support the conservation of wetlands and other freshwater bodies”
There are numerous wetlands on these properties, along with freshwater inlets and outlets to other streams and creeks.
- **Climate Change Adaption and Mitigation Policy 7**-“The local Trust Committee should work with the Trust Fund Board and other local conservation organizationsto promote land conservation as a cost effective and important climate change mitigation Strategy”
- **E.3 Conservation/Recreation Objective 2** –“To increase the amount of land designated for parks, conservation lands and / or recreation lands”
- **E.3 Conservation/Recreation Objective 3** –“to acquire and protect parks, conservation lands and recreation lands”
- **E.3 Conservation/Recreation Policy 2, Bullet 8** - “zoning amendments should be undertaken to ensure land is retained for conservation and recreation”
- **E.3 Conservation/Recreation Policy 3** – “The Local Trust Committee should encourage the use of land for conservation purposes”
- **E.3 Conservation/Recreation Advocacy Policy 5** – “The Islands Trust Fund, the Ministry of Environment and the Denman Conservancy Association are encouraged to acquire and protect land for conservation purposes”

No OCP amendment necessary for this rezoning application.

The ALR portion of the east Settlement land lot (PID 006-639-771) will not be rezoned to Conservancy. The ALR supports conservancy under its property uses in the Agricultural Land Use regulation (BC Reg. 36/2022) Section 22 as follows:

22 (1) *The following uses of agricultural land are permitted but may be prohibited as described in section 20:*

(a) an open land park established by a local government or a first nation government, other than an aboriginal governing body referred to in paragraph (b) of the definition of "first nation government" in the Act, for biodiversity conservation, passive recreation, heritage, wildlife or scenery viewing purposes;

(b) converting non-forested land to forested land on parcels less than 20 ha, other than for a farm use as described in section 10 [forestry].

(2) The use of agricultural land for biodiversity conservation, passive recreation, heritage, wildlife and scenery viewing purposes, other than in a park referred to in subsection (1) (a), is permitted, but may be prohibited as described in section 20, if both of the following conditions are met:

(a) the area occupied by any associated structures does not exceed 100 m² for each parcel;

(b) the purpose does not include the creation of a wetland intended to manage urban runoff or waste.

Identification of Bylaw 186 amendment: Schedule B on North Zoning Map

The existing use of the land is conservancy. There are narrow walking paths through a very small portion of the properties. No permanent buildings exist on the properties.

The future use of the properties will remain the same. No construction of buildings is planned. Small wooden benches may be built to overlook certain land features. At this time, there are no plans for additional trails to be built on the properties.

Adjacent properties consist of Residential, Agricultural and Conservation zoning

TITLE SEARCH PRINT

2024-04-08, 14:57:47

File Reference: Raven north

Requestor: Steven Carballeira

Declared Value \$490000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District	VICTORIA
Land Title Office	VICTORIA
Title Number	CA9396385
From Title Number	EH155087
Application Received	2021-09-29
Application Entered	2021-10-01
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	DENMAN CONSERVANCY ASSOCIATION, INC.NO. S0027585 5901 DENMAN STREET, PO BOX 60 DENMAN ISLAND, BC V0R 1T0
Taxation Authority	Courtenay Assessment Area
Description of Land	
Parcel Identifier:	023-005-424
Legal Description:	LOT A SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286
Legal Notations	
	THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE MUNICIPAL ACT, SEE EJ49537
Charges, Liens and Interests	
Nature:	UNDERSURFACE RIGHTS
Registration Number:	M76301
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	INTER ALIA A.F.B. 38.106.D32048 SECTION 172(3)

TITLE SEARCH PRINT

2024-04-08, 14:57:47

File Reference: Raven north

Requestor: Steven Carballeira

Declared Value \$490000

Nature: UNDERSURFACE RIGHTS
Registration Number: S13080
Registration Date and Time: 1987-02-19 08:54
Remarks: INTER ALIA
PURSUANT TO MINERAL LAND TAX ACT, S.B.C. 1979,
CHAPTER 260 AND AMENDMENTS THERETO, MINERALS
(EXCEPT COAL, FIRECLAY, GOLD AND SILVER) HEREIN
FORFEITED AND VESTED IN CROWN

Nature: COVENANT
Registration Number: EH155086
Registration Date and Time: 1994-11-29 14:34
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA
AS TO AN UNDIVIDED 1/2 INTEREST
REGIONAL DISTRICT OF COMOX-STRATHCONA
AS TO AN UNDIVIDED 1/2 INTEREST
Remarks: INTER ALIA
SECTION 215 LAND TITLE ACT

Nature: COVENANT
Registration Number: EH155090
Registration Date and Time: 1994-11-29 14:35
Registered Owner: THE CROWN IN RIGHT OF BRITISH COLUMBIA
Remarks: INTER ALIA
PART IN PLAN VIP60287; SECTION 215 LAND TITLE ACT

Nature: COVENANT
Registration Number: EH155092
Registration Date and Time: 1994-11-29 14:36
Registered Owner: DENMAN ISLAND LOCAL TRUST COMMITTEE
Remarks: INTER ALIA
PART IN PLAN VIP60288; SECTION 215 LAND TITLE ACT

Nature: EASEMENT
Registration Number: EJ46857
Registration Date and Time: 1995-05-08 11:00
Remarks: APPURTENANT TO EAST 40 ACRES SW 1/4 SEC.21 DENMAN
ISLAND COWICHAN DIST. PART IN PLAN VIP61260

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

TITLE SEARCH PRINT

2024-04-08, 15:34:37

File Reference: Raven South

Requestor: Steven Carballeira

Declared Value \$490000

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District	VICTORIA
Land Title Office	VICTORIA
Title Number	CA9397174
From Title Number	EH155088
Application Received	2021-09-29
Application Entered	2021-10-01
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	DENMAN CONSERVANCY ASSOCIATION, INC.NO. S0027585 5901 DENMAN ROAD, PO BOX 60 DENMAN ISLAND, BC V0R 1T0
Taxation Authority	Courtenay Assessment Area
Description of Land	
Parcel Identifier:	023-005-432
Legal Description:	LOT B SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286
Legal Notations	
	THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 29 OF THE MUNICIPAL ACT, SEE EJ49537
Charges, Liens and Interests	
Nature:	UNDERSURFACE RIGHTS
Registration Number:	M76301
Registered Owner:	HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF BRITISH COLUMBIA
Remarks:	INTER ALIA A.F.B. 38.106.D32048 SECTION 172(3)

