



Executive Committee Revised Agenda

Date: Wednesday, July 24, 2024

Time: 9:15 a.m.

Location: Electronic Meeting
And a physical location to view the livestream of the meeting:

Islands Trust Victoria Office

#200 - 1627 Fort Street

Victoria, BC V8R 1H8

	Pages
1. CALL TO ORDER	
2. APPROVAL OF AGENDA	
2.1 Introduction of New Items	
2.2 Approval of Agenda	
2.2.1 Agenda Context Notes	5 - 5
3. RISE AND REPORT DECISIONS FROM PREVIOUSLY CLOSED MEETING	
Chair Luckham to rise and report that Executive Committee advanced a number of bylaw enforcement activities, and adopted minutes of previous meetings.	
4. ADOPTION OF MINUTES	
4.1 Draft Executive Committee Meeting Minutes of July 3, 2024	6 - 12
5. FOLLOW UP ACTION LIST AND UPDATES	
5.1 Follow Up Action List/Director/CAO Updates	13 - 18
5.2 Local Trust Committee Chair Updates	
5.3 Islands Trust Conservancy Liaison Update	
6. BYLAWS FOR APPROVAL CONSIDERATION	
6.1 Bowen Island Municipality – Land Use Bylaw Amendment Bylaw No. 652 - RFD	19 - 29
THAT the Executive Committee advise Bowen Island Municipality that Bylaw No. 652, 2024 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 652, 2024” is not contrary to or at variance with the Islands Trust Policy Statement.	

THAT the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 175, cited as “Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 150, 2019, Amendment No. 1, 2024” in accordance with Section 27 of the *Islands Trust Act*.

7. **TRUST COUNCIL MEETING PREPARATION**

7.1 **Executive**

7.1.1 **Role of the chair at Committee of the Whole meetings - Discussion**

Requested discussion item by EC.

7.2 **Planning Services - None.**

7.3 **Administrative Services - None.**

7.4 **Trust Area Services**

7.4.1 **Policy Statement Amendment Project – Committee of the Whole Agenda Setting - BRF** 35 - 37

8. **EXECUTIVE COMMITTEE PROJECTS**

8.1 **Trust Council Initiated**

8.1.1 **Executive**

8.1.1.1 **Governance Committee Code of Conduct Policy Recommendation - BRF** 38 - 50

8.1.2 **Trust Area Services**

8.1.2.1 **Agreement with Quw’utsun (Cowichan) Nation - RFD** 51 - 53

That Executive Committee request staff to develop a protocol agreement in cooperation with Quw’utsun (Cowichan) Nation for Trust Council’s consideration.

8.1.2.2 **Policy Statement Amendment Project (PSAP) – Survey of Local Government Goals and Objectives re. Reconciliation and UNDRIP Implementation - RFD** 54 - 55

That Executive Committee direct staff to provide a briefing to Committee of the Whole that presents examples from other jurisdictions’ (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies.

8.1.3 **Planning Services**

8.1.3.1 **Referrals to First Nations – Interim Briefing** 56 - 59

8.1.4 **Administrative Services - None.**

8.2 Executive Committee Initiated

8.2.1 Executive

8.2.1.1 Trust Council Continuous Learning 2022 - 2026 - Discussion 60 - 64

8.2.1.2 Bylaw Enforcement Policy Project - Discussion

8.2.2 Trust Area Services

8.2.2.1 Indigenous Leader Forum grant to Future Trust Council meeting - RFD 65 - 69

That Executive Committee request the Chair to write to Snuneymuxw First Nation Chief and Council as to their interest in hosting a dialogue about Vision and Governance in their territory in association with the September 2024 Trust Council meeting, or alternatively the December 2024 or March 2025 meeting, and that up to \$20,000 to support the event be drawn from the Provincial Reconciliation Grant funds to provide to capacity funding to Snuneymuxw First Nation and to support trustee attendance costs.

That Executive Committee request staff to assess the viability of, and estimated costs, of trustees attending a forum in association with an upcoming Trust Council meeting and report back to the Executive Committee with potential additional travel and accommodation costs.

8.2.3 Planning Services

8.2.3.1 Local Trust Committee Chair Roles - BRF 70 - 72

8.2.4 Administrative Services - None.

9. NEW BUSINESS

9.1 Executive/Trust Council

9.1.1 Liability Insurance for Islands Trust Minute Takers and Public Notice Providers - RFD 73 - 76

THAT the Executive Committee request staff to provide liability insurance for minute takers/public notice providers who form the Islands Trust Minute Takers/Public Notice Providers Group through the Municipal Insurance Association's Associate Member Program; and

THAT the Executive Committee authorize the Director, Legislative and Information Services to enter into Service Provider Agreements with individual minute takers/public notice providers for the provision of liability insurance through Islands Trust's liability insurance held with the Municipal Insurance Association of British Columbia.

9.1.2	UBCM Attendance and Breakfast – RFD	77 - 82
	That Executive Committee approve attendance for [insert names here] at the 2024 UBCM Convention;	
	and	
	That Executive Committee approve Islands Trust hosting a breakfast session at the 2024 UBCM Conference on the topic of [topic].	
9.1.3	Advocacy for provincial assistance re: heritage protection - BRF	83 - 84
	Trustee Elliott	
9.2	Trust Area Services	
9.2.1	LTC Chairs Report on Local Advocacy Topics	
9.2.2	Climate Preparedness - CONEXT Brochure	85 - 89
	See Agenda Context note 2.2.1	
9.2.3	Mayne Island Local Trust Committee Advocacy	
	See Agenda Context note 2.2.1	
9.3	Planning Services - None.	
9.4	Administrative Services - None.	
10.	CORRESPONDENCE (for information unless raised for action)	
10.1	2024-07-16 Friends of the Gulf Islands Society - Letter regarding delegations	90 - 91
10.2	2024-07-22 Trustee Patrick - Letter re: EC Agenda Item 8.1.2.1	92 - 94
11.	WORK PROGRAM	
11.1	Review and amendment of current work program	95 - 97
12.	NEXT MEETING	
	The next meeting of the Executive Committee will be held electronically on Wednesday, August 21, 2024, at 9:15 a.m.	
13.	CLOSED MEETING	
	That the meeting be closed to the public subject to Sections 90(1)(f), and (i) of the Community Charter in order to consider matters related to law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment, and receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and that staff be invited to remain in the meeting.	
14.	ADJOURNMENT	

Agenda No.	From	Context Notes
9.2.2	Director, Trust Area Services, Clare Frater	Islands Trust is eligible to participate in the CONEXT Climate Preparedness Hub. It is a program to support representatives of small, rural communities through the next steps in their climate preparedness journeys. Each community is asked to commit between 2 and 6 people to participate in a series of training sessions. The program runs from Fall 2024 to Spring 2025. Participants should expect to dedicate between 20-25 hours in total. This includes attending online sessions and completing homework assignments. An expression of interest to the organizer is due by July 31, 2024. There is no charge for trustees or staff to participate in this hub. Staff recommend that Executive Committee consider a motion such as the following: That Executive Committee request staff to poll trustees and staff about their interest in participating in the CONEXT Climate Preparedness Hub, and submit an expression of interest by July 31, 2024. Should more than six people express interest, staff would enquire if the number of participants could be increased for Islands Trust, and if the answer is no, staff will return to the Executive Committee to select participants in August.
9.2.3	Director, Trust Area Services, Clare Frater	In May 2024, the Mayne Island LTC resolved to write to the Member of Parliament Elizabeth May and Member of Legislative Assembly Adam Olsen to express concern over the handling of derelict boats becoming navigation hazards, and the matter of public safety in Horton Bay. Trust Council's Advocacy Policy states that <i>"If a local trust committee wishes to advocate on an issue not related to land use planning or not consistent with its Official Community Plan, the local trust committee chair will seek approval from the Executive Committee to allocate staff time to the project."</i> The Executive Committee can: 1. Authorize Trust Area Services staff time to work on a letter; or 2. Could choose to request that the Islands Trust Chair write on behalf of Trust Council; or 3. Could advise the LTC that it does not support staff time for the project. Should staff time be approved, staff recommend that the letter be directed to the Federal Minister of Transport and the Ministers responsible for crown land, with cc's to the MLA and MP.



Executive Committee

Minutes of a Regular Meeting

Date: July 3, 2024
Location: Electronic Meeting

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

Staff Present: Clare Frater, Director, Trust Area Services
Stefan Cermak, Director, Planning Services
Warren Dingman, Manager, Bylaw Enforcement (In Victoria Boardroom)
Alexandra Trifonidis, Executive Coordinator/Recorder (In Victoria Boardroom)

Members of the public present: No members of the public were present.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 9:16 a.m., and provided a territorial welcome. Trustees and staff introduced themselves.

2. APPROVAL OF AGENDA

2.1 Introduction of New Items

The following addition to the agenda was presented for consideration:

- 7.3.1 Chair Role

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 – None.

4. ADOPTION OF MINUTES

4.1 Draft Executive Committee Meeting Minutes of June 18, 2024

By general consent the Executive Committee meeting minutes of June 18, 2024, were adopted as presented.

5. FOLLOW UP ACTION LIST AND UPDATES

5.1 Follow Up Action List/Director/CAO Updates

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

5.2 Local Trust Committee Chair Updates

Local trust committee chairs provided updates on recently attended and upcoming local trust committee meetings.

5.3 Islands Trust Conservancy Liaison Update

Nothing to report.

6. BYLAWS FOR APPROVAL CONSIDERATION

6.1 Mayne Island Local Trust Committee - Bylaw No. 193 - RFD

Vice-Chair Elliot presented the request for decision.

EC-2024-080

It was MOVED and SECONDED,

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*.

CARRIED

7. TRUST COUNCIL MEETING PREPARATION

7.1 Roundtable Review of June 18-20 Trust Council Meeting

The Committee commenced a roundtable review of June’s Trust Council meeting. Positive reviews have been received verbally on the venue and location of June’s Trust Council meeting.

Discussion ensued on the following:

- Strategic planning exercise, with the group sharing consensus that there was room for improvement with regard to the facilitation.
- MLA Olsen’s presentation
- Receiving meeting feedback from trustees in the form of a survey.
- Staff’s input on the meeting.

7.1.1 Delegation Presentation Materials in Trust Council Agendas

Vice-Chair Elliott spoke to the item supporting a new procedure, used for the June 2024 Trust Council meeting, for distributing supplementary materials provided by delegations or presenters outside of the agenda package to reduce

the size of the agenda package and to have the focus of the agenda be more on Trust Council business.

Discussion ensued on the following points:

- Staff capacity to add an additional step in the agenda package creation process
- Islands Trust policy
- Transparency for the public to access documents
- Different time allocations and agenda considerations for the following:
 - delegations
 - presenters
 - lobby groups
 - corporate presentations
 - public comment period

EC-2024-081

It was MOVED and SECONDED,

that Executive Committee requests staff to investigate other local government practices and policies respecting delegations, public comments and presentations to Council, including the Capital Regional District, Regional District of Nanaimo and Cowichan Valley Regional District, for consideration of Trust Council.

CARRIED

7.1.2 Public Comment Period Opportunities

The Committee discussed where the public comment period should be placed on the agenda to address the needs of the public.

Discussion ensued on:

- the challenge in meeting the needs of everyone
- consideration of daytime and evening sessions
- options available to the public to be included in the session, such as electronic and in-person participation.

7.2 Executive

7.2.1 June Trust Council Business Decision Highlights

The Committee reviewed the June Trust Council Business Decisions Highlights document and suggested amendments to staff.

The following changes were suggested:

- In the strategic planning section: omit livestreaming information, include who facilitated, and mention the previous Trust Council session in March.
- Add the following items:

- Islands Trust's 50th anniversary recognition event
- Chief Administrative Officer Russ Hotsenpiller's retirement
- MLA Adam Olsen's address to Trust Council

Vice-Chair Elliot offered to work with staff on the suggested amendments over the break before bringing the document back to the Committee for approval.

7.2.2 Trust Council Follow Up Action List

Received for information.

7.3 Planning Services

7.3.1 Chair Roles

Chair Luckham spoke to the item, sharing with the Committee and staff that comments have been received regarding all parties involved needing clarity on the role of the local trust committee chair and responsibilities associated with the following: agenda creation and approval, correspondence and letter writing, and the designated spokesperson.

Staff offered a chair re-orientation session to Executive Committee.

Discussion ensued on the following points:

- Inconsistency in local trust committee agenda item ordering and meeting procedures
- Islands Trust policy and procedure
- Individuality and differences in local trust committees
- Concerns and frustrations received

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

Vice-Chair Maude introduced the item sharing that at June's Trust Council meeting Trust Gedye purchased, with her own funds, books for all trustees, which benefited trustees and addressed a problem she had

earlier brought to Executive Committee with regards to asking for support on specific issues arising in committee meetings.

The Committee discussed the following:

- How public funds are spent
- What budget line the expense would come from. The Trust Council Trustee Training expense budget has \$5,000.00 available.
- Whether a decision to reimburse the funds would be precedent setting
- Policy guidance

EC-2024-082

It was MOVED and SECONDED,

that Executive Committee request that Trustee Gedye be reimbursed in the amount of \$596.98 for the purchase of Eli Mina books, from the Trust Council Training budget.

CARRIED

9. NEW BUSINESS

9.1 Executive/Trust Council – None.

9.2 Trust Area Services

9.2.1 LTC Chairs Report on Local Advocacy Topics

Local trust committee chairs reported on the following local advocacy topics:

- Salt Spring Island Local Trust Committee and select staff had a meeting with the Chief of Tsawout in late June to discuss a shared commitment in improving communication going forward.
- Mayne Island Local Trust Committee is working on a letter to MP Elizabeth Olsen and MLA Adam Olsen expressing frustration regarding a lack of support from Transport Canada in removing sinking or derelict boats in their region.
- Gabriola Island Local Trust Committee is looking for support and guidance from the Province about engaging and respecting First Nations interests in land heritage sites. Staff will assist the local trust committee in steps to move this forward.
- Thetis Island Local Trust Committee recently approved Land Use Bylaw and Official Community Plan amendments with respect to aquaculture zones in the local trust committee area.

9.3 Planning Services

9.3.1 Request for Executive Committee Sponsorship of Rezoning Application Fee - RFD

DRAFT

Director Cermak presented the request for decision noting, if approved, this would spend over half of the allocated annual budget.

EC-2024-083

It was MOVED and SECONDED,

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

CARRIED

9.4 Administrative Services – None.

10. CORRESPONDENCE (for information unless raised for action)

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

The Committee discussed the following:

- Consistency of reporting.
- The amount of time saved on Trust Council agendas when written reports are provided.
- Islands Trust policy

A personal response to the writer has been provided.

Received for information.

11. WORK PROGRAM

11.1 Review and amendment of current work program

Received for information.

The Committee recessed for a break at 11:27 a.m. and reconvened at 11:45 a.m.

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

The Committee readdressed item 7.2.1. June Trust Council Business Decision Highlights.

By general consent the amended version of the Trust Council Highlights be endorsed and posted to the appropriate locations.

DRAFT

At this time, it was brought to the attention of the Committee that the Executive Committee received a request from a fellow trustee asking for the Decision Highlights to be sent out to all trustees via email.

The Committee requested all trustees sign up for the Islands Trust subscriber notice through which the highlights document is circulated.

EC-2024-084

It was MOVED and SECONDED,

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.

CARRIED

The meeting was closed to the public at 11:53 a.m. and reconvened in open meeting at 12:21 p.m.

Vice-Chair Maude left the meeting at 12:12 p.m.

14. ADJOURNMENT

By general consent the meeting was adjourned at 12:22 p.m.

Peter Luckham, Chair

Certified Correct:

Alexandra Trifonidis, Executive Coordinator

The minutes are not official until adopted at a subsequent meeting.

