



Hornby Island Local Trust Committee Regular Meeting Agenda

Date: September 5, 2025
Time: 11:30 am
Location: Hornby Island Community Hall
Central Road, Hornby Island, BC

Pages

- | | | | |
|-----|---|---------------------|---------|
| 1. | CALL TO ORDER | 11:30 AM - 11:35 AM | |
| | "Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change." | | |
| 2. | TERRITORIAL ACKNOWLEDGEMENT | | |
| 3. | APPROVAL OF AGENDA | | |
| 4. | REPORTS | 11:35 AM - 11:55 AM | |
| 4.1 | Trustee Reports | | |
| 4.2 | Chair's Report | | |
| 4.3 | Electoral Area Director's Report | | |
| 4.4 | Islands Trust Conservancy Report | | |
| 5. | PUBLIC COMMENTS | 11:55 AM - 12:10 PM | |
| 6. | MINUTES | 12:10 PM - 12:15 PM | |
| 6.1 | Local Trust Committee Minutes dated July 4, 2025 - for adoption | | 4 - 10 |
| 6.2 | Local Trust Committee Special Meeting Minutes dated August 21, 2025 - for adoption | | 11 - 16 |
| 6.3 | Section 26 Resolutions-without-meeting Report dated August 29, 2025 | | 17 - 17 |
| 6.4 | Advisory Planning Commission Minutes - none | | |
| 7. | BUSINESS ARISING FROM MINUTES | 12:15 PM - 12:30 PM | |
| 7.1 | Follow-up Action List Report dated August 29, 2025 | | 18 - 19 |
| 8. | DELEGATIONS - none | | |

9.	APPLICATIONS AND REFERRALS	12:30 PM - 1:00 PM	
9.1	Trust Council Bylaw 183 - Policy Statement Referral - Memorandum		20 - 63
9.2	Proposed Denman Island Bylaw No.s 256 (OCP) and 257 (LUB) Referral		64 - 104
	~ BREAK 1:00 PM - 1:30 PM ~		
10.	LOCAL TRUST COMMITTEE PROJECTS	1:30 PM - 3:30 PM	
10.1	Major Project: Hornby Island Official Community Plan and Land Use Bylaw Review - Staff Report		105 - 113
10.2	Major Project: Hornby Island Official Community Plan and Land Use Bylaw Review - Business Case for 2026/27 Fiscal - Staff Report		114 - 119
11.	CORRESPONDENCE	3:30 PM - 3:35 PM	
	<i>Correspondence received concerning current applications or projects is posted to the LTC webpage</i>		
11.1	Email dated July 8, 2025 from Liquor and Cannabis Regulation Branch regarding Invitation to the Liquor and Cannabis Regulation Branch's Engagement on Cannabis Market Controls and Sales at Events		120 - 133
11.2	Letter dated July 24, 2025 from T.Law regarding Administrative Fairness and Natural Justice		134 - 139
12.	NEW BUSINESS - none		
13.	STAFF REPORTS	3:35 PM - 3:55 PM	
13.1	Trust Council Bylaw No. 197 - Local Trust Committee Meeting Procedures Bylaw, Update Hornby Island Local Trust Committee Procedure Bylaw - Request for Decision		140 - 143
13.2	Trust Conservancy Report - none		
13.3	Applications Report dated August 29, 2025		144 - 149
13.4	Trustee and Local Expense Report dated June, 2025		150 - 150
13.5	Adopted Policies and Standing Resolutions		151 - 155
13.6	Local Trust Committee Webpage		
14.	WORK PROGRAM	3:55 PM - 4:10 PM	
14.1	Active Projects Report dated August 29, 2025		156 - 156
14.2	Future Projects Report dated August 29, 2025		157 - 158

15. UPCOMING MEETINGS

**15.1 Next Regular Meeting Scheduled for Friday, November 14, 2025 at 11:30 am at
Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC**

16. ADJOURNMENT

4:10 PM - 4:10 PM



Hornby Island Local Trust Committee

Minutes of Regular Meeting

Date: July 4, 2025

Location: Electronic Meeting

Members Present: Timothy Peterson, Chair
Alex Allen, Local Trustee
Grant Scott, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
Warren Dingman, Bylaw Compliance & Enforcement Manager
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately 10 members of the public in attendance.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 11:31 a.m.