TITLE SEARCH PRINT

2024-04-08, 15:34:37

File Reference: Raven South

Requestor: Steven Carballeira

Declared Value \$490000

Nature:	UNDERSURFACE RIGHTS
Registration Number:	S13080
Registration Date and Time:	1987-02-19 08:54
Remarks:	INTER ALIA PURSUANT TO MINERAL LAND TAX ACT, S.B.C. 1979, CHAPTER 260 AND AMENDMENTS THERETO, MINERALS (EXCEPT COAL, FIRECLAY, GOLD AND SILVER) HEREIN FORFEITED AND VESTED IN CROWN
Nature:	COVENANT
Registration Number:	EH155086
Registration Date and Time:	1994-11-29 14:34
Registered Owner:	THE CROWN IN RIGHT OF BRITISH COLUMBIA AS TO AN UNDIVIDED 1/2 INTEREST
Registered Owner:	REGIONAL DISTRICT OF COMOX-STRATHCONA AS TO AN UNDIVIDED 1/2 INTEREST
Remarks:	INTER ALIA SECTION 215 LAND TITLE ACT
Nature:	COVENANT
Registration Number:	EH155090
Registration Date and Time:	1994-11-29 14:35
Registered Owner:	THE CROWN IN RIGHT OF BRITISH COLUMBIA
Remarks:	INTER ALIA PART IN PLAN VIP60287; SECTION 215 LAND TITLE ACT
Nature:	COVENANT
Registration Number:	EH155092
Registration Date and Time:	1994-11-29 14:36
Registered Owner:	DENMAN ISLAND LOCAL TRUST COMMITTEE
Remarks:	INTER ALIA PART IN PLAN VIP60288; SECTION 215 LAND TITLE ACT
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

94NO 29 14 34 7

EH155086

Land Title Act
Form C
(Section 219.9)
Province of
British Columbia

RECEIVED
LAND TITLE OFFICE
VICTORIA

GENERAL DOCUMENT

(This area for Land Title Office use)

Page 1 of 5 pages

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)
TEES, LLOYD, CLARE & KIDDLE, Barristers & Solicitors, 200 - 1260 Island Highway, Campbell River, B.C. V9W 2C8 Telephone: 287-7755
c/o Victro Registry Services Ltd.

2. Parcel Identifier and Legal Description of Land:*

(PID)	(Legal Description)
	South East 1/4, Section 21, Denman Island, Nanaimo District except part in plans 35639 and VIP55499

3. Nature of Interest:*	Document Reference	Person Entitled to Interest
Description	(page and paragraph)	
Section 215 Covenant	Entire Instrument	See Schedule

4. Terms: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Mortgage Terms	— D.F. No.
(b) Express Charge Terms	☒ Annexed as Part 2
(c) Release	— There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. Transferor(s):* RAVEN FOREST PRODUCTS LTD. (INC. NO. 363695)

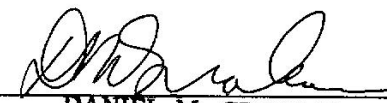
6. Transferee(s): (including occupation(s), postal address(es) and postal code(s))*
See Schedule

7. Additional or modified terms: N/A

8. Execution(s):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

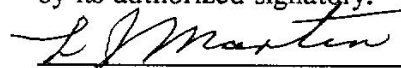
Execution Date

Officer Signature(s)


DANIEL M. GRAHAM
Barrister & Solicitor
211 - 1260 SHOPPERS ROW
CAMPBELL RIVER, B.C. V9W 2C8

Y	M	D
94	11	14

Party(ies) Signature(s)
RAVEN FOREST PRODUCTS LTD.
by its authorized signatory:


L. J. Martin

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 3 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

2

Land Title Act
Form E

SCHEDULE

Page 2 of 5

Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

3. Nature of Interest:

Person Entitled to Interest:

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Environment, Lands and Parks.

REGIONAL DISTRICT OF COMOX STRATHCONA, Incorporated
pursuant to Letters Patent of the Province of British Columbia

5. Transferee:

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Environment, Lands and Parks. Parliament Buildings, Victoria, B.C. V8V 1X4

REGIONAL DISTRICT OF COMOX STRATHCONA, Incorporated
pursuant to Letters Patent of the Province of British Columbia
4795 Headquarters Road, P.O. Box 3370
Courtenay, B.C., V9N 5N5

9

3

page 3

AND WHEREAS the Grantee as a condition to granting its approval to the subdivision, has requested the Grantor to enter into the Covenant hereinafter contained pursuant to Section 215 of the Land Title Act;

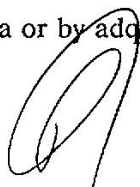
NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the Premises and of ONE DOLLAR (\$1.00) of lawful money of Canada paid by the Grantee to the Grantor (receipt whereof is hereby acknowledged);

THE GRANTOR hereby covenants that on the Lands:

- i) hereafter no building shall be constructed, nor mobile home located within 7.5 metres of the natural boundary of any nearby pond;
- ii) hereafter no area used for habitation, business, or storage of goods, damageable by floodwaters shall be located with any building at an elevation such that the underside of the floor system thereof is less than 1.5 metres above the natural boundary of any nearby pond.

In the case of a mobile home, the ground level or top of concrete or asphalt pad on which it is located shall be no lower than the above described elevation.

- iii) the required elevation may be achieved by structural elevation of the said habitable, business or storage area or by adequately compacted land fill on which any building

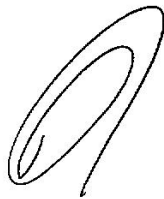


4

page 4

is to be constructed or Mobile Home located, or by a combination of both structural elevation and land fill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwater. Where land fill is used to raise the natural ground elevation, the toe of the land fill slope shall be no closer to the natural boundary than the setback requirement given in condition i) above. The face of the land fill slope shall be adequately protected against erosion from flood flows;

- iv) the Grantor acknowledges that the Province of British Columbia does not represent to the Grantor or any other person that any building constructed or Mobile Home located in accordance with conditions i) and ii) herein will not be damaged by flooding or erosion and the Grantor covenants and agrees not to claim damages from the Province of British Columbia or Regional District of Comox-Strathcona or hold the Province or Regional District responsible for damages caused by flooding or erosion to the Lands or to any building, improvement, or other structure built, constructed or placed upon the Lands and to any contents thereof.