Follow Up Action Report

Executive Committee

Director Legislative Services

Progress	Activity	Responsibility	Dates	Status
50%	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: 24-Jul-2024	In Progress
0%	2 Re: Delegations: 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: 14-Aug-2024	In Progress
0%	3 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
76%	4 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
0%	5 Re: Delegations: Staff to investigate other local government practices and policies respecting delegations, public comments and presentations to Council, including the Capital Regional District, Regional District of Nanaimo and Cowichan Valley Regional District, for consideration of Trust Council.	David Marlor	Meeting: 03-Jul-2024 Target: 14-Aug-2024	In Progress

Follow Up Action Report

Executive Committee

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-Oct-2024	In Progress
100%	3 Staff to inform DE LTC that Executive Committee approved financial sponsorship for the \$8,115.12 application fee for rezoning application PLRZ20240055 from the Denman Conservancy Association.	Stefan Cermak	Meeting: 03-Jul-2024 Target: 04-Jul-2024	Completed
100%	4 Staff to inform MA LTC that Executive Committee approved 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.	Stefan Cermak	Meeting: 04-Jul-2024 Target: 04-Jul-2024	Completed

Follow Up Action Report

Executive Committee

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
10%	2	Explore future education/workshop sessions on decision-making to benefit trustees.	Julia Mobbs	Meeting: 24-May-2023 Target: 26-Sep-2023	In Progress
100%	3	Staff to inform the finance department that Trustee Gedye be reimbursed in the amount of \$596.98 for the purchase of Eli Mina books, from the Trust Council Training budget	Julia Mobbs	Meeting: 03-Jul-2024 Target: 04-Jul-2024	Completed

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: 20-Nov-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
20%	6 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: 21-Aug-2024	In Progress
90%	7 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	Completed
10%	8 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: 21-Aug-2024	In Progress

Follow Up Action Report

Executive Committee

Director, Trust Area Services

Progress	Activity	Responsibility	Dates	Status
0%	9 Staff to work with Trustee Elliott (and/or others) to explore interest and options and funding potential for First Nations leaders to potentially hosting a gathering to hear Coast Salish perspectives on vision and governance in the Islands in the Trust Area, in a separate session before or around September Trust Council 2024.	Clare Frater	Meeting: 15-May-2024 Target: 21-Aug-2024	In Progress
49%	10 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	Completed
10%	11 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: 01-Mar-2025	In Progress
10%	12 Implement the Executive Committee approved "The Role of the Trust" webinar project charter.	Clare Frater	Meeting: 05-Jun-2024 Target: 31-Oct-2024	In Progress
100%	13 Staff to amend June Trust Council Business Decision Highlights and sent out to the subscriber list and post to the website.	Clare Frater	Meeting: 03-Jul-2024 Target: 04-Jul-2024	Completed

REQUEST FOR DECISION

ISLAND MUNICIPALITY BYLAW SUBMISSION

File No.: 08-3020-20-01 BIM_BL_652

DATE OF MEETING: July 24, 2024
TO: Islands Trust Executive Committee
FROM: Director, Planning Services
SUBJECT: Bowen Island Municipality – LUB Amendment Bylaw No. 652

RECOMMENDATION

1. **THAT the Executive Committee advise Bowen Island Municipality that Bylaw No. 652, 2024 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 652, 2024” is not contrary to or at variance with the Islands Trust Policy Statement.**

IMPLICATIONS OF RECOMMENDATION

Organizational – None

Financial - None

Policy - None

Implementation/Communications - Communication to Bowen Island Municipality regarding the Executive Committee decision by August 25, 2024.

Other - None

PURPOSE

Bowen Island Municipality Bylaw No. 57 (Attachment 1) is an amendment to the Bowen Island Municipality Land Use Bylaw (LUB) No. 57, 2002 in order to permit a zone variance on a particular location - 1034 Miller Road, Bowen Island. The zone variation would permit an existing insurance office operating under Temporary Use Permit to continue operations indefinitely.

BACKGROUND

This application was introduced to Bowen Island Municipal (BIM) Council at the February 26, 2024 regular meeting. The application was subsequently reviewed by the BIM Advisory Planning Commission and returned to BIM Council. BIM Council directed staff to amend the draft bylaw to apply to only the subject property and to refer the bylaw and Islands Trust Policy Checklist to the Islands Trust.

Issues Relating To First Nation Interest

From the staff reports received from the Bowen Island Municipality, staff has made no comment regarding any First Nations engagement with this land use bylaw amendment. The Islands Trust Policy Statement does not contain directive policies with regards to First Nations.

Public Comments

As of the date of this Request for Decision, no public comments have been received at the Islands Trust office.

Staff Comments

The purpose of the staff report is to advise if the proposed bylaws are or are not contrary to or at variance with the Islands Trust Policy Statement (ITPS). Bowen Island Municipality has considered the Islands Trust Policy Statement Directives Policies Checklist (attached).

Based on a review of the proposed Bylaw No. 652, the Bowen Island staff reports, and the ITPS Checklist, Islands Trust staff concludes that the Bylaw No. 652 is not contrary to or at variance with the Islands Trust Policy Statement.

KEY ISSUES/CONCEPTS

- Referral of Land Use Bylaw No. 652 under s.15 of the Letters Patent
- Written response to Bowen Island Municipality required by August 25, 2024 (45 days after date of receipt of the referral on July 11, 2024).
- Comments from Executive Committee limited to whether or not Bylaw No. 652 is contrary to or at variance with the Islands Trust Policy Statement.
- Staff considers that Bylaw No. 652 is not contrary to or at variance with the Islands Trust Policy Statement.

RELEVANT POLICY

- Islands Trust Policy Statement Directive Policies
- Islands Trust Policy 1.3.i [Policy Statement Implementation Policy]
- Bowen Island Municipality Letters Patent

ALTERNATIVE

- 1. Determine that the bylaw(s) is/are contrary to the Islands Trust Policy Statement:**
- THAT the Executive Committee request that staff advise Bowen Island Municipality in writing that the Executive Committee considers that Bylaw No. 652, 2024 cited as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 652, 2024” is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], triggering notification of the Minister.*

Submitted By:	Director, Planning Services	July 18, 2024
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ATTACHMENTS

1. Bylaw No. 652 – Proposed LUB Amendment
2. Islands Trust Policy Statement Checklist
3. [BIM Staff Report dated June 14, 2024](#)



**Bowen Island Municipality
Bylaw No. 652, 2024**

A Bylaw to amend Land Use Bylaw No 57. 2002

WHEREAS, “Bowen Island Land Use Bylaw No. 57, 2002” regulates the use of land, buildings, and structures within the Bowen Island Municipality

AND WHEREAS, Council wishes to amend “Bowen Island Land Use Bylaw No. 57, 2002” to amend existing regulations on the property legally described as:

LOT 8 BLOCK 1 DISTRICT LOT 490 PLAN 7806

THEREFORE be it resolved that the Council for Bowen Island Municipality in open meeting assembled enacts as follows:

1.0 Citation

- 1.1 This bylaw may be cited for all purposes as “Bowen Island Municipality Land Use Bylaw No. 57, 2002, Amendment Bylaw No. 652, 2024”.

1.2 Amendments

- 1.3 “Bowen Island Municipality Land Use Bylaw No. 57, 2002,” is amended at Section 4.8.4 – Exceptions in Particular Locations by inserting section 4.8.4(2) to read as follows:
- 4.8.4(2) *Zone Variation – VCI(a)*
- (a) Despite Subsection 4.8.1, *general services* use is a permitted use, however the only business type permitted under this use will be an insurance office.
- 1.4 Schedule “B” to “Bowen Island Municipality Land Use Bylaw No. 57, 2002” is amended by changing the description of the lands labelled “A” on Schedule “A” to this Bylaw from Village Civic (VCI) to Village Civic (a) (VCI(a))

READ A FIRST TIME this 8th day of July, 2024;

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

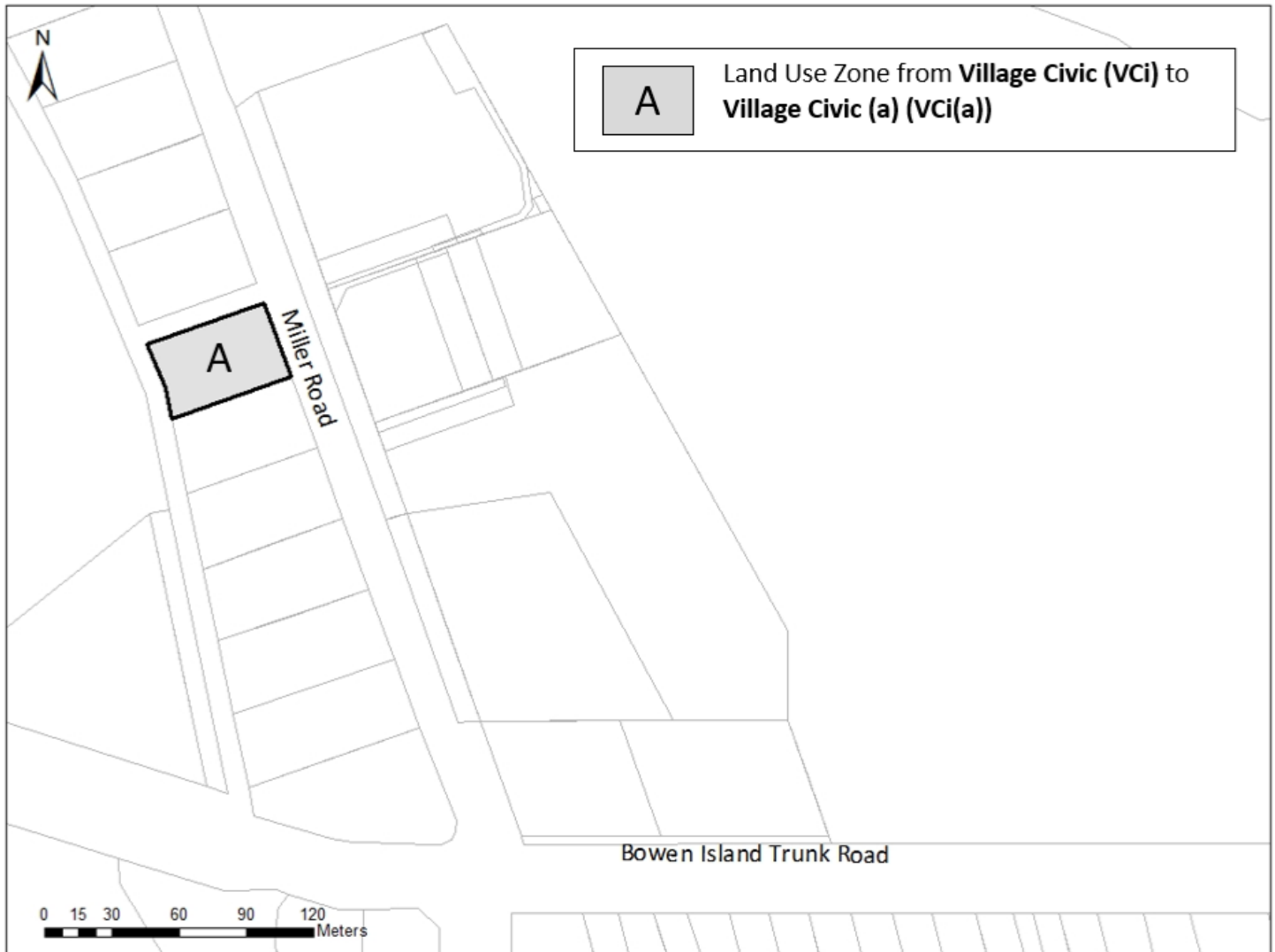
READ A THIRD TIME this ____ day of _____, _____;

FINALLY ADOPTED this ____ day of _____, _____;

Andrew Leonard
Mayor

Sophie Idsinga
Corporate Officer

Amendment Bylaw No. 562, 2024 – Schedule A





Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw No. 652, 2024 – File: 1034 Miller Road RZ-2023-0255

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

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

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
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	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

File No.: 3900-03; 4050-03

DATE OF MEETING: July 24, 2024

TO: Executive Committee

FROM: Warren Dingman, Bylaw Compliance & Enforcement Manager

DATE PREPARED: July 10, 2024

SUBJECT: Hornby Island Local Trust Committee Bylaw No. 175

RECOMMENDATION

1. **THAT the Islands Trust Executive Committee approve Hornby Island Local Trust Committee Bylaw No. 175, cited as “Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 150, 2019, Amendment No. 1, 2024” in accordance with Section 27 of the *Islands Trust Act*.**

DIRECTORS COMMENTS

1 PURPOSE

The purpose of this request for decision is to summarize the amendments to the [Hornby Island Bylaw Enforcement Notice Bylaw No. 159](#) contravention schedules and the request by the Hornby Island Local Trust Committee for its approval by the Executive Committee.

2 BACKGROUND

The Hornby Island Local Trust Committee rescinded Siting and Use Bylaw No. 52 in May 2022, and there is currently no means to enforce the new [Siting and Use Bylaw No. 168](#), other than court action, and an amended Schedule B of the Bylaw Enforcement Notice bylaw (BEN) referencing the new Bylaw No. 168 was required.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL

The Local Trust Committee has no concerns about the use of the BEN system, and would like to see expanded use for short-term vacation rental enforcement, and it remains the most cost effective way of enforcing the Land Use Bylaw regulations.

The BEN Schedules have been simplified, which should make referencing easier, and a penalty has been added for failing to obtain a development permit. Previously, legal action has been the only option for enforcing the development permit area regulations.

FINANCIAL

There are no direct financial increases or increases in staff resources associated with the current

REQUEST FOR DECISION

LOCAL TRUST COMMITTEE BYLAW SUBMISSION

amendments to the BEN bylaw, and now that a penalty can be issued for failing to obtain a development permit, this may reduce the need to pursue civil claims in BC Supreme Court and therefore reduce the costs of overall enforcement on Hornby.

4 RELEVANT POLICY(S)

[Trust Council Policy 5.5.1, Bylaw Compliance & Enforcement.](#)

ALTERNATIVE

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

THAT the Executive Committee request that staff advise Hornby Island Local Trust Committee in writing that the Executive Committee considers that Bylaw No. 175, cited as “Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 159, 2019, Amendment No. 1, 2024”, is contrary to or at variance with the Islands Trust Policy Statement for [INSERT REASONS], and advise the Hornby Island Local Trust Committee on steps needed to address the specified issues.

Submitted By:	Warren Dingman, Bylaw Compliance & Enforcement Manager	July 10, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	July 10, 2024

ATTACHMENTS

1. EC Submission Cover
2. EC Policy Checklist
3. Proposed Hornby Island LTC Bylaw No. 175



Local Trust Committee Bylaws
Submission for Executive committee Approval

Local Trust Committee: Hornby Island Local Trust Committee

Bylaw No.: HO-175

Bylaw Type: Notice Enforcement Bylaw

Date of resolution referring bylaw to Executive Committee: 14-Jun-2024

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

Received by Islands Trust Secretary:

Signature: _____
Secretary

Date: _____

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

Date bylaw will appear on Executive Committee agenda: _____

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

Distribution: Executive Committee

Director, LPS

Local Trust Committee

Planner

Planning Clerk

Bylaw: HO-175

Trust Area: Hornby Island Local Trust Committee

Type: Notice Enforcement Bylaw

Bylaw No.: HO-175

Application No.:

Trust Initiated: No

Proofread By:

Clerk: Yes

Technical Staff: No

Planner: Yes

First Reading Date: 14-Jun-2024

Bylaw Sent to Referrals: No

Date Proposed Bylaw to Web:

Resolutions:

Resolution Waiving Public Hearing: No

Resolution Authorizing Public Hearing: No

Resolution to Proceed no Further Date:

Secretary Signature Block:

Secretary's Signature: Mourao, Nadine

Date: 16-Jul-2024

File complete and ready for Public review: No

Public Hearings:

Location: No public hearing required

Proofread By: Mourao, Nadine

Legal Paper:

First Publish Date:

Second Publish Date:

Alternate Paper:

First Publish Date:

Second Publish Date:

Mailout Date:

Delivery Notices:

Date Public Hearing Held:

Second Reading Date: 14-Jun-2024

Third Reading Date: 14-Jun-2024

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 175

A BYLAW TO AMEND THE HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW ENFORCEMENT
NOTIFICATION BYLAW, 2019

The Hornby Island Local Trust Committee, being the Local Trust Committee having jurisdiction on and in respect of the Hornby Island Local Trust Area, under the *Islands Trust Act*, in open meeting assembled, enacts as follows:

1. Hornby Island Local Trust Committee Bylaw No. 159 cited as “Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 159, 2019” is hereby amended as follows:
 - a. By removing Schedule A – Hornby Island Land Use Bylaw No. 150, 2014 in its entirety and replacing it with the new Schedule A – Hornby Island Land Use Bylaw No. 150, 2014, that is attached to and forming part of this bylaw.
 - b. By removing Schedule B – Hornby Island Siting and Use Permit Bylaw No. 52, 1990 in its entirety and replacing it with the new Schedule B – Hornby Island Siting and Use Permit Bylaw No. 168, 2021, that is attached to and forming part of this bylaw.
2. This Bylaw may be cited as “Hornby Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 159, 2019, Amendment No. 1, 2024.”