2. TERRITORIAL ACKNOWLEDGEMENT

Chair Peterson acknowledged that the meeting was held on the territory of the Coast Salish Peoples and recognized Hornby Island is the unceded territory of the K'omoks First Nation.

3. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

4. REPORTS

4.1 Trustee Reports

Trustee Allen reported attendance at the June Trust Council meeting and highlighted the presentation by Indigenous Foods Educator Jared “Qwustenuxun” Williams about traditional concepts of land ownership and the importance of revitalizing traditional food systems.

Trustee Grant arrived to the meeting at 11:38 a.m.

Trustee Grant reported ongoing community conversation regarding the short-term vacation rental bylaw.

4.2 Chair's Report

Chair Peterson reported the following:

- Attended Trust Council and noted the adoption of the new Local Trust Committee Meeting Procedures Bylaw and highlighted the presentation given by Jared “Qwustenuxun” Williams;
- Continued participation in Trust Policy Statement amendment work which will be discussed at an upcoming Committee of the Whole meeting and Trust Council Special Meeting in July to consider First Reading; and
- Met with Member of Parliament Gord Johns during the MP’s recent visit to Lasqueti Island.

4.3 Electoral Area Director's Report - none

4.4 Islands Trust Conservancy Report

The Islands Trust Conservancy Board Chair reported the following:

- Islands Trust Conservancy is celebrating its 35th Anniversary this year and presently protects 115 properties, including 34 nature reserves and 81 conservation covenants;
- The Conservancy recently received a \$1,150,000 donation from an anonymous donor with \$1,000,000 designated to the Opportunity Fund and the balance to the Property Management Fund which supports trail work, invasive species removal, and restoration efforts;
- Conservancy staff met with the Ministry of Housing & Municipal Affairs regarding land transfers;
- The next board meeting will be held July 22 and will include a joint meeting with Executive Committee; and
- Details and highlights of recent Conservancy work.

5. PUBLIC COMMENTS

A member of the public encouraged the Local Trust Committee to continue to uphold non-enforcement of illegal dwellings to provide housing security for those living in the units. They also expressed support of a cap on short-term vacation rentals and noted that permanent residents operating short-term rentals should be included in the cap.

A member of the public provided a summary of recommendations that the Hornby Island Short Term Rental Association will be presenting to the Local Trust Committee as follows:

- The cap should be enabled through a community consultation process;
- A limit of one Temporary Use Permit per person, business, or family group;
- Include a reference in the bylaw that one can reapply for a Temporary Use Permit at the end of the six-year cycle;
- Enable the potential to move to a Comox Valley Regional District licensing program should one be implemented;
- Include provisions for permanent residents residing in a dwelling that also offers a short-term rental; and
- Ensure the bylaws define short-term as a period under 30 days as, without specific reference, the 90-day provincial definition will apply.

6. MINUTES

6.1 Local Trust Committee Minutes dated May 16, 2025 - for adoption

By general consent, the Local Trust committee meeting minutes of May 16, 2025 were adopted as presented.

6.2 Section 26 Resolutions-without-meeting Report - none

6.3 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List Report dated June 26, 2025

Discussion ensued about the status of a letter that was to be sent to K'omoks First Nation following the Nation's elections to request a meeting and the Planner indicated the Local Trust Committee is scheduled to meet with Chief and Council in early September and will follow up to confirm the date.

HO-2025-027

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff to remove Follow Up Action List Item No. 4 dated March 21, 2025 that reads "the Local Trust Committee request staff to prepare a letter to K'omoks Chief and Council congratulations on election, ratification of the treaty vote and request leadership to leadership meeting".

CARRIED

A Trustee asked about a briefing to be provided regarding farmstand regulations on other islands in the Trust area and Chair Peterson clarified the Local Trust Committee requested the briefing in response to concerns about farmstand uses that might be impeded by bylaw enforcement and they sought information to provide guidelines to amending Hornby regulations to ensure they are reasonable and fair and, in the interim, the Local Trust Committee had deferred enforcement.

8. DELEGATIONS - none

9. APPLICATIONS AND REFERRALS

9.1 Denman Island Bylaw No. 255 Referral - for Response

Discussion ensued regarding the absence of a referral response from K'omoks First Nation and the Planner clarified the Local Trust Committee is being asked if their interests are affected by the bylaw.

HO-2025-028

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee defer comment on Denman Island Bylaw No. 255 until K'omoks First Nation has responded to any concerns.