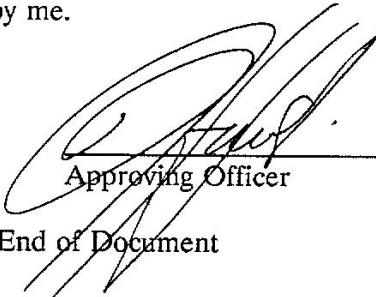


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page 5

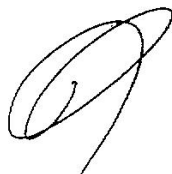
This Indenture and everything herein contained shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

This is the instrument creating the condition of covenant entered into under Section 215 of the Land Title Act by the registered owners referred to herein and shown on the printed plan annexed hereto and initialled by me.



Approving Officer

End of Document



94 NO 29 14 35 6

EH155090

Land Title Act
Form C
(Section 219.9)
Province of
British Columbia

RECEIVED
LAND TITLE OFFICE
VICTORIA

(19)

GENERAL DOCUMENT

(This area for Land Title Office use)

Page 1 of 6 pages

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)
TEES, LLOYD, CLARE & KIDDLE, Barristers & Solicitors, 200 - 1260 Island Highway, Campbell River, B.C. V9W 2C8 Telephone: 287-7755
c/o Victro Registry Services Ltd.

2. Parcel Identifier and Legal Description of Land:*

(PID)	(Legal Description)
	Lot A and B, Section 21, Denman Island, Nanaimo District, Plan VIP <u>60286</u>

3. Nature of Interest:*	Document Reference	Person Entitled to Interest
Description	(page and paragraph)	
Section 215 Covenant	Entire Instrument	See Schedule
PART IN PLAN <u>VIP60287</u>		

4. Terms: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Mortgage Terms	___	D.F. No.
(b) Express Charge Terms	<u>X</u>	Annexed as Part 2
(c) Release	___	There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. Transferor(s):* RAVEN FOREST PRODUCTS LTD.(Inc. No. 363695)

6. Transferee(s):(including occupation(s), postal address(es) and postal code(s))*
See Schedule

7. Additional or modified terms: N/A

11/29/94 B9569b CHG FINEE .00

8. Execution(s):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Execution Date

Officer Signature(s)



DANIEL M. GRAHAM
Barrister & Solicitor

211 - 1260 SHOPPERS ROW
CAMPBELL RIVER, B.C. V9W 2C8

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

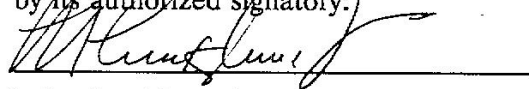
* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Y	M	D
94	11	15

Party(ies) Signature(s)

RAVEN FOREST PRODUCTS LTD.
by its authorized signatory:



L.J. Luckhurst
Secretary

2

Land Title Act
Form E

SCHEDULE

Page 2 of 6

Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

3. Nature of Interest:

Person Entitled to Interest:

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Environment, Lands and Parks. Parliament Buildings, Victoria, B.C. V8V 1X4

5. Transferee:

Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Environment, Lands and Parks. Parliament Buildings, Victoria, B.C. V8V 1X4

9

3

PART 2 - EXPRESS CHARGE TERMS

page 3

THIS AGREEMENT MADE IN THIS 15 DAY OF NOVEMBER, 1994

BETWEEN: **RAVEN FOREST PRODUCTS LTD.**

211-1260 Island Highway,
Campbell river, B.C.
V9W 2C8

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA as represented by the Minister of Environment, Lands
and Parks

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS the Grantor is the registered owner of those lands and premises legally
described as South East 1/4 of Section 21, Denman Island, Nanaimo District, except that
part in plans 35639 and VIP55499 (hereinafter called the "Lands");

AND WHEREAS the Grantor seeks to subdivide the Lands and Premises;

AND WHEREAS the Grantee as a condition to granting its approval to the
subdivision, has requested the Grantor to enter into the Covenant hereinafter contained
pursuant to Section 215 of the Land Title Act;



4

page 34

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the Premises and of ONE DOLLAR (\$1.00) of lawful money of Canada paid by the Grantee to the Grantor (receipt whereof is hereby acknowledged);

THE GRANTOR hereby covenants that on that part (the "Covenant Area") of the Lands shown outlined in heavy dark outline on an Explanatory Plan of Covenant through part of Lot A and Lot B, Section 21, Denman Island, Nanaimo District, Plan VIP 60286 prepared by Ross N. Glover, B.C.L.S. on the 5th day of October, 1994, a reduced copy of which is annexed hereto;

- i) no building or structure shall be constructed or located;
- ii) no vegetation or soil shall be removed or disturbed;

without the prior written consent of the Director of Fish and Wildlife Branch, Ministry of Environment, Lands and Parks.

page 6
was
Covenant
plan
VIP60287



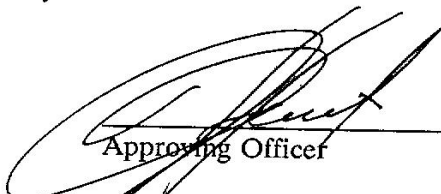
5E

page 45

The Grantor acknowledges that the Province of British Columbia does not represent to the Grantor or any other person that any building constructed or Mobile Home located on the Lands in a location other than the Covenant Area will not be damaged by flooding or erosion and the Grantor covenants and agrees not to claim damages from the Province of British Columbia for damages caused by flooding or erosion to the Lands or to any building, improvement, or other structure built, constructed or placed upon the Lands and to any contents thereof.

This Indenture and everything herein contained shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

This is the instrument creating the condition of covenant entered into under Section 215 of the Land Title Act by the registered owners referred to herein and shown on the printed plan annexed hereto and initialled by me.