READ A FIRST TIME THIS 14TH DAY OF JUNE , 2024

READ A SECOND TIME THIS 14TH DAY OF JUNE , 2024

READ A THIRD TIME THIS 14TH DAY OF JUNE , 2024

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

XXTH DAY OF XX , 2024

ADOPTED THIS XXTH DAY OF XX , 2024

CHAIRPERSON

SECRETARY

BRIEFING

To: Executive Committee **For the Meeting of:** July 24, 2024
From: Trust Area Services **Date Prepared:** July 18, 2024
SUBJECT: Policy Statement Amendment Project – Committee of the Whole Agenda Setting

PURPOSE:

To consider agenda items for the August 22, 2024 Committee of the Whole (CoTW) meeting.

BACKGROUND:

At its special meeting of July 8, 2024, Committee of the Whole selected August 22, 2024 as its next meeting date.

Section 5.6 of [Islands Trust Meeting Procedures Bylaw No. 101](#) states *“The Chair, Executive Committee or both shall provide the trustees with an agenda stating the specific items of business to be considered at a special meeting.”*

Staff have provided some potential discussion items in the draft agenda attached as Appendix 1 for EC consideration, with discussion in the analysis section below.

ANALYSIS:

Staff recommend that Executive Committee consider the following items for inclusion in the August 22, 2024 Committee of the Whole agenda:

- **Local government reconciliation and UNDRIP initiatives – Briefing**

At its meeting of May 30, 2024, COTW resolved to direct staff to provide a summary report on how other local governments in British Columbia are addressing reconciliation and implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) in their guiding documents.

Per the RFD included in the July 24, 2024 EC agenda package, staff will provide the summary report, as requested, for the August 22, 2024 COTW meeting.

- **In-camera session**

See related in-camera briefing

- **Next meeting date (s)**

Discussion is required about scheduling future meetings and when the COTW will meet in September 2024.

ATTACHMENT(S):

- Draft August 22, 2024 COtW Agenda

FOLLOW-UP:

Once staff understand EC's expectations for the August 22, 2024 COtW agenda, staff will work with the Chair and, as requested, Trustee Bernardo, who will Chair the August 22, 2024 Committee of the Whole meeting, to finalize the agenda.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director Trust Area Services /July 19, 2024
David Marlor, Director, Legislative and Information Services/July 19, 2024



Islands Trust Council

Committee of the Whole Special Meeting Agenda

Date: Thursday, August 22, 2024
Time: 6:00 p.m. - 9:00 p.m.
Location: Electronic Meeting
Public venue to watch the livestream:
Islands Trust's Victoria Office: 200 - 1627 Fort Street, Victoria, BC V8R 1H8

	Pages
1. CALL TO ORDER / LAND ACKNOWLEDGEMENT	
2. APPROVAL OF AGENDA	
3. ADOPTION OF MINUTES	
3.1 Draft Trust Council Committee of the Whole Meeting Minutes of May 30, 2024	X - XX
For review and adoption.	
4. FOLLOW UP ACTION LIST AND UPDATES	
4.1 Trust Council Committee of the Whole Follow-Up Action List	XX - XX
5. CLOSED MEETING	
That the Islands Trust Council Committee of the Whole close this meeting to the public subject to Section 90(1) (i) of the Community Charter in order to consider matters related to the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose, and that staff be invited to remain in the meeting.	
6. RISE AND REPORT	
7. TRUST AREA SERVICES	
7.1 Local government reconciliation and UNDRIP initiatives - BRF	X – XX
8. NEW BUSINESS	
9. NEXT MEETING	
9.1 Scheduling future Committee of the Whole meetings	X – XX
10. ADJOURNMENT	

BRIEFING

To: Executive Committee **For the Meeting of:** July 24, 2024
From: Director, Legislative Services **Date Prepared:** July 15, 2024
SUBJECT: Governance Committee Code of Conduct Policy Recommendation

PURPOSE:

To forward Governance Committee's (GC) recommendation to Executive Committee regarding GC's June 24th Special Electronic Meeting review of the draft Code of Conduct policy.

BACKGROUND:

At its April 24, 2024, business meeting, Executive Committee passed the following resolution:

EC-2024-049

That the Executive Committee forward the draft Code of Conduct to Trust Council Committee of the Whole in June 2024 for discussion and recommendation to Trust Council.

Despite the above direction, the draft policy was first sent to the Governance Committee for comment. The following GC recommendation was returned:

GC-2024-019

That the Governance Committee recommend to the Executive Committee that the Executive Committee refer the development of an updated Code of Conduct to a Select Committee of Trust Council.

The Governance Committee did not pass any resolutions on the content of the Code of Conduct, however, individual members did express opinions about some of the sections. Member comments are included in the column on the right of the draft document. *Note that these are not the opinions of the Governance Committee as a whole, only some members of the committee. They may not reflect the thoughts of the collective.*

The Executive Committee should consider the next steps in revising the code of conduct.

1. If Executive Committee wishes to advance the Governance Committee recommendation to create a select committee to review the code of conduct, the Executive Committee should forward that ask to Trust Council as a request for decision. This is because under [Trust Council Policy 2.3.1](#), only Trust Council can create a select committees by election from its membership.
2. If Executive Committee wishes to continue with the April 24, 2024 direction to forward the draft code of conduct to a Committee of the Whole, the Executive Committee should advise staff of the time and date of such a meeting, and request staff undertake the required resolution of Trust Council to establish the meeting.
3. If Executive Committee wishes to do neither of the above, it could request that staff take the draft code of conduct back to Trust Council with a briefing of the work done to date, and ask Trust Council to provide further direction on the development of a new code of conduct.

ATTACHMENT(S):

1. Draft Code of Conduct Policy indicating member comments.

FOLLOW-UP:

Executive Committee may consider Governance Committee's recommendation to strike a "Select Committee" to follow-up with a review and recommendation for Trust Council's consideration.

Prepared By: Executive Administrative Assistant

Reviewed By/Date: Director, Legislative Services July 15, 2024

Attachment 1.



DRAFT

Policy:	2.1.2
Approved By:	Trust Council
Approval Date:	1992-09-12
Amendment Date(s):	1997-12-06 2000-06-17 2003-12-05 2010-12-08 2017-12-06 2021-11-30 2024-__-__
Policy Holder:	Chief Administrative Officer

CODE OF CONDUCT

A. Purpose:

Elected trustees, and Islands Trust Conservancy Board appointees, by their declaration, are obliged to execute the duties of their office. The purpose of this policy is to set minimum standards of conduct to guide elected officials and appointed board members in carrying out their duties to ensure: impartial and equal service to all, faithful discharge of their duties without fear or favour, and democratic processes which are duly responsible to the public and which foster public confidence in the Islands Trust's integrity. These standards are in addition to those established in provincial law.

Commented [LF1]: Cultural Safety is not referenced in the draft.

Commented [LF2]: Some local trust committees have "meeting conduct" scripts read prior to opening the meeting. Scripts could/should be applicable to all council committees.

B. Definitions:

Confidential Information includes information that could reasonably harm the interests of individuals or organizations, including the Islands Trust, if disclosed to persons who are not authorized to access the information, as well as information to which section 117 of the *Community Charter* applies.

Member means a trustee and a person appointed to the Islands Trust Conservancy Board by the Provincial Government.

Officer means a member of staff designated as an officer under s.17 of the *Islands Trust Act*, and includes deputy officers.

Personal Information has the same meaning as in the *Freedom of Information and Protection of Privacy Act*.

Staff means an employee or contract employee of the Islands Trust, and includes staff that supports advisory bodies.

Trust Body means any one or more of Trust Council, Executive Committee, local trust committees, and the Islands Trust Conservancy Board, all as defined in the *Islands Trust Act*.

Trustee means local trustees and municipal trustees as defined in the *Islands Trust Act*.

Commented [LF3]: Advisory Planning Committees are not referenced, should they be?

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C. Introduction:

- C.1. We recognize that responsible conduct is essential to providing good governance for the Islands Trust.
- C.2. We further recognize that responsible conduct is based on the foundational principles of integrity, accountability, respect, and leadership and collaboration.
- C.3. In order to fulfill our obligations and discharge our duties, we are required to conduct ourselves to the highest ethical standards by being an active participant in ensuring that these foundational principles, and the standards of conduct set out below, are followed in all of our dealings with every person, including those with other members, staff, and the public.

D. Scope:

- D.1. This code of conduct applies to the members of Trust Council, local trust committees, and Islands Trust Conservancy Board. It is each member's individual responsibility to uphold both the letter and the spirit of this code of conduct in their dealings with other members, staff, and the public.
- D.2. Members must conduct themselves in accordance with the law. This code of conduct is intended to be developed, interpreted and applied by members in a manner that is consistent with all applicable federal and provincial laws, as well as the bylaws and policies of the Trust Bodies, the common law and any other legal obligations which apply to members individually or as a collective council, committee or board.

E. Foundational Principles of Responsible Conduct:

- E.1. **Integrity** – means conducting oneself honestly and ethically.
- E.2. **Respect** – means valuing the perspectives, wishes, and rights of others.
- E.3. **Accountability** – means an obligation and willingness to accept responsibility or to account for one's actions.
- E.4. **Leadership and Collaboration** – means an ability to lead, listen to, and positively influence others; it also means coming together to create or meet a common goal through collective efforts.

F. Standards of Conduct:

- F.1. **Integrity:** Integrity is demonstrated by the following conduct:
 - F.1.1. Members will be open and truthful in all local government dealings, while protecting confidentiality where necessary.

DRAFT

- F.1.2. Members will behave in a manner that promotes public confidence, including actively avoiding any perceptions of conflicts of interest, improper use of office, or unethical conduct.
- F.1.3. Members will act in the best interest of the public and community.
- F.1.4. Members will ensure actions are consistent with the shared principles, values, policies, and bylaws collectively agreed to by the council or board.
- F.1.5. Members will demonstrate the same ethical principles during both meetings that are open and closed to the public.
- F.1.6. Members will express sincerity when correcting or apologizing for any errors or mistakes made while carrying out official duties.
- F.2. **Respect:** Respect is demonstrated through the following conduct:
 - F.2.1. Members will treat elected officials, staff, and the public with dignity, understanding, and respect.
 - F.2.2. Members will acknowledge that people's beliefs, values, ideas, and contributions add diverse perspectives.
 - F.2.3. Members will create an environment of trust, including displaying awareness and sensitivity around comments and language that may be perceived as offensive or derogatory.
 - F.2.4. Members will refrain from any form of discriminatory conduct against another elected official, staff, or the public.
 - F.2.5. Members will honour the offices of local government and fulfill the obligations of Chair and trustees dutifully.
 - F.2.6. Members will recognize and value the distinct roles and responsibilities of local government staff.
 - F.2.7. Members will call for and expect respect from the community towards elected officials and staff.
 - F.2.8. Members will ensure that public statements and social media posts that concern other elected officials, staff, and the public are respectful.
- F.3. **Accountability:** Accountability is demonstrated through the following conduct:
 - F.3.1. Members will be transparent about how they carry out their duties and how council, committees and the Islands Trust Conservancy Board conducts business.

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- F.3.2. Members will ensure any information and decision-making processes are accessible to the public while protecting confidentiality where necessary.
- F.3.3. Members will correct any mistakes or errors in a timely and transparent manner.
- F.3.4. Members will accept and uphold that the council, committees and the Islands Trust Conservancy Board are collectively accountable for local government decisions, and that individual elected officials are responsible and accountable for their behaviour and individual decisions.
- F.3.5. Members will listen to and consider the opinions and needs of the community in all decision making and allow for public discourse and feedback.
- F.3.6. Members will act in accordance with the law, which includes, but is not limited to, the statutes, bylaws, and policies that govern local government.
- F.4. **Leadership and Collaboration:** Leadership and collaboration is demonstrated through the following conduct:
 - F.4.1. Members will demonstrate behaviour that builds public confidence and trust in the Islands Trust.
 - F.4.2. Members will provide considered direction on Islands Trust policies and support colleagues and staff to do the same.
 - F.4.3. Members will educate colleagues and staff on the harmful impacts of discriminatory conduct, and take action to prevent this type of conduct from reoccurring if necessary.
 - F.4.4. Members will create space for open expression by others, take responsibility for one's own actions and reactions, and accept the decisions of the majority.
 - F.4.5. Members will advocate for shared decision-making and actively work with other members, staff, the public, and other stakeholders to achieve common goals.
 - F.4.6. Members will foster positive working relationships between members, staff, and the public.
 - F.4.7. Members will commit to building mutually beneficial working relationships with First Nations with interest in the Islands Trust Area to further advance reconciliation efforts.
 - F.4.8. Members will positively influence others to adhere to the foundational principles of responsible conduct in all Islands Trust dealings.
- F.5. **Conduct Related to Personal Interests:**
 - F.5.1. Members will avoid lobbying activities toward any Trust body for personal interests or profit and/or for any other person.
 - F.5.2. Members will declare to the relevant chair and/or Chief Administrative Officer their direct or indirect interest or the known interests of any close relatives in any

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enterprise that proposes to transact business with the Islands Trust.

- F.5.3. Members will declare their interest, direct or indirect, or the known interests of any close relatives in any property that is subject to an application to the Islands Trust, to the Executive Committee.
- F.5.4. Members will avoid situations, related to their duties, which could result in securing special privileges, favours or exemptions for themselves, or any other person.
- F.5.5. Members will not commit organizational resources of any kind for activities that are not directly related to the official business of the Islands Trust.
- F.5.6. Members will not undertake election campaign related activities on Islands Trust property unless specifically organized by the Islands Trust (i.e. candidate procedures, all candidate orientation, etc.).
- F.5.7. Members will not request or use any Islands Trust resources or property for election campaign work including staff time, equipment such as photocopiers and computers, supplies, facilities or email lists, etc.

F.6. Conduct in Meetings:

- F.6.1. Members must prepare for and regularly attend meetings of trust bodies to which they have been elected or appointed. Members have an obligation to attend meetings and the expectation is that members will attend meetings for the duration of the meeting, unless they notify the chair of the trust body that they are ill or have compelling reasons which prevent them from attending. Section 125(5) of the Community Charter [unexcused absence from council meetings] applies to members.
- F.6.2. Members will recognize the importance of the role of the chair of meetings, and treat that person with respect at all times.
- F.6.3. During meetings, members shall listen courteously and attentively to all discussions before the body, and focus on the issues and facts.
- F.6.4. The diverse perspectives of each member, as they reflect the interest of their own communities, will be respected.
- F.6.5. When making decisions, members must consider all relevant facts, opinions, debate and analyses of which they should be reasonably aware.
- F.6.6. Disagreements will be seen as a natural part of Council, committee and board work. Such disagreements will not be taken personally, nor made personal.

F.6.7.

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Members can expect courteous behaviour from each other. Members shall not interrupt other speakers, make personal comments or comments not germane to the business of the body, or otherwise disturb a meeting. Meetings shall provide an environment for transparent and healthy debate on matters requiring deliberation by the trust body.

F.6.8.

When speaking publicly and at trust body meetings, members shall avoid inflammatory language. They are expected to speak in an objective manner.