CARRIED

9.2 PL-TUP-2025-0114 (Savour Group Ltd.) - Staff Report

The Planner summarized the staff report and highlighted the following:

- The application seeks a Temporary Use Permit to enable occasional, community-oriented events on the subject property;
- The permit is required as these types of events may involve amplified music, a larger number of attendees that one would normally associate with commercial uses, and they fall outside of the agricultural and residential uses for which the property is zoned;
- The property is just over 32 hectares in size and located within the Agricultural Land Reserve;
- The applicant has indicated they will be making agricultural improvements to the property including fencing, irrigation, and grazing agreements and are planning agritourism and community events to support farm viability;
- Farm status has been applied for but is not currently in effect;
- If a permit is issued, any activity would be required to comply with the Agricultural Land Reserve regulations, which stipulate a maximum number of 10 events per year with up to 150 attendees per event; and
- Several items of correspondence have been received both in support and opposition of the application.

The applicant was in attendance and stated that: additional letters of support had been received prior to the deadline; many of the proposed improvements to the property have been made; use of the field has been offered to the local school for sports activities; event parking would not impede road access; water will be supplied by a 300,000-gallon pond and brought on site if needed, and they have offered clubhouse space to an Indigenous youth rugby club.

Discussion ensued and the following comments and clarifications were noted:

- The proponents are required to have farm status before they are granted the ability to offer events under Agricultural Land Reserve regulations;
- The events included in the Temporary Use Permit align with Agricultural Land Reserve regulations; however, sports field and clubhouse use do not comply and have also not been included in the Temporary Use Permit application;
- Letters of support are not from immediate neighbours;
- There may be difficulty in capping attendance at events;
- Trucking water in is not environmentally sound; and
- The uses are not farm or agritourism related.

The meeting was recessed for a break at 12:48 p.m. and reconvened at 1:02 p.m.

HO-2025-029

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee deny application PL-TUP-2025-0114 for the following reasons:

1. Given concerns raised in the community; this is high impact not low-impact.
2. Not consistent with Agricultural Land Reserve regulations; not a permitted farm use.
3. Not consistent with the Hornby Island community plan for farming and food security.

4. Permanent structure was built as a clubhouse not an accessory farm building.
5. There is uncertainty of how many events per year and crowd capacity.
6. Water delivery for events and inability to provide water for own events is not sustainable on a small aquifer challenged island.
7. Agricultural Land Reserve ancillary use should not be subordinate to primary farm use.
8. Applied for farm use status after bylaw enforcement indicating that the applicant's intent was on a rugby field before haying and cattle.

CARRIED

10. LOCAL TRUST COMMITTEE PROJECTS - none

11. CORRESPONDENCE

Correspondence received concerning current applications or projects is posted to the LTC webpage

11.1 Email dated May 29, 2025 from Comox Valley Regional District regarding Comox Valley Regional Growth Strategy Minor Amendment Referral

Received for information.

12. NEW BUSINESS - none

13. STAFF REPORTS

13.1 Proposed Hornby Island Bylaw Compliance and Enforcement Policy - Staff Report

The Bylaw Compliance and Enforcement Manager summarized the staff report and highlighted the following:

- The proposed policy incorporates all current standing resolutions for compliance enforcement into a single document to provide comprehensive policies;
- The policy will address vexatious complaints and provide staff some discretion to not pursue these types of complaints;
- Section 4 lists Local Trust Committee priorities for proactive and deferred enforcement; and
- The document standardizes policies across the Trust area while allowing Local Trust Committees ability for customization.

Discussion ensued and the following comments were noted:

- There is desire to include language regarding deferred enforcement on farmstands;
- Item 5.5 refers to maximum flexibility for Bylaw and Compliance Officers to enter a property violating terms of a Temporary Use Permit with no notice provided;
- Item 7.1 refers to anonymous complaints which are not investigated; and

- Item 7.2 refers to a minor structure which is defined as a building less than 10'x10' in size.

HO-2025-030

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee direct staff to remove all words after the word “properties” in item 5.5 and add words “as per item 5.2”.

CARRIED

HO-2025-031

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee add an item 4.3 Defer enforcement on Farm Stands until new policy is implemented.

CARRIED

HO-2025-032

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee adopt the proposed Bylaw Compliance and Enforcement Policy as amended.