Approving Officer
~~End of Document~~


END OF DOCUMENT

Land Title Act
Form C
(Section 219.9)
Province of
British Columbia

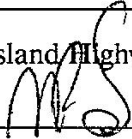
94 NO 29 14 36 1
RECEIVED
LAND TITLE OFFICE
VICTORIA
(21)

EH155092

GENERAL DOCUMENT

(This area for Land Title Office use)

Page 1 of 6 pages

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)
TEES, LLOYD, CLARE & KIDDLE, Barristers & Solicitors, 200 - 1260 Island Highway, Campbell River, B.C. V9W 2C8 Telephone: 287-7755
c/o Victro Registry Services Ltd. 
2. Parcel Identifier and Legal Description of Land:*
- | | |
|-------|---|
| (PID) | (Legal Description) |
| | Lot A and B, Section 21, Denman Island, Nanaimo District, Plan VIP <u>60286</u> |
3. Nature of Interest:*
- | | | |
|--|--|-----------------------------|
| Description | Document Reference
(page and paragraph) | Person Entitled to Interest |
| Section 215 Covenant
PART IN PLAN <u>W60288</u> | Entire Instrument | See Schedule |
4. Terms: Part 2 of this instrument consists of (select one only)
- | | |
|-----------------------------------|--|
| (a) Filed Standard Mortgage Terms | ☐ D.F. No. |
| (b) Express Charge Terms | ☒ Annexed as Part 2 |
| (c) Release | ☐ There is no Part 2 of this instrument |
- A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.
5. Transferor(s):* RAVEN FOREST PRODUCTS LTD. (Inc. No. 363695)
6. Transferee(s): (including occupation(s), postal address(es) and postal code(s))*
See Schedule
7. Additional or modified terms: N/A

8. Execution(s):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.
- 11/29/94 D95491 CHARGE 50.00

Execution Date

Officer Signature(s)



DANIEL M. GRAHAM
Barrister & Solicitor
211 - 1260 SHOPPERS ROW

CAMPBELL RIVER, B.C. V9W 2C8
OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Party(ies) Signature(s)

RAVEN FOREST PRODUCTS LTD.
by its authorized signatory:



L.J. Luckhurst
Secretary

Y	M	D
94	11	15

2

Land Title Act
Form E

SCHEDULE

Page 2 of 6

Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

3. Nature of Interest:

Person Entitled to Interest:

Denman Island Local Trust Committee

5. Transferee:

Denman Island Local Trust Committee, a Corporation under the Islands Trust Act, S.B.C. 1989, c.68, with an office at 2nd Floor, 1627 Fort Street, Victoria, B.C. V8R 1H8

3

PART 2 - EXPRESS CHARGE TERMS

page 3

THIS AGREEMENT MADE IN THIS 15 DAY OF NOVEMBER, 1994

BETWEEN: **RAVEN FOREST PRODUCTS LTD.**

211-1260 Island Highway,
Campbell river, B.C.
V9W 2C8

(hereinafter called the "Grantor")

OF THE FIRST PART

AND:

DENMAN ISLAND LOCAL TRUST COMMITTEE, a corporation under the Islands Trust Act, S.B.C. 1989, c.68, with an office at 2nd Floor, 1627 Fort Street, Victoria, B.C. V8R 1H8

(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS the Grantor is the registered owner of those lands and premises legally described as Lot A and Lot B, Section 21, Denman Island, Nanaimo District, Plan VIP 60286. (hereinafter called the "Lands");

AND WHEREAS the Grantor seeks to subdivide the Lands and Premises;

4

page 4

AND WHEREAS the Grantee as a condition to granting its approval to the subdivision, has requested the Grantor to enter into the Covenant hereinafter contained pursuant to Section 215 of the Land Title Act;

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the Premises and of ONE DOLLAR (\$1.00) of lawful money of Canada paid by the Grantee to the Grantor (receipt whereof is hereby acknowledged);

1. THE GRANTOR hereby covenants that on that part(the "Covenant Area") of the Lands shown outlined in heavy dark outline on an Explanatory Plan of Covenant through part of Lot A and Lot B, Section 21, Denman Island, Nanaimo District, Plan VIP 60286 prepared by Ross N. Glover, B.C.L.S. on the ^{10th}~~5th~~ day of October, 1994, a reduced copy of which is annexed hereto:

*Covenant
plan
VIP 60286*

- i) no vegetation or soil shall be removed or disturbed; and
- ii) no building or structure shall be constructed or located;

without the prior written permission of the Grantee.

5 E

page 5

2. This Indenture and everything herein contained shall enure to the benefit of and be binding upon the parties hereto and their respective heirs, executors, administrators, successors and assigns.

3. By the Grantor executing Part One of this Section 215 (Land Title Act) covenant each of the parties intends to create both a contract and a deed executed and delivered under seal.

~~END OF DOCUMENT~~

95MY-8 11 00 4

EJ046857

Land Title Act
Form C
(Section 219.9)
Province of
British Columbia

RECEIVED
LAND TITLE OFFICE
VICTORIA

GENERAL DOCUMENT

(This area for Land Title Office use)

Page 1 of 8 pages

1. Application: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)
TEES, LLOYD, CLARE & KIDDLE, Barristers & Solicitors, 200 - 1260 Island Highway, Campbell
River, B.C. V9W 2C8 Telephone: 287-7755
c/o Victro Registry Services Ltd.

2. Parcel Identifier and Legal Description of Land:*

(PID)

(Legal Description)

Lot A, Section 21, Denman Island, Nanaimo District, Plan
VIP 60286

3. Nature of Interest:*

Description

Easement

PART IN PLAN VIP61260

Document Reference

(page and paragraph)

Entire Instrument

Person Entitled to Interest

See Schedule

4. Terms: Part 2 of this instrument consists of (select one only)

- (a) Filed Standard Mortgage Terms
(b) Express Charge Terms
(c) Release

D.F. No.

☒

Annexed as Part 2

05/08/95 D8684a CHARGE 50.00

☐ There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in item 3 is released or discharged as a charge on the land described in item 2.