F.7.

Conduct in Collection and Handling of Information:

F.7.1. Members must collect and use personal information in accordance with *Freedom of Information and Protection of Privacy Act* legislation and policies and guidelines regarding protection of privacy as established by the Islands Trust Council.

F.7.2. Members must protect information that is specifically marked confidential, that is personal information and other material identified or understood to be confidential in nature.

F.7.3. Members must refrain from discussing or disclosing any confidential information with persons outside the organization except as authorized

F.7.4. Members must refrain from discussing or disclosing any personal information with or to other members, officials, Staff, or with persons outside the organization except in a manner consistent with the duty to protect personal information under the *Freedom of Information and Protection of Privacy Act*.

F.7.5. Members must take reasonable care to prevent the examination of confidential material or access to personal information by unauthorized individuals.

F.7.6. Members must not use confidential information except for the purpose for which it is intended to be used.

F.7.7. Members must only release information in accordance with established Islands Trust policies and procedures and in compliance with the *Freedom of Information and Protection of Privacy Act* (British Columbia).

F.7.8. Members must not disclose decisions, resolutions or report contents forming part of the agenda for or from an in-camera meeting until a corporate decision has been made for the information to become public.

F.7.9. No members shall disclose or release to the public, confidential information acquired by virtue of their office, in either oral or written form except when required by law or authorized by the relevant Trust Body to do so.

F.7.10. No members shall disclose the substance of deliberations of an in-camera meeting or details of in-camera deliberations or specific details on whether individual members voted for or against an issue, until the relevant Trust Body discusses the information at a meeting that is open to the public or releases the information to the public.

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F.7.11. When dealing with personal information, members must comply fully with the provisions of the *Freedom of Information and Protection of Privacy Act*. All reasonable and necessary measures must be taken to ensure that the personal or private business information of individuals is protected. Personal information includes information or an opinion about a person whose identity is apparent, or can be determined from the information or opinion.

F.8. Conduct in Interactions with Staff and Advisory Bodies:

- F.8.1. Members are to contact staff according to the procedures authorized by Trust Council and/or the Chief Administrative Officer regarding the interaction of trustees, board members and staff.
- F.8.2. Members are to direct enquiries regarding Trust Council or Trust-wide issues or questions to the Chief Administrative Officer or the Director of the appropriate department and refrain from contacting other staff without first discussing the issue with the relevant Director.
- F.8.3. Members are to direct enquiries regarding local trust committee business or issues to the Director, Planning Services, to the appropriate Regional Planning Manager, or to the designated Island Planner, and must refrain from contacting other staff without first discussing the issue with the Director, Regional Planning Manager or Island Planner.
- F.8.4. Members are not to issue instructions to any of the Islands Trust's contractors, tenderers, consultants or other service providers.
- F.8.5. Members must not make public statements attacking or disparaging staff or advisory body members and shall show respect for the professional capacities of staff. Members must not involve staff in matters for political purposes.
- F.8.6. Members must not publish or report information or make statements attacking or reflecting negatively on staff or advisory body members except to the Chief Administrative Officer as appropriate to bring a complaint to the attention of the Chief Administrative Officer for follow up.
- F.8.7. Significant information provided to any member of a Trust Body, which is likely to be used in a meeting or in political debate, should also be provided to all other members of the relevant Trust Body, and to the Chief Administrative Officer.
- F.8.8. Members must treat the public, other members, advisory body members and staff appropriately, and without bullying, abuse or intimidation in order to preserve a workplace free from harassment.

F.9. Conduct in Use of Social Media:

Commented [LF4]: Sections F.8 and F.9 were discussed as attempts to control free speech, political speech and fair criticism.

Commented [LF5]: These two items could be merged.

Commented [LF6]: Sections F.8 and F.9 were discussed as attempts to control free speech, political speech and fair criticism.

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- F.9.1. It is not the role of members to report directly on Islands Trust related business. Members will use caution in reporting decision-making by way of their social media profiles and websites ensuring that any material they publish is accurate, precise and communicates the intent of the relevant Trust Body.
- F.9.2. Members will include an "in my opinion", or similar disclaimer, either within the banner of their individual social media site(s) or separately when making follow-up posts to the Islands Trust social media postings and when creating original posts pertaining to Islands Trust related business. (Sample Disclaimer – "Opinions expressed are my own and do not reflect the view or opinions of the [Islands Trust Council] [Islands Trust Conservancy Board] [____ Island Local Trust Committee]").
- F.9.3. Members will refrain from using or permitting use of their social media accounts for purposes that include generating or recirculating:
- defamatory remarks, obscenities, profane language or sexual content;
 - negative statements disparaging other members of a Trust Body;
 - negative statements disparaging staff or calling into question the professional capabilities of staff;
 - content that endorses, promotes, or perpetuates discrimination or mistreatment on the basis of race, religion or belief, age, gender, marital status, national origin, physical or mental disability or sexual orientation;
 - statements that indicate an actual attitudinal bias in relation to a matter that is to be the subject of a statutory or other public hearing;
 - promotion of illegal activity; and
 - information that may compromise the safety or security of the public or public systems.
- F.9.4. Members must regularly monitor their social media accounts and immediately take measures to remove messages or postings by others that violate this Code of Conduct.

F.10. Interactions with the Public and the Media:

- F.10.1. Members will accurately communicate the decisions of the relevant Trust Body, even if they disagree with the majority decision, and by so doing affirm the respect for and integrity in the decision-making processes of Council.
- F.10.2. When discussing the fact that they did not support a decision, or voted against the decision, or that another member did not support a decision or voted against a decision, a member will refrain from making disparaging comments about other members or about the relevant Trust Body's processes and decisions.

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G. Enforcement Process:

This section is for internal use only. Members and staff within the Islands Trust can use this section to lodge a complaint against a member in relation to their own interactions with that member.

- G.1. Council officials are to abide by the requirements of the *Community Charter* and this Code of Conduct, and shall endeavour to resolve interpersonal disputes in good faith, recognizing that interpersonal rancour does not facilitate good governance.
- G.2. Alleged breaches of this Code of Conduct by members shall be submitted in a written complaint addressed to the Trust Council Chair and the Chief Administrative Officer within six (6) months of the last alleged breach. In the event that the Chair is the subject of, is in a conflict of interest related to the complaint or is implicated in the complaint, the complaint shall be addressed to the a Vice-Chair unless that individual is the subject of, or implicated in the complaint. In the event that the Chief Administrative Officer is the subject of, is in a conflict of interest related to the complaint or is implicated in the complaint, the complaint shall be addressed to the Director, Legislative Services unless that individual is the subject of or implicated in the complaint.
- G.3. Upon receipt of a complaint under section G.2 the Chair or designated Vice-Chair, and the Chief Administrative Officer or designate (Director, Legislative Services) shall review the Policy and the details of the alleged breach. The role of the Chair and Chief Administrative Officer (or designates) is to be the keeper of the process, not to adjudicate the complaint. Their role is to facilitate and seek a mutually beneficial resolution between the parties. Information from both parties should be obtained, reviewed and options for resolution canvassed. There is no ability for the Chair / Chief Administrative Officer or designates to give advice about the processing or quality of resolution of the complaint.
- G.4. The parties may come to an informal agreement on a resolution, which may include:
- dismissal of the complaint; or
 - public censure of the member for misbehaviour or a breach of this Code of Conduct;
 - a recommendation that a member apologize to any person adversely affected by a breach of this Code of Conduct;
 - counselling of a member; and/or
 - such other recommendations as are deemed appropriate by the parties.
- G.5. If the situation is not able to be resolved through the informal process within thirty (30) days, the Chair and the Chief Administrative Officer or designates will work to appoint an independent third party. Numerous third party investigators will be identified. The Complainant(s) and Respondent(s) will be provided with the resumes of the identified parties. The Complainant(s) and Respondent(s) have the ability to agree or disagree that the proposed parties have the necessary professional skills, knowledge and experience to investigate the complaint (the "Third Party Investigator"). The Complainant(s) and

Commented [LF7]: Consider a part-time employee of Trust Council designated as "Integrity Commissioner" to focus on facilitation and mediation.

Commented [LF8]: Enforcement is seldom used rather, use wording to seek voluntary compliance.

Commented [LF9]: Explicitly add that the respondent is acknowledged and tighten up timelines regarding responses.

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Respondent(s) will notify the Chair and Chief Administrative Officer or designate if they have a conflict of interest with any of the proposed Third Party Investigators. The Third Party Investigators will then be contacted and the individual with the next available opening in their schedule will be appointed to the matter.

- G.6. If the parties cannot agree on the choice of investigator, a nominee of the Complainant(s) and the Respondent(s) shall jointly select a suitable Third Party Investigator.
- G.7. If the Complainant(s) or Respondent(s) refuse to participate in a formal investigation, the investigation may continue without that individuals' participation. The Third Party Investigator will make their determination based on the information they are provided. Not participating in the processes as outlined in sections G.4G.5 and G.6 may also be considered grounds for a complaint under the policy.
- G.8. Throughout both the informal or formal investigation, either party can have legal counsel present to assist them. This legal counsel will be required to follow any rules of in-camera or procedural bylaw process that are applicable.
- G.9. As confidentiality is key, information provided to the Respondent(s) will be limited to the written complaint completed by the Complainant.
- G.10. The Third Party Investigator:
 - G.10.1. May conduct a preliminary assessment of the complaint, at the conclusion of which the investigator may determine to continue the investigation or make a written recommendation that the complaint be dismissed as unfounded, beyond jurisdiction or unlikely to succeed; if the Third Party Investigator determines to continue the complaint, the Third Party Investigator shall:
 - G.10.1.1. Conduct an independent and impartial investigation of the complaint in a manner that is fair, timely, confidential and otherwise accords with the principles of due process and natural justice.
 - G.10.1.2. Provide an investigation update, within ninety (90) days of his or her appointment, to the Chair and the Chief Administrative Officer or designates, as applicable, and to the Complainant and the Respondent.
 - G.10.1.3. Provide a written, confidential report (the "Report") of the findings of the investigation, including findings as to whether there has been a breach of this Code of Conduct, to the Chair and the Chief Administrative Officer or designates, as applicable.
 - G.10.1.4. Provide recommendations regarding if a copy of or selected sections of the final Report should be provided to the Complainant and the Respondent.
 - G.10.1.5. Provide recommendations in the Report as to the appropriate resolution

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of the complaint, which recommendations may include:

- dismissal of the complaint; or
- public censure of the member for misbehaviour or a breach of this Code of Conduct;
- a recommendation that a member apologize to any person adversely affected by a breach of this Code of Conduct;
- counselling of a member; and/or
- such other recommendations as are deemed appropriate in the professional judgment of the Third Party Investigator.

G.11. The Chair and the Chief Administrative Officer or designates shall consider whether the Report or an executive summary of the Report should be presented to Trust Council.

G.12. The Director, Legislative Services will receive and retain all reports prepared related to the complaint.

G.13. At the conclusion of the process the Third Party Investigator will destroy all notes that were taken or documents that were provided throughout the process of the investigation.

G.14. Where a member alleges a breach of this Code of Conduct by a fellow member, all members shall refrain from commenting on such allegations at open meetings pending the conclusion of the Report and any decision of Trust Council on the Report.

G.15. Members who retain legal counsel to represent them in proceedings under this section may request in writing that the Islands Trust Council indemnify them for their reasonable costs of representation, subject to limitations in Trust Council Bylaw 145.

G.16. Staff who retain legal counsel to represent themselves in proceedings under this section may request, in writing, reimbursement of reasonable costs from the Islands Trust subject to limitations in Trust Council Bylaw 145.

H. Legislated References:

- H.1. Policy and Procedures Manual:
- Statutory Rules of Conduct (2.1.1)
 - Governance Principles (2.1.3)
- H.2. Local Trust Committee Procedural Bylaw
- H.3. Trust Council Procedural Bylaw



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** July 24, 2024
From: Trust Area Services **Date Prepared:** July 16, 2024
SUBJECT: Agreement with Quw'utsun (Cowichan) Nation

RECOMMENDATION:

That Executive Committee request staff to develop a protocol agreement in cooperation with Quw'utsun (Cowichan) Nation for Trust Council's consideration.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Development of a protocol agreement with Quw'utsun Nation demonstrates Council's commitment to build collaborative relationships with Indigenous Governing Bodies in the Trust Area.

1 PURPOSE:

To seek Executive Committee direction for staff to take the steps to develop a protocol agreement between Island Trust and Quw'utsun (Cowichan) Nation.

2 BACKGROUND:

On June 28, 2024, Island Trust staff held an overdue follow-up meeting to a 2021 letter from Quw'utsun Nation to Salt Spring Island staff. Islands Trust staff met with Cowichan Tribes staff as they were signatories to the letter.

At the meeting, Trust staff learned there remains an interest in developing a protocol agreement with Island Trust. Staff learned that a collective agreement between Quw'utsun Nation and Island Trust is preferred, rather than individual agreements with the five member First Nations. The Quw'utsun Nation is comprised of Cowichan Tribes, Stz'uminus, Penelakut Tribes, Halalt First Nation, and Lyackson First Nation.

Cowichan Tribes staff elaborated that they do not have the authority to make decisions for the other Quw'utsun Nation members and it was requested that Islands Trust send a letter to all Quw'utsun Nation members to see if there is an interest from all member First Nations in developing a collective protocol agreement with Island Trust.

Island Trust has a current protocol agreement with Lyackson that has not been referenced or actioned in many years. It is expected that this would be rescinded if an agreement is approved with Quw'utsun Nation, but staff will confirm as the process proceeds.

If adopted, the protocol agreement may make some organizational commitments, including the creation of a working group that would meet on a regular basis.

Quw'utsun Nation and British Columbia have a 2021 government-to-government agreement: https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/consulting-with-first-nations/agreements/cowichan_nation_bc_g2g_agreement_may_17_2021_final.pdf

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: There are sufficient organizational resources for this project. It is expected that this agreement may take more time to develop than an agreement with one Nation. It could take two - five days of time over at least a six-month period for the Trust Area Services Director and Senior Intergovernmental Policy Advisor, and will require review by the CAO and Director, Legislative Services. Other staff may also be involved in meetings as appropriate.

FINANCIAL: Approximately \$2,000-\$4,000 for legal review, as needed, to be paid from the Reconciliation Program budget. Sufficient funds are available for this purpose. Further funds may be needed for a signing ceremony but this would not be expected until the 2025/26 fiscal year.

POLICY: None. The lessons learned from this process may result in future recommendations for policy/bylaw amendments.

IMPLEMENTATION/COMMUNICATIONS: Staff will prepare a draft letter from the Islands Trust Chair to Chief and Council of Quw'utsun Nation members First Nations and will attach a draft template agreement as a starting point for discussion. If there is interest in proceeding, staff will meet and work with Quw'utsun Nation staff and legal counsel to develop a draft agreement for Trust Council's and consideration for approval and forwarding to Minister for approval. Staff not do not have a sense of timelines.

Staff will also advise Ministry staff that a draft agreement is in progress and will be provided to the Minister for approval in due course.

FIRST NATIONS: Development of an agreement with Quw'utsun Nation could strengthen the relationship, increase knowledge sharing, and reduce the likelihood for misunderstandings.

OTHER: None.

4 RELEVANT POLICY(S):

Policy on Coordination Agreements: <https://islandstrust.bc.ca/document/policy-2-1-4-coordination-agreements-process/>

Trust Council's Bylaw No. 65: <https://islandstrust.bc.ca/document/trust-council-protocol-process-bylaw-no-2023/https://islandstrust.bc.ca/document/trust-council-protocol-process-bylaw-no-65/>

5 ATTACHMENT(S): None.

RESPONSE OPTIONS

Recommendation: That Executive Committee request staff to develop a protocol agreement in cooperation with Quw'utsun (Cowichan) Nation for Trust Council's consideration.

Alternative: Request staff to not proceed with the project.

Prepared By: Joe Elliott, Senior Indigenous Relations Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services, July 16, 2024
Interim CAO, July 17 , 2024

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** July 24, 2024
From: Trust Area Services **Date Prepared:** July 8, 2024
SUBJECT: Policy Statement Amendment Project (PSAP) – Survey of Local Government Goals and Objectives re. Reconciliation and UNDRIP Implementation

RECOMMENDATION:

That Executive Committee direct staff to provide a briefing to Committee of the Whole that presents examples from other jurisdictions' (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The Committee of the Whole's resolution recommends Trust Council direct staff to undertake specific work associated with the Policy Statement Amendment Project. As Trust Council has delegated coordination of the Policy Statement Amendment Project to the Executive Committee (EC), it is not inappropriate that EC provide this direction in lieu of Trust Council. This approach ensures the recommended action can be carried out in a timely manner.

PURPOSE:

To obtain Executive Committee direction to provide a briefing to the Committee of the Whole that presents examples from other jurisdictions' (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies, as recommended by the COTW

BACKGROUND:

In March 2024, Trust Council adopted Islands Trust Council [Bylaw 196](#), cited as the "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 1, 2024" to enable Trust Council to come together as a Committee of the Whole in order to freely discuss the draft Islands Trust Policy Statement in a less formal context than quarterly Trust Council meetings. Committee of the Whole does not have the authority to assign work to staff. Trust Council, or Executive Committee must make such allocations of organization resources, as appropriate.

Committee of the Whole has met twice, on May 30 and July 8.

At its meeting of May 30, Committee of the Whole made the following resolution, which must be considered by Executive Committee if staff and/or financial resources can be assigned to it:

TC-COW-2024-001

that the Committee of the Whole recommend that Trust Council request staff to provide a staff briefing that presents examples from other jurisdictions' (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The Senior Policy Advisor will undertake this work.

FINANCIAL: None.

POLICY: None, but findings from the research and reporting may inform future policy development.

IMPLEMENTATION/COMMUNICATIONS: Staff will undertake research and provide a briefing with findings to the Committee of the Whole on August 22, 2024.

FIRST NATIONS: None, but findings from the research and reporting may be used inform the organization's approach to reconciliation with Indigenous Governing Bodies and Indigenous people.

OTHER: None.

RELEVANT POLICY(S):

[Islands Trust Reconciliation Action Plan](#)

ATTACHMENT(S): None.

RESPONSE OPTIONS

Recommendation:

That Executive Committee direct staff to provide a briefing to Committee of the Whole that presents examples from other jurisdictions' (e.g., regional growth strategies) goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies.

Alternatives:

1. Request that staff provide the Committee of the Whole request for a briefing with examples from other jurisdictions' goals, objectives, policies and indicators related to relations with Indigenous Governing Bodies to Trust Council to seek direction.

Staff Comment: Staff include this option only because the resolution from Committee of the Whole requested Trust Council to provide direction to staff, rather than Executive Committee. Staff do not recommend this option, as Trust Council does not meet until September, and so the requested work would not commence until sometime after that, delaying Committee of the Whole's receipt of the requested document.

2. That Executive Committee amend and pass the recommended motion as it deems appropriate.
 3. That Executive Committee deny Committee of the Whole's request and provide its rationale to Committee of the Whole.
-

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/July 16, 2024
Interim CAO/July 17, 2024

To:	Trust Council	For the Meeting of:	July 24, 2024
From:	Planning Services	Date Prepared:	July 17, 2024
SUBJECT:	Referrals to First Nation – Interim Briefing		

PURPOSE:

The purpose of this report is to provide Trust Council with an interim update on revising the referral process to First Nations.

BACKGROUND:

In June 2023, Trust Council received a Trustee Request for Decision (RFD) from Trustee Gauvreau seeking recommendations on how the bylaw referral process may be improved. Trustee Gauvreau's RFD stated that the Galiano Island Local Trust Committee was at a standstill in their regular business operations until they could find a good way forward with First Nations. After discussion, Trust Council passed the following resolution:

That Trust Council request staff to:

- a) Evaluate the implications of a longer referral response window, and;
- b) Consider how Trust Council and local trust committees 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.

It is staff's understanding that the request is to: examine and evaluate processes that involve referral responses, such as development applications and local trust committee (LTC) projects, land protection applications to the Conservancy, as well as Trust Area-wide projects such as the Policy Statement update; and to suggest actions and approaches that Trust Council could make to improve communications and advance reconciliation actions with First Nations.

A number of Nations have identified concerns with the Islands Trust's approach to referrals, including, among others:

- Lack of understanding or recognition of potential adverse effects of proposed Trust policies on their interests;
- Lack of understanding or recognition of potential environmental, cultural and historical impacts to their rights and interests related to development decisions;
- Lack of funding to support site visits, impact assessments and meaningful engagement on projects;
- Exclusion of Indigenous Peoples from Islands Trust decision-making and governance structures; and,
- the lack of proactive analysis about cumulative effects of development approvals on environmental, cultural, socioeconomic and historical values, as well as Section 35 and treaty rights.

Early feedback regarding referral processes from a few First Nations has primarily resulted from a pilot capacity funding program which provided temporary support to First Nations engaging Islands Trust staff regarding LTC and Trust Council projects. This program has notably resulted in improved relations and communications. Further engagement with First Nations is required to understand from First Nations what changes are desired for the referral process.

DISCUSSION:

Implications of a Longer Referral Response Window

The implications of a longer referral response window are dependent on various factors not limited to:

- Does the Islands Trust have a Protocol Agreement with the First Nation? (There are currently two signed Protocol Agreements, one that is approved but not yet signed, leaving at least 24 First Nations in the Islands Trust Area with no Protocol Agreement. Staff are in receipt of requests to negotiate three additional agreements that would cover eight Nations and replace the two signed agreements)
- Does the First Nation have an application processing policy or portal themselves? (There are currently four Nations with portals; several more are considering)
- Do the First Nations have the capacity to assess referrals from Islands Trust in a timely way?
- What similarities and differences are there in First Nations feedback?
- Are the referrals about discretionary decisions (rezoning, development variance permit, temporary use permit and siting and use permit, ALR exclusion application) or non-discretionary decisions (development permit, heritage alteration permit, board of variance, soil deposit permit), or other types (Strategy for Antenna Systems - request for concurrence)?
- How does the Ministry of Municipal Affairs evaluate their provincial duty to consult and how does this affect OCP amendments referred to the Minister for approval?
- What do provincial courts consider a “reasonable” amount of time to process applications?

In absence of a protocol agreement, a 90-day referral process for discretionary applications is a reasonable new baseline to establish based on communications with some First Nations, current practices, and legal precedence.

Provincial staff and Islands Trust staff have committed to early communications regarding Official Community Plan (OCP) amendments requiring ministerial approval. Further coordination with Islands Trust Conservancy to ensure consistency in referral processes is needed.

Considering How Trust Council and LTCs May Improve Process, Communications and Reconciliation

The following is an update of staff learnings of First Nation referral processes and general activities over the last year:

- Some Nations have their own organizational referral policies that require a submission to their Lands Departments for comment on development applications and with accompanying fees for processing these application requests. For example, Snuneymuxw’s [Referral Management Policy](#) and K’ómoks’ [CHIP Policy](#) (Cultural Heritage Investigation Permit through their Cultural Heritage Policy) and STÁUTW (Tsawout) First Nation’s [Consultation Protocol and Policy](#). Other Nations have expressed interest in developing a similar process.

- Islands Trust local trust committees and staff have direction through two (soon to be three) protocol agreements with Nations that provide guidance on discussing and referring land use matters.
- Staff (primarily RPM Jamurat) have led discussions with some First Nations to better understand issues with the Islands Trust referral process and ways to collaborate, strengthen/improve existing relations and communications through planning application processes.
- Islands Trust heard from multiple First Nations the desire for early engagement and for co-design of project processes (e.g. (problem identification, concept and solution design) and timelines for large projects.
- Staff are recommending, not requiring, owners/applicants to submit development applications to established First Nation application portals. Staff are currently conveying communications to owners/applicants incrementally for LTC discretionary approvals: TUP, DVP, in addition to already-established OCP and LUB bylaw amendments.
- Some application processes provide an opportunity for communications and site visits in coordination with staff, First Nations, and an owner/applicant.
- Current referral timing can be changed to a longer period of 90 days as an administrative change - the current standard referral time is generally 30 days.

Staff note over the last year, emerging items and issues that need further discussion and exploration as part of an overall update to the referrals process. For example:

- **Capacity.** Nations continue to experience severe capacity constraints to respond to referral requests they receive from various agencies, governments, proposals. Some Nations have Referral Policies to manage these requests. Some of these policies request referral fees.
- **Applicants.** Applicants need clarity on referral processes; what is required vs. requested, when, and via what authority or policy. Applicants are required to pay referral fees if any are requested.
- **Communications.** Clear communications (internal and external) are needed on how Islands Trust will consider First Nation Referral processes as part of Planning Services application reviews and processes. This would include communications to provide clarity to applicants, public, staff, and LTCs. Clarity and support of an approach will help with communications and expectations for application reviews and timelines that staff can confidently convey.
- **Cooperation with Agencies.** Staff have had preliminary inquiries from Regional Districts to discuss and learn about Islands Trust approaches regarding Islands Trust planning application processes and procedures with First Nations.
- **Cooperation with First Nations.** Islands Trust has protocol agreements with only two Nations, Snuneymuxw and Lyackson, and upcoming agreement with Snaw-naw-as. It must be noted that the Snuneymuxw and Lyackson protocol agreements are outdated and have not been referenced in recent years. Where a protocol agreement may include guidance to discuss and refer on land use matters, there is opportunity to have conversations about collaboration and support for Nation referral processes. However, in instances where a protocol agreement does not exist, there is benefit to having an Islands Trust supported approach to provide greater certainty for the applications process and policies established Trust-wide.

NEXT ACTIONS:

Further engagement with First Nations is required to understand what changes are desired for the referral process.

Staff will report back at a future Trust Council meeting with a work plan to ensure dedicated resources to address the identified urgent challenges/issues in order to improve the referral process and relevant policies to help achieve the [draft] Trust Council strategic direction to improve First Nations relations and advance reconciliation.

In the interim, staff will:

1. Solicit Nations to get their feedback - Continue discussions with Nations about referral processes, concerns, and new initiatives. This could occur through existing Protocol Agreements, or LTC and senior level staff to staff meetings where there are no agreements in place. This could be a new project or initiative (see #8 below),
2. Recommend a 90-day referral period for discretionary application referrals, with consideration for extension,
3. Recommend a 90-day referral period for all other Trust departments for their project referrals,
4. Prioritize informing First Nations about applications where ground disturbance is proposed, including for shared referral applications such as concurrence requests for Antenna Systems Siting,
5. Communicate with applicants that LTCs may request discretionary applications be submitted to First Nations for their feedback,
6. Recommend applicants to submit their application to First Nations referral processes,
7. Suggest 'closing the loop' on reporting back for all referrals, to Nations with the LTC decision and how the Nations comments were considered, or if 'n/a' to a bylaw that it is noted for future reference/work, and
8. Develop a work plan to capture further direction of the work from this Briefing, ensuring the work plan is captured within both the Reconciliation Action Plan and [draft] Strategic Plan.

RELEVANT POLICY(S):

- [First Nations Engagement Principles \(Policy 6.1.1\)](#)(adopted Dec. 2016)
- [Best Management Practices for Delivery of Planning Services \(Policy 5.9.1\)](#)(amended June 2022)
- [Application Processing Services \(Policy 5.6.1\)](#)(amended 2021)

Prepared By: Renee Jamurat, Regional Planning Manager

Reviewed By/Date: Stefan Cermak, Director, Planning Services / July 17, 2024
Clare Frater, Director, Trust Areas Services / July 18, 2024
Julia Mobbs, Interim CAO / July 18, 2024

2022	Date	Format	Trust-Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
	October 25	Webinar	New Term Orientation: Meeting the Trustees: Trust Council, Executive Committee and Council Committees overview			
	November 8	Webinar	New Term Orientation: Trustee Roundtable - Getting to know each other and staff			
	TRUST COUNCIL MEETING November 17	In Person Victoria	New Term Orientation: Computer/HR Orientation, Trustee Tool kit and badges, Victoria staff greetings	New Term Orientation: Oath of Office / Swearing In		
	TRUST COUNCIL MEETING November 18 - 19	In Person Victoria	New Term Orientation: Overview of Islands Trust; Islands Trust Conservancy; Governance; Planning Services; Finance and Budgeting	New Term Orientation: Election of Chair, Executive Committee and Conservancy members		
	November 22	Webinar	New Term Orientation: Trustee administration: remuneration, expenses, computer training			
	TRUST COUNCIL MEETING December 6 - 8	Electronic	New Term Orientation: Islands 2050 Policy Statement Amendment Project Overview	New Term Orientation: Introduction to Standards of Conduct/Conflict of Interest/FOI Robert's Rules & Responsible Governance Presenter: Eli Mina, Registered Parliamentarian	New Term Orientation: Local Trust Committees Orientation	New Term Orientation: Reconciliation and First Nations Engagement Presenter: Reece Harding, Barrister & Solicitor, Young Anderson



Islands Trust Council Plan for Continuous Learning

2022-2026 Term

2023	Date	Format	Trust-Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
	January 12	Webinar		A Closer Look: Open meetings, Conflict of Interest, Freedom of Information		
	January 19	Webinar			Local Trust Committees, Land Use Planning, Bylaw Enforcement	
	January 26	Webinar	Website and Mapping			
	February 2	SAR Series Webinar	Species at Risk (SAR) and Critical Habitat Protection on non-federal lands			
	February 9	SAR Series Webinar	Growing Native Plant Species for People and Places			
	March 30	SAR Series Webinar	GINPR - Monitoring and Restoration of Rare Ecosystems			
	April 5	SAR Series Webinar	BC Conservation Data Centre - BC CDC 101: Providing Information about Biodiversity in BC Presentation			
	May 4	SAR Series Webinar	P'hwulhp (Garry Oak) Meadows: Understanding a Living Cultural Landscape			
	May 19	In Person Oak Bay		Chair Training: Facilitated day-long session. Presenter: Lisa Zwarn, Registered Parliamentarian & Public Administration Instructor, Capilano University		



Islands Trust Council Plan for Continuous Learning

2022-2026 Term

2023	Date	Format	Trust-Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
	June 19	Webinar	Forest classification and forest health of the Coastal Douglas-fir zone Presenters: Andy MacKinnon, RPBio (ret.), RPF (ret.) Forest Ecologist and Del Meidinger, M.Sc., RPBio, Research Ecologist			
	TRUST COUNCIL MEETING June 27 - 29	In Person Gabriola Island	Local Governments in Reconciliation Presenters: Brent Mueller, Director, Governance Relations (MUNI) and Lisa Bhopalsingh, Manager of Community & Cultural Planning, City of Nanaimo			Gabriola Island field trips to Museum, Recycling Centre, Elder Cedar Forest
	TRUST COUNCIL MEETING September 26 - 28	In Person North Pender Island				Guided Visit to KELA_EKE Kingfisher Forest or Tour of Magic Lake Estates
	November 29	Webinar			Cityview Bylaw Enforcement Extension	
	TRUST COUNCIL MEETING December 5 - 7	In Person Victoria				San Juan County Council Session (Councilors attended electronically)



Islands Trust Council Plan for Continuous Learning

2022-2026 Term

2024	Date	Format	Trust-Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
	TRUST COUNCIL MEETING March 26 - 28	In Person Nanaimo	Media and Social Media Training - Jan Enns, Communications Consultant			
	TRUST COUNCIL MEETING June 18 - 20	In Person Salt Spring Island				
	TRUST COUNCIL MEETING September 24 – 26	In Person Nanaimo				
	TRUST COUNCIL MEETING December 3 – 4	In Person Victoria				

++ See below.