5. Transferor(s):* RAVEN FOREST PRODUCTS LTD.(Inc. No. 363695)

6. Transferee(s):(including occupation(s), postal address(es) and postal code(s))*
See Schedule

7. Additional or modified terms: N/A

8. Execution(s):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Execution Date

Officer Signature(s)

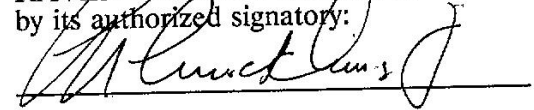


DANIEL M. GRAHAM
Barrister & Solicitor
211 - 1260 SHOPPERS ROW
CAMPBELL RIVER, B.C. V9W 2C8

Y	M	D
94	11	15

Party(ies) Signature(s)

RAVEN FOREST PRODUCTS LTD.
by its authorized signatory:



L.J. Luckhurst
Secretary

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

** If space insufficient, continue executions on additional page(s) in Form D.

Land Title Act
Form D

EXECUTIONS CONTINUED

Page 2

Officer Signature(s)

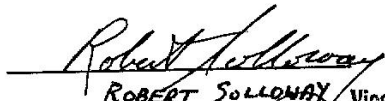

GREGORY J. JONES
SOLICITOR
P.O. BOX 2179
1055 WEST HASTINGS STREET
VANCOUVER, B.C. V6B 3V8

Execution Date

Y	M	D
95	04	25

Transferor/Borrower/Party

Signature(s)

Weldwood of Canada Limited
by its authorized signatory:
ROBERT SOLLOWAY Vice President

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the **Evidence Act** R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the **Land Title Act** as they pertain to the execution of this instrument.



Land Title Act
Form E

SCHEDULE

Page 3

Enter the required information in the same order as the information must appear on the Freehold Transfer Form, Mortgage Form or General Document Form.

3. Nature of Interest:

Person Entitled to Interest:

East 40 Acres of the
Registered owner of Dominant Tenement: South West 1/4, Section 21, Denman
Island, Nanaimo District:

Weldwood of Canada Limited (Inc. No. 59675)

5. Transferee:

Weldwood of Canada Limited (Inc. No. 59675), P.O. Box 2179, 1055 West
Hastings Street, Vancouver, B.C. V6B 3V8

4

PART 2 - EXPRESS CHARGE TERMS

page 4

THIS EASEMENT made the day of , 1994

BETWEEN: RAVEN FOREST PRODUCTS LTD.
211-1260 Island Highway,
Campbell River, B.C.
V9W 2C8

(the "Grantor")

OF THE FIRST PART

AND: WELDWOOD OF CANADA LIMITED (Inc. No. 59675)
Vancouver, British Columbia, V6E 2E9

(the "Grantee")

OF THE SECOND PART

WHEREAS:

- A. The Grantor is the registered owner of certain land and premises situate in the on Denman Island and more particularly described as:

Lot "A", Section 21, Denman Island, Nanaimo District, Plan
VIP 60286.

(the "Servient Tenement")

- B. The Grantee is the registered owner of certain land and premises situate on Denman Island and more particularly described as:

East 40 Acres of the South West 1/4, Section 21, Denman Island, Nanaimo District.

(the "Dominant Tenement");

- C. The Grantee has requested and the Grantor has agreed to the granting of an easement for the purposes stated herein:

NOW THEREFORE THIS INDENTURE WITNESSETH that in consideration of the premises and of the sum of ONE (\$1.00) DOLLAR now paid by the Grantee to the

page 5

Grantor (the receipt and sufficiency whereof is hereby acknowledged by the Grantor):

1. The Grantor hereby grants to the Grantee, appurtenant to the Dominant Tenement, an easement in common with the Grantor and all other persons having a similar right at all times hereafter by day or night to pass and repass along, over and upon that part of the Servient Tenement as shown outlined in heavy black outline in a reference plan of easement through part of Lot A, Section 21, Denman Island, Nanaimo District, completed on October 5, 1994 and certified correct by Ross N. Glover, B.C.L.S., (the "Easement Area"), a reduced sized copy of which is annexed hereto, with or without conveyances, equipment, machinery, implements, supplies inventory, workers, vehicles of any description or other things for the purposes of constructing, laying down and maintaining a road or other improvements for access to and egress from the Dominant Tenement.
2. The rights, privileges and easements are herein granted on the following terms, covenants and conditions which are mutual covenants and agreed to by and between the Grantor and the Grantee:
 - a) the Grantor shall have the right to fully use and enjoy the Servient Tenement, subject always to and so as not to interfere with the easements, rights and privileges hereby granted and conferred on the Grantee;
 - b) the Grantor hereby covenants not to make, place, erect or maintain any building, structure, foundation, excavation, well, or obstruction of any other description which does or may interfere with the enjoyment of the easement herein granted;
 - c) the Grantee hereby covenants with the Grantor that the Grantee shall:
 - (i) not trespass on to the remainder of the Servient Tenement but if such trespass is made, it shall be at the Grantee's and Grantee's Agents' sole risk and responsibility and the Grantee shall indemnify and save harmless the Grantor from and against all manner of actions, suits, proceedings, costs, claims, demands and losses whatsoever which at any time hereafter may be brought or arise or be made against the Grantor in respect of any trespass by the Grantee or the Grantee's Agents;
 - ii) indemnify and save harmless the Grantor from and against all manner of actions, suits, proceedings, costs, claims, demands and losses whatsoever which at any time hereafter may be brought or arise or be made against the Grantor in respect of the use and enjoyment of any of the rights and easement herein granted, save and except where such manner of actions, suits, proceedings, costs, claims, demands and losses

6

page 6

are caused by the negligent or deliberate acts or omissions of the Grantor;

- iii) observe and comply with all applicable Municipal, Provincial and Federal statutes, regulations, directives and policies including but not limited to the Forest Act of British Columbia as the Forest Act relates to the prevention and suppression of fires and will not start or permit or suffer any open fires or any fire menace on the Easement Area during the fire season or any period when the Grantor objects thereto, except as may be permitted by the Grantor and then only in strict compliance with all the requirements of the Forest Service of British Columbia;
- iv) and does hereby accept all risks associated with its entry to and occupation of the Easement Area as its own risks and, without limiting the generality of anything contained herein, the Grantee for itself and the Grantee's Agents hereby releases and discharges the Grantor and its directors, employees, agents contractors, sub-contractors, and invitees (collectively called the "Grantor's Representatives") from any and all responsibility and liability, whether arising in tort, contract or otherwise, in respect of all loss, damage, personal and property injury and death arising out of or attributable to the state, topography or condition of the Easement Area;
- v) not dedicate the Easement Area as a public road.
- d) it is expressly understood and agreed by the Grantee that the Grantor has made no representations or warranties to the Grantee as to the state or condition of the Easement Area, nor as to the means of ingress and egress thereto or therefrom, nor as to the suitability thereof for the purposes of the Grantee nor as to the existence thereon of hidden traps and dangers, all of which matters the Grantee has fully examined before execution of this agreement, and the execution of this agreement by the Grantee shall be and be deemed to be absolute release by the Grantee of the Grantor from any and all claims which the Grantee now has or may hereafter have in respect thereof.
- e) this Easement is binding upon and shall enure to the benefit of the successors and assigns of the Grantor and the successors and permitted assigns of the Grantee;
- f) the rights, liberties, privileges and easements hereby granted are and shall be



page 7

of the same force and effect to all intents and purposes as a covenant running with the land and shall run with and be binding on the Servient Tenement and each part thereof and be annexed and appurtenant to the Dominant Tenement and every part thereof;