2025	*Date	Format	Trust-Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
	TRUST COUNCIL MEETING March					
	TRUST COUNCIL MEETING June					
	TRUST COUNCIL MEETING September					
	TRUST COUNCIL MEETING December					



Islands Trust Council Plan for Continuous Learning

2022-2026 Term

2026	*Date	Format	Trust-Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
	TRUST COUNCIL MEETING March					
	TRUST COUNCIL MEETING June					
	TRUST COUNCIL MEETING September					
	TRUST COUNCIL MEETING November **New Term Trust Council		New Term Orientation:	New Term Orientation:	New Term Orientation:	New Term Orientation:
	TRUST COUNCIL MEETING December		New Term Orientation:	New Term Orientation:	New Term Orientation:	New Term Orientation:

*Dates and locations for 2025 and 2026 to be determined.

** General Local Election October 17, 2026. Trust Council Bylaw No. 101 (2.1). The first regular meeting of the Council shall be held on the first Wednesday of November following a general local election.

++ Outstanding Continuous Learning Item from 2018-2022 Trust Council term on FUAL report – TC-2022-103 “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.”



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** July 24, 2024
From: Vice-Chair Tobi Elliott with
Clare Frater, Director, Trust
Area Services **Date Prepared:** July 19, 2024
SUBJECT: Indigenous Leader Forum grant to Future Trust Council meeting

RECOMMENDATION:

That Executive Committee request the Chair to write to Snuneymuxw First Nation Chief and Council as to their interest in hosting a dialogue about Vision and Governance in their territory in association with the September 2024 Trust Council meeting, or alternatively the December 2024 or March 2025 meeting, and that up to \$20,000 to support the event be drawn from the Provincial Reconciliation Grant funds to provide to capacity funding to Snuneymuxw First Nation and to support trustee attendance costs.

That Executive Committee request staff to assess the viability of, and estimated costs, of trustees attending a forum in association with an upcoming Trust Council meeting and report back to the Executive Committee with potential additional travel and accommodation costs.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

1. **PURPOSE:** To seek Executive Committee direction for the Chair to write to Snuneymuxw First Nation Chief and Council about a potential forum that would offer the following benefits to Trust Council:
 - a. hearing Indigenous leaders' perspectives, vision and priorities for their territories in the Trust Area;
 - b. building mutual understanding and respect;
 - c. strengthening relationships between Islands Trust and First Nations in the Trust Area;
 - d. supporting a foundation for future dialogue on collaborative governance in the Islands of the Trust Area, and
 - e. potentially advance understanding of, and education about, the [Snuneymuxw Sarlequun Treaty](#) and [Douglas Treaty](#) rights.
2. **BACKGROUND:** At its May 15, 2024 meeting, Executive Committee passed the following motion:

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.

On May 16, 2024, during a meeting between the Gabriola Island Local Trust Committee and Snuneymuxw First Nation, representatives from the Nation expressed an interest in developing a protocol agreement with Island Trust. Snuneymuxw First Nation is currently developing an agreement to be sent for review. Prior to review of a proposed agreement, the Islands Trust Council might want to learn how Islands Trust can work with Snuneymuxw First Nation in the context of the Snuneymuxw Sarlequun Treaty of 1854, and understand its responsibilities and obligations under the Treaty.

There was a discussion planned for the July 28, 2024 Council-to-Council meeting between Gabriola LTC and Snuneymuxw First Nation, about whether the Nation would be interested in working together to convene a dialogue forum. However, the meeting was cancelled so the request was not advanced.

The September 2024 Trust Council is taking place in Nanaimo (Snuneymuxw territory) so would be ideal for a forum with Snuneymuxw First Nation, but given the short timeframe for organizing the meeting, this may no longer be feasible.

The Trust Council meeting in December will be held in Victoria. There is no venue selected yet for the March 2025 meeting.

The forum could be a 1/2 day workshop potentially on a Monday before Trust Council (afternoon workshop + dinner), or Thursday after Trust Council (lunch + afternoon workshop, potential dinner for those who can stay). The Thursday option would require fewer additional hotel nights.

At a future meeting, Executive Committee might consider inviting the Minister of Municipal Affairs and/or senior staff, and representatives from the Ministry Indigenous Relations and Reconciliation.

3. IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The Senior Indigenous Relations Advisor would prepare a draft letter for the Chair with support from the Executive Office administrative staff. The Executive Office administrative staff will assess the viability of, and estimated costs, of trustees attending a forum in association with an upcoming Trust Council meeting.

A Forum hosted by a First Nation would not be considered a public meeting, and there may be matters discussed that would require a closed meeting, including information that would be prohibited from disclosure under section 21 of the *Freedom of Information and Protection of Privacy Act* (business interests of a third party).

FINANCIAL: Trust Council meeting expenses are approved in the 2024/25 budget.

A suggested budget to support the forum is as follows and allows for up to 10 invited guests, with lunch or dinner provided. It assumes that the Trust Council meeting budget The total budget is anticipated to be approximately \$20,000.

Budget:	Calculation	Amount
Indigenous Leader Honorarium	10 X \$500 (full Day)	\$ 5,000
Venue	Half day venue for 50 people	\$ 500
Food	50 ppl X \$75	\$ 3,750
Travel	Extra travel and overnights for out of area Trustees and staff	\$ 4,750
Facilitator	4 hours prep, half day facilitation 4 hour write report 15 X (150) to (400) = 2250 - 6000	\$ 6,000
	Total	\$20,000

The Executive Committee could consider request that staff reallocate up to \$33,000 of provincial grant funds earmarked for FY26 and FY27. This would require that the Salt Spring Island Local Trust Committee request that Trust Council fund the SSLTC Major Project (Ganges (Shiya'hwt / SYOW T) Village Area Plan) from taxation or surplus funds next fiscal year that Trust Council budget funds from taxation for protocol agreement and signing for FY27. Executive Committee should advise Trust Council and Salt Spring Island LTC of a decision to request staff to re-allocate grant funds.

Allocation of Provincial Grant Funds for Engagement with First Nations Engagement						
DESCRIPTION	FY24	FY25	FY26	FY27	FY28	TOTAL
Protocol agreement development/signing				\$7,000		\$ 7,000
Engagement training for trustees	\$ 8,000	\$17,000				\$25,000
Policy Statement -capacity funding	\$ 4,000					\$ 4,000
Islands Trust Conservancy Plan Fund engagement		\$10,000				\$10,000
DELTC Major Project (Housing Review)		\$ 6,000				\$ 6,000
GBLTC Major Project (OCP and LUB Review)		\$ 6,000				\$ 6,000
GMLTC Major Project (OCP/LUB Targeted Amendments)	\$16,000					\$ 16,000
HOLTC Major Project (First Nation Engagement)	\$12,000	\$12,000				\$24,000
NPLTC Major Project (Housing Access and Affordability)						\$ -

SSLTC Major Project (Ganges (OCP & LUB Review)		\$26,000				\$26,000
SSLTC Major Project (Ganges (Shiya'hwt / SYOW T) Village Area Plan)			\$26,000			\$26,000
TOTAL GRANT SPEND	\$40,000	\$77,000	\$26,000	\$7,000	\$ -	\$ 150,000

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will develop a draft letter for the Chair and will assist with follow-up. Many First Nations offices close, or slow business in August, so it is unknown how quickly a response might be expected. Communications and invitations to other First Nations would be done together with the host Nation.

FIRST NATIONS: Snuneymuxw First Nation may be interested in inviting representatives from other First Nations.

OTHER: None.

4. RELEVANT POLICY(S):

5. ATTACHMENT(S): None

RESPONSE OPTIONS

Recommendation: That staff invite First Nations leadership and/or delegates to share perspectives, vision and priorities within their territories in the Trust Area, in a separate Forum at a future Trust Council Meeting, and that the Community to Community Grant Fund be applied for to support a budget of \$20,000.

Alternative:

1. No action.
 - a. Staff will continue 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.
 2. That Executive Committee express interest to the Grants Manager in co-applying for \$10,000 in [UBCM Community to Community funding](#) in December 2024 in support of a forum with a First Nation, and request that staff work with a First Nation to prepare a grant application in support for a forum to be held in association with a future Trust Council meeting.
-

Prepared By: Vice-Chair Tobi Elliott

Reviewed By/Date: Clare Frater, Director, Trust Area Services / July 19, 2024

BRIEFING

To:	Executive Committee	For the Meeting of:	July 24, 2024
From:	Director, Planning Services	Date Prepared:	July 5, 2024
SUBJECT:	LTC Chair Roles		

PURPOSE: To provide information regarding local trust committee chairperson roles in respect of agenda setting and spokesperson role.

BACKGROUND:

During the July 3, 2024 Executive Committee (EC) regular business meeting, EC discussed consistency issues regarding local trust committee (LTC) agenda creation and spokesperson roles. EC requested “daylighting” relevant policies and practices regarding the chairperson’s role in setting LTC agendas and as spokespersons. EC also supported consideration of further chairperson training.

LTC Chair

The *Islands Trust Act* ([S.23 & 24](#)) establishes local trust committees and their responsibilities including the appointment of the chair. Section 9 of the [Islands Trust Regulation \(BC Reg 119/90\)](#) states that the person appointed under s.23 of the *Islands Trust Act* shall be the chairperson of the local trust committee.

LTC Chair Guidelines (Islands Trust Council policy [4.1.1](#)) note that chairs have both a procedural and legislative role.

The procedural role includes:

- agenda setting
- meeting follow up; and
- meeting conduct.

The legislative role ensures that:

- duties as assigned by Trust Council are carried out,
- activities are consistent with established policies and procedures, to assess and determine a motion's inadmissibility and give reasons for the chair's decision in relation to consistency with the Islands Trust mandate, Trust Council policy and/or LTC policy,
- timely processing of bylaw review reports through Executive Committee, and to convey the LTC's rationale for the bylaw,
- timely processing of Executive Committee bylaw review comments to the LTC, and
- timely processing of bylaws for approval consideration to the Executive Committee, to convey the LTC's rationale for bylaw approval and the provision of opportunities as requested by the LTC for direct representation to the Executive Committee.

LTC Agenda Setting

LTC agendas are created as per guidelines in Islands Trust Council policies and meeting procedure bylaws (see policy hyperlinks in Attachments). Regular meeting agendas are prepared well in advance of all meetings and complete agenda packages are distributed and posted a week before the meeting. Agendas are formally adopted by the LTC at the beginning of the meeting; however, in practice the compilation of agenda is delegated to staff, in consultation with local trustees and the Chair. This is accomplished in the following general steps:

- Administrative staff call for agenda items from planning staff,
- Planning staff list agenda items they are ready to present,
- Administrative staff send a draft agenda to all LTC trustees for comment,
- Administrative staff assemble an agenda based on feedback.

LTC special meetings are scheduled as a result of LTC resolution and are typically for a singular purpose, usually specified in the resolution establishing the special meeting, thus the agenda will not include regular business meeting standing items like work program reports. Some LTC special business meetings are established for meeting with other agencies/groups. In this circumstance common practice involves staff coordinating agenda creation input from both agencies/groups.

LTC Spokespersons

Islands Trust Council has numerous policies regarding communications. Most relevant to the issue of clarifying LTC spokesperson roles are Islands Trust Council policies 6.10.2 ([Communications](#)) and 6.10.3 ([Advocacy](#)). Below are select policies and procedures:

- All members of a local trust committee (LTC) are spokespersons for their LTC. Members of a LTC should identify if they are speaking for themselves as an individual, or as a LTC member. If the personal opinion of a trustee differs from the resolutions of the LTC, or of the Islands Trust Council, then the trustee should identify the difference.
- Islands Trust bodies will ensure that their advocacy positions are consistent with the Islands Trust Act, the Object and established policy and are supported by a resolution of ... (the) local trust committee
- The (LTC Chair) will notify the Executive Committee when a local trust committee...passes a resolution related to advocacy
- The Executive Committee may assist local trust committees ...with advocacy if a request for support is referred to the Executive Committee by resolution
- If a local trust committee wishes to advocate on an issue not related to land use planning or not consistent with its Official Community Plan, the local trust committee chair will seek approval from the Executive Committee to allocate staff time to the project.

Trust Area Services staff will assist with external communications and advocacy relevant to specific local trust areas, and are the primary staff responsible for supporting spokespersons. Planning Services staff are kept informed of all external communications and advocacy. Planning Services staff are responsible for drafting and issuing letters of support from local trust committees, and some administration related to communications and advocacy.

Chair Training

Further training is recommended to assist chairs further develop their legislative role.

ATTACHMENT(S):

1. Islands Trust Act ([S. 23 local trust committees and S. 24 Roles of local trust committees](#))
2. Islands Trust Council Policy 4.1.1 - [Local Trust Committee Chair Guidelines](#)
3. Islands Trust Council Policy 4.1.2 – [Local Trust Committee Meeting Guidelines](#)
4. Islands Trust Council Policy 4.1.3 – [Model LTC Meetings Procedures Bylaw](#)
5. Islands Trust Council Policy 6.10.2 - [Communications](#)
6. Islands Trust Council Policy 6.10.3 - [Advocacy](#)

FOLLOW-UP:

Staff may arrange future chair training as desired.

Prepared By: Director, Planning Services

Reviewed By/Date: Director, Legislative and information Services / July 8, 2024
Director, Trust Area Services / July 10, 2024
Interim CAO /July 8, 2024

REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** July 24, 2024

From: David Marlor, Director,
Legislative and Information
Services **Date Prepared:** July 16, 2024

SUBJECT: Liability Insurance for Islands Trust Minute Takers and Public Notice Providers

RECOMMENDATION:

THAT the Executive Committee request staff to provide liability insurance for minute takers/public notice providers who form the Islands Trust Minute Takers/Public Notice Providers Group through the Municipal Insurance Association's Associate Member Program; and

THAT the Executive Committee authorize the Director, Legislative and Information Services to enter into Service Provider Agreements with individual minute takers/public notice providers for the provision of liability insurance through Islands Trust's liability insurance held with the Municipal Insurance Association of British Columbia.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The Associate Member program is just one of many programs available to members of the Municipal Insurance Association of British Columbia. Approval will streamline our contract arrangements with on-island minute takers/public notice providers, and provide them with the necessary insurance at minimal costs to the Islands Trust. Minute takers/public notice providers provide a valuable service to the local trust committees and contracting out this work is an efficient service delivery model for Islands Trust.

1 PURPOSE:

To obtain Executive Committee approval to add local trust committee minute takers/public notice providers as Associate Members on Trust Council's liability insurance with the Municipal Insurance Association of British Columbia (MIABC).

2 BACKGROUND:

The Islands Trust contracts with individuals on various islands to undertake minute taking and public notice delivery duties as needed to support the provision of local trust committee meetings and public hearings, as well as supporting legislative notice requirements for various types of land use planning application and local trust committee projects. A requirement of our contractual agreements is that contracted individuals have liability insurance to protect them and to protect Islands Trust in event of an error or omission, or other liability issues.

Work undertaken by minute takers/public notice providers is established by policy and the terms of their individual contracts; Islands Trust staff vet all work before forwarding it for sign off and publishing. As a result, the liability risk to the Islands Trust is minimal. However, waiving insurance requirements for this work is not advised because doing so would leave the minute takers/public notice providers without any insurance coverage should something happen, or their work is challenged; therefore, contractors are expected to be insured. However, current minute

takers/public notice providers advise that insurance through the market is prohibitively expensive for them to obtain for a contract that generally is the only contract in which they are engaged.

The MIABC, to which Islands Trust became a member in January 2024, has an Associate Member program. This allows local governments and the Islands Trust to add contractors to their insurance policy. MIABC created this program for contractors that are undertaking work normally done by staff, but for various reasons staff cannot deliver. The minute takers/public notice providers fit this definition.

MIABC had indicated that we can create a group (which is named “Islands Trust Minute Takers/Public Notice Providers Group”), which will include all nine of the minute takers/public notice providers with whom we currently contract. The cost of adding this group to the Islands Trust insurance is \$350 per year.