- g) no part of the fee of the soil of the Servient Tenement or the Easement Area shall pass to or be vested in the Grantee by virtue of this Easement.
- h) the obligations on the part of the Grantee herein contained shall only be personal or binding upon the Grantee in respect of any parcel of land included in the Dominant Tenement while the Grantee is seized of such parcel, provided that the interests in land hereby created shall remain appurtenant to the Dominant Tenement in accordance with the terms hereof;
- i) the obligations on the part of the Grantor herein shall only be personal or binding upon the Grantor while the Grantor is seized of the Servient Tenement, provided however that the Servient Tenement shall remain charged herewith in accordance with the terms hereof;

IN WITNESS WHEREOF the execution by the Grantor, as Transferor, on page one of Form C, of which this Easement forms a part, and the execution by the Grantee, as Transferee, on page two of Form C, of which this Easement forms a part, shall be and be deemed to be execution under corporate seal, in the presence of the officers duly authorized in that behalf, of this Easement by the Grantor and Grantee respectively and the delivery thereof by the Grantor to the other.

End of Document

page 8

PLAN VIP

DEPOSITED IN THE LAND TITLE OFFICE
AT VICTORIA, B.C.
THIS DAY OF 1994.

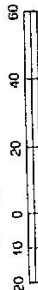
REGISTER

REFERENCE PLAN OF EASEMENT THROUGH
PART OF LOT A, SECTION 21,
DENMAN ISLAND, NANAIMO DISTRICT,
PLAN VIP 60286

B.C.S.S. 92F 057

PURSUANT TO SECTION 99 (1) (c) OF THE LAND TITLE ACT

SCALE 1: 1250



LEGEND

BEARINGS ARE ASTRONOMIC AND DERIVED FROM PLAN VIP

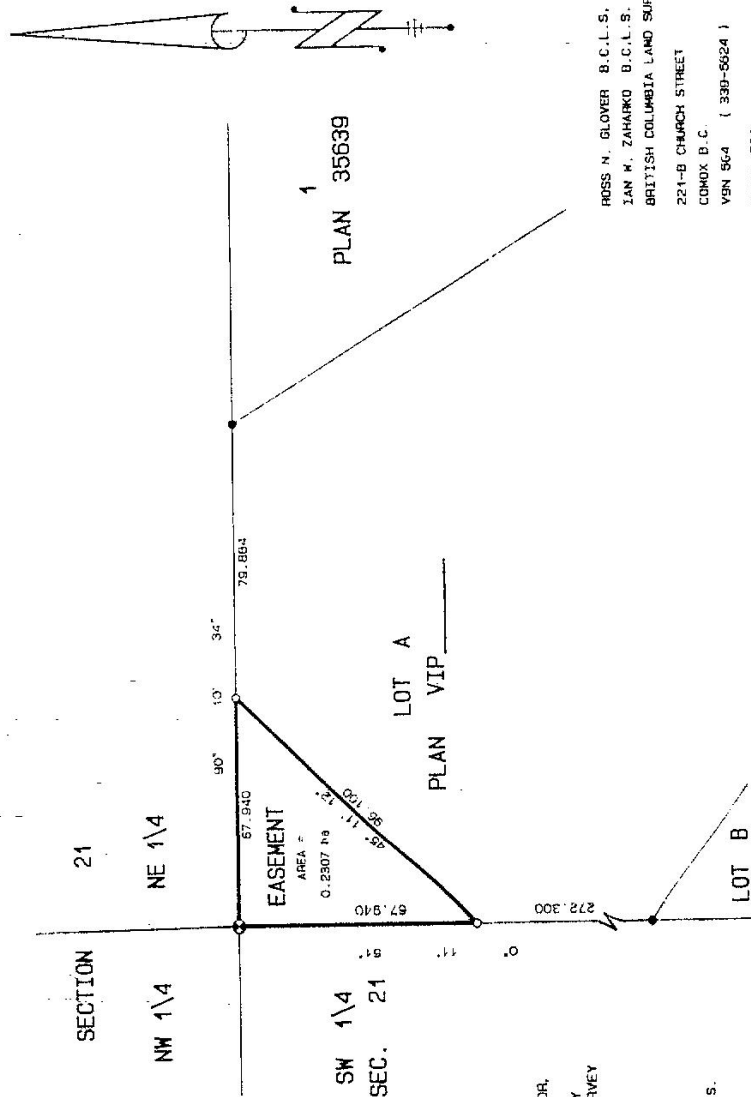
ALL DISTANCES ARE IN METRES

● DENOTES STANDARD IRON POST FOUND

○ DENOTES STANDARD IRON POST SET

ha. DENOTES HECTARES

③ DENOTES STANDARD CAPPED POST FOUND



I, ROSS N. GLOVER, A BRITISH COLUMBIA LAND SURVEYOR,
OF COMOX, IN BRITISH COLUMBIA, CERTIFY THAT I WAS
PRESENT AT AND PERSONALLY SUPERINTENDED THE SURVEY
REPRESENTED BY THIS PLAN AND THAT THE PLAN AND SURVEY
ARE CORRECT. THE SURVEY WAS COMPLETED ON THE 5TH
DAY OF OCTOBER, 1994

Ross N. Glover B.C.L.S.

ROSS N. GLOVER B.C.L.S.,
IAN M. ZAHARKO B.C.L.S.,
BRITISH COLUMBIA LAND SURVEYORS
221-B CHURCH STREET
COMOX B.C.
V9N 5G4 (330-5024)
FILE: 731
COMPUTER FILE: 731C

THIS PLAN LIES WITHIN THE COMOX-SIRATHCONA REGIONAL DISTRICT

95 MY -8 11 00 4

RECEIVED
LAND TITLE OFFICE
VICTORIA

EJ046857

VIP61260

LAND TITLE ACT

FORM 11(a)
(Section 99(1)(e),(j) and (k))APPLICATION FOR DEPOSIT OF REFERENCE OR
EXPLANATORY PLAN (CHARGE)

I, BROOK G. KIDDLE, Solicitor, of 200-1260 Island Highway, Campbell River, B.C., V9W 2C8, agent of Raven Forest Products Ltd., the owner of a registered charge apply to deposit reference/explanatory plan of Easement through Part of Lot A, Section 21, Denman Island, Nanaimo District, Plan VIP 60286.

05/08/95 D86844 DT/PLAN 50.00

I enclose:

1. The reference/explanatory plan.
2. The reproductions of the plan required by Section 67 (u).
3. Fees of \$*

Dated the 04th day of May, 1995.

Signature

VICTRO REGISTRY SERVICES LTD.

NOTE: (i)

The following reproductions of the plan must accompany this application:

- (a) One blue linen original (alternatively, white linen or original transparencies).
- (b) One duplicate transparency.
- (c) One whiteprint is required as a worksheet for the land title office.

(ii) The following further requirements may be necessary:

- (a) If the parent property is in an Agricultural Land Reserve, a release is required unless the parent property is less than 2.0 acres (app. .8094ha.) or where, for permitted uses, an approving officer has signed the plan under Section 1(1)(a) and (b) of the Subdivision and Land Use Regulation (B.C. Reg. 7/81) under the Agricultural Land Commission Act.
- (b) Where a notice respecting a grant under the Home Purchase Assistance Act is endorsed on title, an extra white print must accompany the application, unless the Ministry of Lands, Parks and Housing agrees otherwise in writing. This extra print must contain the following endorsement:
"The eligible residence as defined by the Home Purchase Assistance Act is located on Lot ____ created by this plan.

B.C.L.S. or Solicitor for Owner"

VIP61260

TITLE SEARCH PRINT

2024-04-08, 13:58:21

File Reference:

Requestor: Steven Carballeira

Declared Value \$ 395280

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District	VICTORIA
Land Title Office	VICTORIA
Title Number	FA132362
From Title Number	EX135217
Application Received	2006-11-06
Application Entered	2006-11-15
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	DENMAN CONSERVANCY ASSOCIATION, INC.NO. S0027585 5901 DENMAN ROAD DENMAN ISLAND, BC V0R 1T0
Taxation Authority	Courtenay Assessment Area
Description of Land	
Parcel Identifier:	006-639-771
Legal Description:	THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT
Legal Notations	
THIS CERTIFICATE OF TITLE MAY BE AFFECTED BY THE AGRICULTURAL LAND COMMISSION ACT; SEE AGRICULTURAL LAND RESERVE PLAN NO. 3, DEPOSITED MAY 29, 1974 EXCLUDED AS TO PART ONLY, SEE DF G3301, H.T. KENNEDY PER LP	

TITLE SEARCH PRINT

2024-04-08, 13:58:21

File Reference:

Requestor: Steven Carballeira

Declared Value \$ 395280

Charges, Liens and Interests

Nature:	UNDERSURFACE RIGHTS
Registration Number:	51868G
Registration Date and Time:	1924-01-28 14:17
Registered Owner:	ANNIE LOUISA PICKLES BEATRICE VIDA DOHENY JESSIE MAUD MCGEE CUTHBERT VIVIAN PICKLES ARTHUR LAURENCE PICKLES ERNEST ROBERT PICKLES MARTHA DOROTHY LOUISE PICKLES
Remarks:	INTER ALIA COAL; DD 55523I;
Nature:	RIGHT OF WAY
Registration Number:	51870G
Registration Date and Time:	1924-01-28 14:25
Registered Owner:	CURTHBERT VIVIAN PICKLES
Remarks:	EAST 6 FEET OF NORTH EAST 1/4 OF SECTION 21 SEE DD 55523I
Nature:	TAX SALE NOTICE
Registration Number:	DF41414
Registration Date and Time:	1938-09-29
Remarks:	INTER ALIA COAL FORFEITED TO CROWN 23.10.39 DF 45974
Nature:	UNDERSURFACE RIGHTS
Registration Number:	EJ49175
Registration Date and Time:	1995-05-11 13:16
Registered Owner:	WEST FRASER MILLS LTD. INCORPORATION NO. BC0712789
Transfer Number:	FA61964
Remarks:	INTER ALIA DD EJ49106 FORFEITED TO THE CROWN. SEE EM21742.
Nature:	UNDERSURFACE RIGHTS
Registration Number:	EM21742
Registration Date and Time:	1998-03-04 14:46
Registered Owner:	THE CROWN IN RIGHT OF BRITISH COLUMBIA
Remarks:	PURSUANT TO THE MINERAL LAND TAX ACT, RSBC 1996, CH. 290, AND AMENDMENTS THERETO; ALL MINERALS EXCEPT GOLD, SILVER AND COAL, AND THE RIGHT TO WORK, WIN OR CARRY AWAY SAME ARE FORFEITED AND VESTED IN THE CROWN.

TITLE SEARCH PRINT

2024-04-08, 13:58:21

File Reference:

Requestor: Steven Carballeira

Declared Value \$ 395280

Nature:	COVENANT
Registration Number:	CA6309115
Registration Date and Time:	2017-09-19 14:29
Registered Owner:	TRUST FUND BOARD
Remarks:	INTER ALIA

Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA6309116
Registration Date and Time:	2017-09-19 14:29
Registered Owner:	TRUST FUND BOARD
Remarks:	INTER ALIA

Nature:	RENT CHARGE
Registration Number:	CA6309117
Registration Date and Time:	2017-09-19 14:29
Registered Owner:	TRUST FUND BOARD
Remarks:	INTER ALIA

Duplicate Indefeasible Title	NONE OUTSTANDING
-------------------------------------	------------------