Executive Committee should be aware of the following risks and financial impacts with adding the minute takers/public notice providers to the Islands Trust insurance:

1. **Assumed Liability:** When Islands Trust adds an Associate Member, it assumes liability for services provided by the Associate Member. This means we are incorporating them into the Islands Trust’s own liability insurance policy, not providing a separate policy for their work.
2. **Service Scope:** The liability assumed is confined to the scope of services defined in an agreement between Islands Trust and the service provider.
3. **Deductible Responsibility:** Islands Trust is responsible for claims under its \$100,000 deductible caused by the Associate Member unless the Associate Member agrees to take financial responsibility for these claims. Similarly, Islands Trust is also responsible for paying the deductible in the event of a claim over the deductible unless the Associate Member agrees to pay this amount.
4. **Claims Experience Impact:** Claims above the deductible involving Associate Members may affect Islands Trust's MIABC claims experience rating, potentially increasing future liability insurance premiums.
5. **Additional Premiums:** There is an additional annual premium for Associate Members. Premiums are based on service provider type and associated risks. In this case the premium would be \$350 per calendar year that coverage is required.
6. **Errors and Omissions and Directors and Officers Liability:** Certain service providers providing professional services or involved in decision making may be susceptible to errors and omissions or directors and officers liability claims. Please note that in certain instances where the agreement is for a defined term, extending Associate Member coverage beyond the agreement term may be necessary. This extension would cover limitation and reporting periods for claims resulting from errors and omissions and directors and officers liability of the Associate Member, if relevant to the type of Associate Member being added.

The master service provider agreement will be perpetual, meaning it will roll over each year, and individual minute taker/public service provider contracts will continue to be renewed each year, but must and will only require duties included in the master Service Provider Agreement.

Islands Trust may opt to end the minute takers/public notice providers as associate members at any time by notifying MIABC; however, the annual premium for this program is non-refundable.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Under the associate member program, the minute takers/public notice providers are treated like staff in relation to liability coverage; therefore, liability for minute takers/public notice providers would fall to the Islands Trust. However, this will allow the minute takers/public notice providers to provide uninterrupted high level of service to the local trust committees.

FINANCIAL:

Approval of the resolutions will add \$350 per year to the Islands Trust insurance with MIABC. Additionally, financial risks are as noted above.

POLICY:

Ensures all minute takers/public notice providers are insured and consistent with Islands Trust procurement policy, and consistent with guidance for contractual insurance requirements provided by MIABC.

IMPLEMENTATION/COMMUNICATIONS:

Existing minute taker/public notice providers' contracts will be updated to ensure that they are consistent with the master Service Provider Agreement, and insurance requirements. The master Service Provider Agreement will be back-dated to April 1, 2024 (this has been confirmed by MIABC).

FIRST NATIONS:

No First Nations implications.

OTHER:

No other implications.

4 RELEVANT POLICY(S):

- *Islands Trust Act, s.4, which states, in part, that "... the executive committee is intended to carry out the daily business of the trust..."*

5 ATTACHMENT(S):

- No attachments

RESPONSE OPTIONS

Recommendation:

THAT the Executive Committee request staff to provide liability insurance for minute takers/public notice providers who form the Islands Trust Minute Takers Group through the Municipal Insurance Association's Associate Member Program; and

THAT the Executive Committee authorize the Director, Legislative and Information Services to enter into Service Provider Agreements with individual minute takers/public notice providers for the provision of liability insurance through Islands Trust's liability insurance held with the Municipal Insurance Association of British Columbia.

Alternative:

That the Executive Committee not approve addition of Islands Trust contract minute takers to the Islands Trust insurance policy and request contracted minute takers to provide their own insurance coverage. This would leave the minute takers to obtain their own insurance. This may be cost prohibitive

for some and could lead to making it more difficult to enter into contracts for this kind of services on the islands.

Prepared By: David Marlor, Director, Legislative and Information Services

Reviewed By/Date: Interim Chief Administrative Officer/July 17, 2024



REQUEST FOR DECISION

To: Executive Committee **For the Meeting of:** July 24, 2024
From: Executive Office **Date Prepared:** July 19, 2024
SUBJECT: UBCM Attendance and Islands Trust Hosted Breakfast

RECOMMENDATION:

That Executive Committee approve attendance for [insert names here] at the 2024 UBCM Convention;
AND

That Executive Committee approve Islands Trust hosting a breakfast session at the 2024 UBCM Conference on the topic of [topic].

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

The annual UBCM convention provides a valuable opportunity for Islands Trust to have their say on shared issues with other BC local governments, and provides excellent opportunity for relationship building and conversation with provincial government officials.

1 PURPOSE:

To determine attendance for the 2024 UBCM Convention; and
To determine if Islands Trust will host a breakfast session at the 2024 UBCM convention; and
If a breakfast will be hosted, to determine the presentation topic.

2 BACKGROUND:

2024 UBCM Convention Attendance:

The 2024 UBCM Convention is taking place September 16 – 20, 2024 in Vancouver, BC. [Trust Council's policy on UBCM/AVICC Membership and Resolutions](#) states the following:

Convention Attendance

- 2.1 Members of the Executive Committee and senior staff will represent the Islands Trust Council at the annual AVICC and UBCM conventions, subject to Trust Council approval of the expenditure during the annual budget process.
- 2.2 A LTC may decide to have one or more of its members attend the annual AVICC and/or UBCM conventions by passing a resolution to make the related expenditures from its LTC trustee Expenses account.

The approved budgets that may support UBCM conference attendance are as follows:

Budget line	Approved 2024/25	Remaining 2024/25
EC Training & Conferences	\$ 7,500	\$ 5,645
EC Travel for Training	\$ 7,500	\$ 5,480
TOTAL	\$15,000	\$11,125

The estimate of total registration, accommodation, and travel costs for all EC members to attend the 2024 UBCM is ~\$14,780, against the EC Training & Conference plus Travel for Training budget total of \$11,125, generated a budget overrun of ~\$3,655.

The cost for a single senior staff to attend UBCM (~\$3,900) may be funded from the management budget which has \$9,000 remaining for the fiscal year.

Total cost for all EC members and one senior staff to attend the conference is estimated at \$18,700.

Total cost for the 2023 UBCM Convention attendance was similar, at \$18,010 for five trustees and one senior staff. A briefing to EC summarizing these costs was received by EC at its October 26, 2023 business meeting (see attached BRF).

Breakfast Hosting

Islands Trust has traditionally hosted a breakfast session (renting hotel space and catering) at the UBCM convention sending invitations to all Islands Trust Area regional district directors, MLA's, Bowen Island Council, select provincial ministers and their senior staff. Topics for these breakfast sessions have ranged from Governance for Protection of the Salish Sea and Gulf Islands, to island incorporation, to possible changes to the Islands Trust Act.

The cost of hosting a breakfast session at the 2024 convention is estimated \$3,750 for 30 attendees. If EC wishes to host a breakfast session at the upcoming convention, it will need to determine a topic for presentation.

This breakfast session can be funded from the Trust's communications budget which has \$54,800 remaining this fiscal. Discussion with the Director, Trust Area services who oversees the communications function indicates the budget can handle this commitment.

Other

The rising cost of UBCM attendance has not been fully reflected in the approved budgets of recent years. Staff recommended that these budgets be adjusted for future fiscal years if UBCM attendance remains a priority for the Trust. When EC reviews its budget requests for fiscal 2025/26, staff will ensure this is incorporated.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Trustee attending UBCM may register for themselves to ensure they can select the sessions that are of interest to them. If breakfast is to be hosted, staff will arrange the logistics of hosting a breakfast with the convention organizers.

FINANCIAL: Total estimated costs for four EC members, one staff and an Islands Trust hosted breakfast with 30 attendees is \$22,500.

Members who attend must register before August 2 to realize the early bird rates used in the cost estimate. Refund policy is as follows: full refund if cancelled by August 6, 2024, 50% refund if cancelled between August 7 - 19, and no refund thereafter.

Monday tour, sessions and Tuesday forum are non-refundable. Convention no-shows are also non-refundable.

There are four rooms on hold at the Metropolitan Hotel ([15 minute walk to the convention centre](#)). Room costs per night are \$578. Room reservations may be cancelled for no charge before 11:59 PM local hotel time on Friday, September 13, 2024 (3 day before arrival).

Trustee Maude has booked a room at [The Holiday Inn on Broadway located here](#). Room costs per night are \$356 as of June 27.

POLICY: No policy implications.

IMPLEMENTATION/COMMUNICATIONS: Staff will implement any action from EC associated with the hosted breakfast.

FIRST NATIONS: No implications to FN relationships.

OTHER: None.

4 RELEVANT POLICY(S):
[Trust Council's Policy UBCM/AVICC Membership & Resolutions](#)

5 ATTACHMENT(S):

- Estimated Cost of UBCM 2024 Attendance & Hosted Breakfast
- Costs of Attendance at the UBCM Annual Conference- BRF

RESPONSE OPTIONS

Recommendation:

That Executive Committee approve attendance for [insert names here] at the 2024 UBCM Convention;

AND

That Executive Committee approve Islands Trust hosting a breakfast session at the 2024 UBCM Conference on the topic of [topic].

Alternative:

EC may not wish to approve an Islands Trust hosted breakfast at UBCM:

That Executive Committee decline the option of hosting a breakfast session at the 2024 UBCM Conference.

EC may need time to brainstorm breakfast topics and may return to this topic at their next meeting:

That Executive Committee defer approval of hosting a breakfast at the 2024 UBCM convention to its next meeting;

OR

That Executive Committee approve Islands Trust hosting a breakfast session at the 2024 UBCM Conference, and discuss a breakfast topic at its next meeting.

Prepared By: Executive Administrative Assistant
Interim CAO

Reviewed By/Date: July 19, 2024

Estimated Cost of UBCM 2024 Attendance & Hosted Breakfast

Item	Reference	Metropolitan Hotel (\$578/night)	Holiday Inn (\$356/night) D. Maude
Total Registration estimate	Note 1	\$ 1,155	\$ 1,155
Accommodation 4 nights		\$ 2,312	\$ 1,425
Travel & Per Diems		\$ 450	\$ 450
Total Cost per Attendee		\$ 3,917	\$ 3,030
Total cost for 4 EC member attendees		\$14,782	
Cost for 1 staff attendee		\$3,917	
Total cost for 5 attendees		\$18,699	

Note 1 - Estimate of Registration Fees

Item	Cost Estimate
UBCM Registration Fee	\$ 600 <i>Early bird rate, by Aug 2</i>
Monday Study Sessions	\$ 130 <i>Optional</i>
Tuesday Study Sessions	\$ 130 <i>Optional</i>
Wednesday AVICC Lunch	\$ 80 <i>Optional</i>
Thursday Delegate Lunch	\$ 80 <i>Optional</i>
Thursday Banquet Dinner	\$ 135 <i>Optional</i>
Total Registration Costs per Attendee	\$ 1,155

Hosted Breakfast - Fairmont Hotel	Cost Estimate
Room Rental & AV Charges	\$1,800.00
30 attendees @ \$65.00 per head	\$1,950.00
Total Hosted Breakfast cost	\$3,750.00

Total UBCM Cost for 5 attendees + hosted breakfast = **\$22,449**

BRIEFING

To: Executive Committee **For the Meeting of:** November 1, 2023
From: Administrative Services **Date Prepared:** October 26, 2023
SUBJECT: Costs of Attendance at the UBCM Annual Conference

PURPOSE:

To provide Executive Committee (EC) information on the costs of the 2023 Union of BC Municipalities annual conference, as requested.

BACKGROUND:

The following information may be useful for EC in their discussion:

- Trust Council's [Policy 6.12.1 UBCM/AVICC Membership and Resolutions](#) provides the following guidance in relation to UBCM attendance:
 - 2.1 Members of the Executive Committee and senior staff will represent the Islands Trust Council at the annual AVICC and UBCM conventions, subject to Trust Council approval of the expenditure during the annual budget process.*
 - 2.2 A LTC may decide to have one or more of its members attend the annual AVICC and/or UBCM conventions by passing a resolution to make the related expenditures from its LTC trustee Expenses account.*
- Trust Council's [Policy 6.12.1 Trustee Training/Conference Attendance](#) provides guidance on training authorization, expectations of expense approving authorities, expectations of trustees attending training, and funding guidelines, among other useful information relevant to all training and conferences, including UBCM. Section 1.5 specifically outlines the following:
 - "The Executive Committee shall be responsible, by way of resolution, to budget, approve and control Executive Committee member training and conference attendance related to Executive Committee interests within its annually budgeted Executive Committee - Training/Conference account."*

The approved budget for EC training and conference attendance in 2023/24 is \$5,000 with \$1,000 budgeted for associated travel.

Section 2 of the policy discusses the expectation of trustees who attend training, and includes the following:

"2.1 It is expected that trustees, for Trust-supported training and conference attendance, will provide a written/verbal report to the approving authority body and to Trust Council at the next quarterly meeting."

2.2 It is expected that trustees, for Trust-supported training and conference attendance, will provide useful materials to the administrative secretary to copy for the Trust's reference library. "

This requirement helps show the value of expending funds on various training activities, and ensures knowledge is shared across the organization to support the development of all trustees and staff.

- In 2023, all EC members, one Salt Spring Island (SSI) local trustee, and one staff person attended UBCM, resulting in the attendance of 6 Islands Trust representatives. The SSI Local Trust Committee paid for the registration cost of the Salt Spring Island trustee, with travel and accommodation costs paid for by EC.
- Total costs for the 2023 UBCM attendance is approximately \$22,000. This calculation includes estimates for two attendees whose expense claims have yet to be received. This calculation will be updated once all parties have submitted expense claims. The cost breakdown for UBCM attendance is as follows:

**ISLANDS TRUST
UBCM 2023 COST SUMMARY**

		# nights->							
		4	3	4	5	3	3		
		EC				Trustee	Staff		
ITEM	Ref	Luckham*	Maude	Elliot	Peterson	Patrick	Hotsenpiller*	TOTAL	
Travel (km and ferry)		221	233	89	363	204	221	1,332	
Accommodation		1,754	916	1,210	3,263	1,064	1,486	9,692	
Parking		-	69	-	40	-	40	149	
Meals		215	215	113	209	115	115	982	
Registration		1,286	575	1,166	1,110	650	1,069	5,855	
Total Costs		3,476	2,008	2,578	4,985	2,033	2,932	\$ 18,010	
IT Hosted Breakfast								3,641	
TOTAL UBCM 2023 Costs								\$ 21,651	
Cost per night/person		\$ 870	\$ 670	\$ 640	\$ 1,000	\$ 680	\$ 980		
Average cost per night/person		\$ 810							

*No expense claims received to date, thus amounts in blue are estimates

ATTACHMENT(S): None.

FOLLOW-UP: When final expense claims have been received, staff will update this information and recirculate to EC.

Prepared By: Director, Administrative Services
Reviewed By/Date: Clare Frater, Acting CAO/October 26, 2023

BRIEFING

To:	Executive Committee	For the Meeting of:	December 20, 2023
From:	Trust Area Services	Date Prepared:	December 14, 2023
SUBJECT:	Advocacy for provincial assistance re heritage protection		

PURPOSE: To support an Executive Committee discussion about advocacy regarding cultural heritage protection.

BACKGROUND:

At its October 26, 2023 meeting, the Gabriola Island Local Trust Committee passed the following resolution:

that the Gabriola Local Trust Committee draft a letter to formally request the Provincial and Federal governments' support and direction to aid the Gabriola Local Trust Committee in preserving and protecting Indigenous cultural heritage sites that may be at risk due to impacts of development. In the absence of clear legislation and guidelines to support local governments' obligations to international, national and provincial frameworks, interim guidance and direction from the Province would be welcome, to ensure the Islands Trust can fulfill its obligations and duties to the preservation and protection of sacred cultural heritage sites.

The Gabriola Island Local Trust Committee also passed the following resolution:

that the Chair of the Gabriola Island Local Trust Committee work with staff to write to seek support from Snuneymuxw First Nation and to understand if there would be interest in working on a joint call to the Provincial and Federal government to request support and direction to aid the Gabriola Local Trust Committee in preserving and protecting Indigenous cultural heritage sites that may be at risk due to impacts of development.

The Islands Trust [Advocacy Policy](#) (6.10.iii) guides advocacy. Notably its sets out the following:

- B4. Islands Trust bodies will ensure that their advocacy positions consider the roles and needs of all other bodies of the Islands Trust. When practical, Islands Trust bodies will coordinate their advocacy efforts through the Executive Committee so that related issues can be advanced strategically, in the context of Trust Council's Strategic Plan.
- B5. When making decisions about new advocacy positions and actions, Islands Trust bodies will base those decisions on research, such as: a) a review of related past Trust Council and Executive Committee decisions and actions; b) consistency with the Islands Trust Policy Statement; c) consistency with Official Community Plan policies; d) relevant evidence; e) contextual information; f) an assessment of partnership opportunities; g)

implications of proceeding or not proceeding with certain courses of action; and h) potential workload implications for staff and trustees

- C11. Local trust committees may, by resolution, undertake advocacy *on land use issues specific to their local trust area and consistent with the official community plan* after considering whether the position may fetter their discretion on current or future land use planning decisions.
- C3. Executive Committee members encourage a coordinated approach to advocacy and external liaison as part of their appointment to local trust committees and the Islands Trust Conservancy Board.
- C5. The Executive Committee directs individual advocacy actions in accordance with the advocacy direction set by Trust Council through resolutions and the Strategic Plan.

In accordance with the policy, an advocacy letter such as one requested by the Gabriola Island Local Trust Committee that is not about a local land use matter that is requesting legislative change or requesting provincial support should be from Executive Committee or Islands Trust Council.

Advocacy is most successful when there is a specific, researched request that is achievable. In this circumstance the request could be researched and then re-framed such as:

- 1) That Minister of Municipal Affairs request that the next Declaration on Rights of Indigenous Peoples Action Plan include changes to the Local Government Act, Community Charter and/or Islands Trust Act to achieve XXX
- 2) That the Ministry of Municipal Affairs provide a mediator to assist with resolving a dispute concerning XXXX
- 3) That the Ministry of Municipal Affairs provide guidance on involving First Nations in non-discretionary land use decisions such as development permit applications in culturally significant areas.

Topic such as these that affect many local governments and First Nations would benefit from a more fulsome advocacy campaign that includes collaboration with local governments and First Nations, a session at AVICC or UBCM, and/or research into potential options that would refine the request. However, at this time, there are insufficient staff resources available to support all but very simple advocacy letters. The Senior Policy Advisor position is almost exclusively focused on the Policy Statement Amendment Project so, without backfill of the position, there is little time available for the position's regular duties such as advocacy.

ATTACHMENT(S): None.

FOLLOW-UP: Staff will follow-up as directed.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Russ Hotsenpiller, CAO/December 14, 2023

From: Local Government Climate Action Program ENV:EX <LGCAP@gov.bc.ca>

Sent: Thursday, July 11, 2024 12:24 PM

Subject: Climate Preparedness - CONEXT Brochure

Hello Local Government Climate Action Program (LGCAP) participants!

Please see the attached doc for information on a new initiative aimed at helping local government and Modern Treaty Nation staff expand their knowledge base for taking action in the area of climate preparedness in BC. The LGCAP team is part of the advisory committee for this project and recommends this for anybody wanting to gain knowledge and information in this area.

If interested, the attached PDF provides information on the program and is seeking expressions of interest (EOI) from anybody wishing to take part. The deadline to submit an EOI is July 31, 2024.

Thanks and stay cool!



Project Brochure

AT A GLANCE

WHAT: A program designed to support communities through the next steps in their climate preparedness journeys.

WHO: For representatives from small or mid-sized, remote, and rural communities in B.C., both Indigenous and non-Indigenous.

WHY: To equip participants with the knowledge, resources, and connections needed to confidently navigate their climate adaptation efforts.

Application deadline: July 31, 2024

Welcome to CONEXT: Climate Preparedness Hub – a program dedicated to guiding communities through the complex landscape of climate preparedness in B.C.

Communities today are facing an array of climate hazards, from extreme weather events to wildfires to rising sea levels. These challenges are compounded by a rapidly evolving policy landscape that demands swift and informed action. Local leaders and practitioners must navigate complex information, balance immediate needs with long-term planning, and foster resilience amidst uncertainty.

This is where CONEXT: Climate Preparedness Hub steps in.

Our goal is to empower community leaders with the knowledge, resources, and connections needed to navigate the next steps in their climate preparedness journey with confidence. Supported by Natural Resources Canada and led by a network of dedicated organizations, CONEXT aims to amplify the ability of small to mid-sized, remote, and rural communities to adapt to climate change. Together, we can take significant steps towards building a more resilient future.

Why CONEXT?

Climate preparedness is an ongoing journey that requires collaboration, innovative thinking, and practical action.

Our introductory program offers practical training, personalized support, and access to a network of like-minded leaders, supporting you to advance your initiatives effectively and build a safer, healthier future for your community.

Who is eligible?

We are looking for passionate representatives from First Nation communities or organizations, local governments (municipalities and regional districts), and key partners, to apply to this program.

If you are committed to advancing climate preparedness and resilience in your community, we invite you to be part of this collaborative and supportive network.

Key Features of CONEXT:

- **Collaborative Learning:** Engage with a network of community leaders, experts, and peers who are all working towards similar goals.
- **Practical Training:** Our curriculum is designed to be practical and applicable, allowing you to apply what you learn directly to your community's needs.
- **Guidance and Support:** From interactive workshops to coaching calls, CONEXT offers personalized support to help you make meaningful progress.
- **Resource Hub:** Access a comprehensive collection of tools, templates, and resources tailored to assist you wherever you are at in your climate preparedness journey.



Overview of Sessions

1

Session 1: Understanding Community Climate Impacts

Explore the impacts of climate change on various aspects of our communities – from infrastructure to economy, priority populations, health and wellness.

2

Session 2: Climate Information and Ways of Knowing

Learn to utilize different types of climate data, alongside Indigenous and local knowledges, and effectively communicate this information to your community.

3

Session 3: Assessments and Planning

Get oriented to conducting risk and vulnerability assessments and explore planning approaches for climate adaptation.

4

Session 4: Action Learning

Integrate emergency management and recovery into climate adaptation planning processes and develop a short-term action plan to guide your next steps.

5

Session 5: Action Plans and Cross-Community Learning

Share and improve your action plans with the help of collaborative feedback and learning from other communities.



Frequently Asked Questions

Who from my community should participate?

CONEXT focuses on supporting leaders and practitioners at the community or regional level who are well-positioned to translate knowledge into action within their organizations and communities. This includes a wide range of staff such as planners, engineers, financial officers, communications specialists, and emergency managers, as well as elected officials and community leaders.

What is the time commitment for participants?

The program runs from Fall 2024 to Spring 2025. Participants should expect to dedicate between 20-25 hours in total. This includes attending online sessions and completing homework assignments.

Can more than one person from my community join? What about other partners?

Yes! In fact, we encourage this. Each community is asked to commit between 2 and 6 people (staff, elected or hereditary leaders and/or other key partners) to participate in the entire process. Ideally this would include a diverse range of perspectives (see “Who from my community should participate?”). Additionally, communities have the option to create joint applications with neighboring communities or organizations to increase their capacity and collaborative efforts.

How will the program be delivered?

All CONEXT activities will be delivered virtually. This includes five regularly scheduled group workshops and follow-up coaching calls.



Apply Now!

To apply, please complete our online Expression of Interest form, linked below, by **July 31, 2024**.

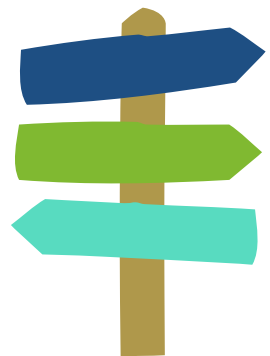
EOI Link: <https://fraserbasin.limequery.com/127444>

Contact Information

If you have any questions or need support to apply, please contact Rebeka MacDonald at rmacdonald@fraserbasin.ca.

About Us

CONEXT is a three-year project supported by Natural Resource Canada's Climate Change Adaptation Program and led by a diverse team of organizations committed to enhancing climate resilience across B.C.





Info@friendsofthegulfislands.ca
<https://www.friendsofthegulfislands.ca>

Date: July 16, 2024

To: Executive Committee, Islands Trust

Re: “special interest groups” and “delegations”

Dear Executive Committee Members:

At the July 3, 2024, Executive Committee (EC) meeting some comments of concern were made about the delegations presented at the June Trust Council (TC) meeting.

TC meets 4 times a year for 3 days, and the agenda generally allows about one hour for delegations who have been approved by EC. The number of delegations generally number under a half dozen and the time limit for each delegation is generally 10 minutes, which is not a substantial portion of the entire meeting.

The comments of concern were that delegations by “special interest groups” comprised of public members were causing TC to lose its focus on Council business and that these groups were using the TC platform to push their own agendas. It was also said that TC did not have adequate policies to manage these delegations.

“Special interest groups” may agree or disagree with the direction/decisions of TC and push for change, but we believe the opportunity to voice disagreement, disconcerting as it may be for some, is an integral part of a democracy. Of particular concern was the comment that such groups were using the TC platform to push their own agendas. This statement implies the presentations were in some way disingenuous, that the groups' agendas were either not related to TC business or if related to TC business that the intended audience was the public at large and not TC. The latter is true to the extent the public at large is always the audience, but incorrect in that TC is also the intended audience.

There were further comments made whereby “professional corporate presentations” (e.g. BC Hydro) were seen in a more favourable light than those of “special interest” group presentations, with the implication such “professional corporate presentations” do not cause TC to lose its focus on Council business and do not have hidden agendas.

To address this problem, allocating different time limits for “professional corporate presentations” and for general public/“special interest” group presentations (presumably of a

shorter duration for the latter) was suggested as a possible option. To address the inadequacy of current TC policy, it was suggested that a review of practices and policies of other jurisdictions could be undertaken to ensure TC managed these "special interest" group delegations better.

All these comments posited a generally negative view of such groups which we feel is unwarranted.

Regarding the above, we are concerned that these comments and the solutions referenced are, or could be, a first step towards the censorship of viewpoints critical of the Trust or with which trustees do not agree. This does not fit with TC's stated commitment to openness and transparency.

Whether the delegation is by a professional corporate body, a group comprised of members of the public or an individual, each should be afforded the same consideration at TC.

Respectfully submitted,

Kees Langereis, Gabriola island
Vice-President, Friends of the Gulf Islands Society

From: Laura Patrick
Sent: Monday, July 22, 2024 3:37 PM
To: EC
Subject: EC Agenda Item 8.1.2.1

Fellow trustees/vice chairs,

I am providing some additional context, information, and questions regarding your July 24, 2024 meeting agenda item 8.1.2.1.

Within the background of the staff report it says that “staff held an overdue follow-up meeting to a 2021 letter from Quw’utsun Nation to Salt Spring Island staff.” This letter was addressed and copied to staff and dated May 11, 2021. This letter was only officially transmitted to the SS LTC in 2024 within materials related to the SS OCP-LUB project.

I found out about the letter after an embarrassing conversation with Lyackson staff in May of 2022. I was discussing an email they had sent to Islands Trust staff dated March 12, 2021. This email was forwarded to the North Pender LTC by planner Kim Stockdill on March 18, 2021 (it should be noted that it was never forwarded to SS LTC by staff), which I chaired. In it, it says “First Nations should be included at the management level (problem identification, concept and solution design) as opposed to as in a mere advisory group capacity.” It was this email that triggered my “lingering in the project definition phase” lectures that I made at several LTCs and TC.

After sharing my conversation with Lyackson staff with Islands Trust staff, I was informed that another letter existed and that Lyackson staff were talking about that letter while I carried on about the March 12, 2021 email. I was shown the May 2021 letter in May of 2022. I was shocked and dismayed that the May 11, 2021 letter was never shared with the SS LTC. I immediately sent an email to Lyackson staff apologizing for lack of response and indicated that a formal apology will follow to Quw’utsun Nation. That formal apology was never made because Russ Hotsenpiller said that he would meet with Quw’utsun Nation staff. He reported that no further action was needed.

The SS OCP-LUB project terms of reference says, “for several years, First Nations with treaty and territorial interests on Salt Spring Island have told the Salt Spring LTC that they want to be at the table from the earliest days of major projects.” However, this is not correct. First Nations have told staff that they want to be at the table. SS LTC

has not had the opportunity to address either of the letters (March 12, 2021 or May 11, 2021). However, the SS LTC has made resolutions that you need to be aware of:

- The LTC has requested staff to explore options to enter into interim protocols for meaningful and respectful engagement between the LTC and the Wsanec Leadership Council (which was believed at the time to include Tsawout [a side note: a letter dated October 12, 2022 addressed to “Islands Trust” indicated that Tsawout First Nation withdrew from WLC, which also did not find its way to SS LTC], the Cowichan Nation and the local indigenous organization (Feb 2023).
- The LTC allocated OCP/LUB project funding and requested staff to coordinate with a qualified indigenous relations professional to support early dialogue and relationship development, to initiate dialogue, identify preliminary engagement preferences and develop an indigenous relations approach for the LTC projects and housing accelerator fund at the staff to staff and leadership to leadership level (May 2023).

Why am I telling you all of this?

Well, for starters, the February 2023 resolution from SS LTC to explore options to enter into interim protocols for meaningful and respectful engagement with Quw’utsun Nation should be referenced in your discussion. As the SS LTC is not provided follow up action lists with its older resolutions, I am unsure of the status. I must assume that in the Islands Trust staff meeting on June 28, 2024, informed Quw’utsun Nation staff of SS LTC’s February 2023 resolution and Salt Spring’s desire to enter into interim protocols.

The staff report says there are sufficient organizational resources for this project, yet SS LTC ‘s request to explore options to enter into interim protocols has had no progress. Why? According to section 9(1) of the Islands Trust Act, trust council may enter into on behalf of one or more LTCs, agreements with (e) a First Nation. So, SS LTC’s resolution could have been actioned, but it lingered for over a year. You need to be convinced that there are sufficient organizational resources for this project.

I am thrilled to have Joe Elliott on staff. I must assume that he has been brought up to date on all the correspondence and LTC resolutions. What steps have been taken to ensure that correspondence received by staff is shared with LTCs in a timely way? We cannot begin to build meaningful and respectful relationships with indigenous governing bodies if trustees are not kept informed and correspondence is not shared.

I am a strong advocate of protocol agreements, but we need to maintain them as living documents. We need strong management systems to support our relationship

building work. Are there sufficient resources dedicated and available to develop and maintain robust management systems to support the protocol agreements?

Best of luck in your discussions. My comments are not directed at staff – it is your job to ensure that there are sufficient resources to do the work. Salt Spring has been preparing to undertake an OCP-LUB update since August 2022. It has unsuccessfully tried to dedicate resources to ensure interim protocols are established to ensure meaningful and respectful engagement.

Laura

Active Projects Report

Executive Committee

1. Update Islands Trust Policy Statement

Activity:

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

Responsible

Clare Frater
Julia Mobbs

Dates

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

2. First Nations Reconciliation

Activity:

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

Responsible

Julia Mobbs

Dates

Rec'd: 02-Sep-2020
Target: 31-Mar-2025

3. Provincial Funding Strategy

Activity:

Develop a strategy to request additional funding from the Province, including revisiting the provincial grant funding formula to the Islands Trust.

Responsible

Julia Mobbs

Dates

Rec'd: 07-Mar-2023
Target: 31-Mar-2025

Active Projects Report

Executive Committee

3. Request for Provincial Review

Activity:

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

Julia Mobbs

Dates

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

4. Strategic Planning

Activity:

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

Responsible

Julia Mobbs

Dates

Rec'd: 03-May-2023
Target: 31-Dec-2024

Future Projects Report

Executive Committee

1. *Marine Ecosystems*

Advance the preservation and protection of marine ecosystems.

Responsible

Clare Frater

Date Received

03-May-2023

2. *MOTI MOU's*

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

Responsible

Stefan Cermak

Date Received

03-May-2023

3. *Climate Change Emergency*

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

Responsible

Clare Frater

Date Received

03-May-2023

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

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

Responsible

Julia Mobbs

Date Received

01-Nov-2023

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

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.

Responsible

Julia Mobbs

Date Received