Transfers	NONE
------------------	------

Pending Applications	NONE
-----------------------------	------

TITLE SEARCH PRINT

2024-04-08, 14:56:20

File Reference: SL West

Requestor: Steven Carballeira

Declared Value \$ 376980

CURRENT INFORMATION ONLY - NO CANCELLED INFORMATION SHOWN

Land Title District	VICTORIA
Land Title Office	VICTORIA
Title Number	FA132363
From Title Number	EX135215
Application Received	2006-11-06
Application Entered	2006-11-15
Registered Owner in Fee Simple	
Registered Owner/Mailing Address:	DENMAN CONSERVANCY ASSOCIATION, INC.NO. S0027585 5901 DENMAN ROAD DENMAN ISLAND, BC V0R 1T0
Taxation Authority	Courtenay Assessment Area
Description of Land	
Parcel Identifier:	006-657-656
Legal Description:	THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP78186
Legal Notations	
	FOR CROWN GRANT OF TIMBER SEE DD 174206G AND 174209G
Charges, Liens and Interests	
Nature:	UNDERSURFACE RIGHTS
Registration Number:	EJ49175
Registration Date and Time:	1995-05-11 13:16
Registered Owner:	WEST FRASER MILLS LTD. INCORPORATION NO. BC0712789
Transfer Number:	FA61964
Remarks:	INTER ALIA DD EJ49106 FORFEITED TO THE CROWN. SEE EM21743.

TITLE SEARCH PRINT

2024-04-08, 14:56:20

File Reference: SL West

Requestor: Steven Carballeira

Declared Value \$ 376980

Nature:	UNDERSURFACE RIGHTS
Registration Number:	EM21743
Registration Date and Time:	1998-03-04 14:46
Registered Owner:	THE CROWN IN RIGHT OF BRITISH COLUMBIA
Remarks:	PURSUANT TO THE MINERAL LAND TAX ACT, RSBC 1996, CH. 290, AND AMENDMENTS THERETO; ALL MINERALS EXCEPT GOLD AND SILVER, AND THE RIGHT TO WORK, WIN OR CARRY AWAY SAME ARE FORFEITED AND VESTED IN THE CROWN.
Nature:	COVENANT
Registration Number:	CA6309115
Registration Date and Time:	2017-09-19 14:29
Registered Owner:	TRUST FUND BOARD
Remarks:	INTER ALIA
Nature:	STATUTORY RIGHT OF WAY
Registration Number:	CA6309116
Registration Date and Time:	2017-09-19 14:29
Registered Owner:	TRUST FUND BOARD
Remarks:	INTER ALIA
Nature:	RENT CHARGE
Registration Number:	CA6309117
Registration Date and Time:	2017-09-19 14:29
Registered Owner:	TRUST FUND BOARD
Remarks:	INTER ALIA
Duplicate Indefeasible Title	NONE OUTSTANDING
Transfers	NONE
Pending Applications	NONE

From: Deb Morrison
Sent: Thursday, June 27, 2024 4:38 PM
To: Tobi Elliott
Cc: David Marlor; Executive Admin; EC
Subject: Re: TC policy on conference reporting

EC,

Happy to pay from our LTC fund for the amount that I was approved locally if this is an issue and reimburse the overage from my own pocket. I do not get paid enough to provide written reports beyond what is needed for the work of my LTC at the moment.

d

On Thu, Jun 20, 2024 at 2:20 PM Tobi Elliott <telliott@islandstrust.bc.ca> wrote:

Hi Deb and EC,

Alexandra can confirm but I believe EC asked for reports from those who attended conferences or forums to be in written form.

I appreciate that not everyone communicates in the same way. I too would have loved to report out to Trustees the highlights of AVICC verbally as well.

Speaking as a member of EC, I do know we wrestle to get everything into the agenda that needs to be there, and to allow enough time for discussion.

Speaking as a Trustee who can only absorb so much after 3 days of business, I don't believe there is time after 3 days of meetings to allow for verbal reports.

I think it's a bit unfair to pick and choose who gets the information through a 1-1-communication. The policy seems to indicate that what we learn at a conference should be communicated equitably to all Trustees and members of the public.

Thank you,

Tobi

On Jun 20, 2024, at 1:22 PM, David Marlor <dmarmor@islandstrust.bc.ca> wrote:

Policy says written/verbal reporting. See 2.1 in this policy:
<https://islandstrust.bc.ca/document/policy-6-12-1-trustee-training-conference-atnd/>

Active Projects Report

Executive Committee

1. Update Islands Trust Policy Statement

With involvement from Trust Programs Committee as appropriate, co-ordinate a review of the Policy Statement including a First Nations and public engagement process. Updated Project charter approved March 2023. (Strategic Plan 3.1, 4.4 , 5.6, 5.7)

Responsible

Clare Frater
Russ Hotsenpiller

Dates

Rec'd: 26-Feb-2020
Target: 26-Sep-2023

2. First Nations Reconciliation

Develop Islands Trust First Nations Reconciliation and engagement planning (Strategic Plan Items 4.5 & 4.6)

Responsible

Russ Hotsenpiller

Dates

Rec'd: 02-Sep-2020

3. 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

Russ Hotsenpiller

Dates

Rec'd: 07-Mar-2023

3. Request for Provincial Review

Per Trust Council request respond to Minister Kang to the effect that Trust Council will revisit the request for a review of Islands Trust mandate, governance and structure and provide the minister with an update.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 08-Mar-2023
Target: 06-Dec-2023

Active Projects Report

Executive Committee

4. *Strategic Planning*

Guide the development and implementation of the Islands Trust Strategic Plan.

Responsible

Russ Hotsenpiller

Dates

Rec'd: 03-May-2023

5. *Communications*

Development of an Islands Trust Communications Strategy.

Responsible

Clare Frater
Russ Hotsenpiller

Dates

Rec'd: 03-May-2023

Future Projects Report

Executive Committee

1. *Marine Ecosystems*

Responsible

Date Received

Advance the preservation and protection of marine ecosystems.

03-May-2023

2. *MOTI MOU's*

Responsible

Date Received

To engage with the Ministry of Transportation on a updated Memorandum of Understanding.

03-May-2023

3. *Climate Change Emergency*

Responsible

Date Received

Programming associated with the Climate Change declaration of the Islands Trust.

03-May-2023

4. *Request to Minister for Review of Islands Trust*

Responsible

Date Received

To follow up on the request by Trust Council for a review of the Islands Trust by the Minister of Municipal Affairs.

01-Nov-2023

5. *Summary of requests by Trust Council to approach the Province to provide ongoing funding to the Islands Trust*

Responsible

Date Received

This work item is the combination of a number of requests by Trust Council (March 2023), (July 2023) and previous terms to develop a strategy to request further funding from the Province.