CARRIED

HO-2025-033

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee rescind standing resolutions HO-2020-013 & HO-2023-46.

CARRIED

13.2 Trust Conservancy - The Heron - Spring 2025 Edition

Received for information.

13.3 Trust Conservancy Board Report dated May 27, 2025

Received for information

13.4 Applications Report dated June 26, 2025

Received for information

13.5 Trustee and Local Expense Report dated April, 2025

Received for information

13.6 Adopted Policies and Standing Resolutions

Received for information

13.7 Local Trust Committee Webpage

No updates requested.

14. WORK PROGRAM

14.1 Active Projects Report dated June 26, 2025

Received for information

14.2 Future Projects Report dated June 26, 2025

Received for information

15. UPCOMING MEETINGS

Discussion ensued regarding scheduling a Community Information Meeting to review short-term vacation rental Bylaws No. 176 and 177 and it was noted the Local Trust Committee will receive a staff report detailing relevant information that was requested at the last meeting during their September meeting and prior to the Community Information Meeting.

HO-2025-034

It was MOVED and SECONDED

that the Hornby Island Local Trust Committee request staff schedule an in-person Community Information Meeting regarding proposed Bylaws No. 176 and 177 Short Term Vacation Rentals in early October, 2025 to begin in the late afternoon.

CARRIED

15.1 Next Regular Meeting Scheduled for Friday, September 5, 2025 at 11:30 am at Hornby Island Community Hall, 4305 Central Road, Hornby Island, BC

16. ADJOURNMENT

By general consent, the meeting was adjourned at 2:00 p.m.

Tim Peterson, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder



Hornby Island Local Trust Committee

Minutes of Special Meeting

Date: August 21, 2025
Location: Electronic Meeting

Members Present: Timothy Peterson, Chair
 Alex Allen, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
 Marlis McCargar, Island Planner
 Narissa Chadwick, Island Planner
 Katherine Vogt, Recorder
 Emily Bryant, Meeting Administrator

Others Present: David Maude, Denman Island Local Trust Committee Chair
 David Graham, Denman Island Local Trust Trustee
 Sam Borthwick, Denman Island Local Trust Trustee

There were no members of the public in attendance.

1. CALL TO ORDER

Chair Peterson called the meeting to order at 3:00 p.m. He explained that the special joint meeting of the Hornby and Denman Local Trust Committees was to address K'ómoks First Nations desire for cooperation with local governments regarding protection of agricultural and cultural heritage resources; shorelines and watercourses; and ecosystems and biodiversity on Denman and Hornby islands.

2. TERRITORIAL ACKNOWLEDGEMENT

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

3. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

4. BUSINESS ITEMS

4.1 Joint Local Trust Committee Meeting to discuss housing and K'omoks First Nation Engagement Summary – Memorandum

The Planner explained that the meeting was to explore commonalities between Denman and Hornby Islands regarding housing crisis options, and for trustees to discuss the attached draft “Hornby Island and K’ómoks First Nation Engagement Summary” dated March 2025, in preparation for the upcoming October meeting with K’ómoks First Nation (KFN). She noted that KFN is interested to see if the Denman and Hornby Local Trust Committees are open to land use planning collaboration regarding reconciliation and cultural heritage protection; so that solutions have consistency across the geography, rather than a piecemeal approach for each political boundary.

The Planner presented a series of slides on Heritage Conservation Areas (HCAs), noting the following:

- Heritage Conservation Area (HCA) designation is a special zoning tool to protect Indigenous and settler heritage, and may include landscapes, buildings, trails, and shorelines. A KFN proposal to have a 200-meter low impact development buffer around the shoreline has been discussed on Denman Island; but not yet introduced on Hornby Island.
 - The Planner added that HCA areas would need to be identified and included in the Official Community Plan (OCP), and guidelines would need to be drafted regarding how development could proceed in these areas. HCA’s act like a development permit area; but are a unique tool that has not yet been used in British Columbia. Currently, if an area is not a recorded archaeological site, there is no means to protect it. For the First Nations, it is not just recorded Archaeological sites that are important, but also cultural heritage sites in between. It is a possibility for an HCA guideline to apply to both islands, with some adjustments.
 - The Planner added that an HCA provides First Nations with certainty that development guidelines will be followed.
 - The Planner added that an HCA designated property would require a Heritage Alteration Permit for activities such as excavation work, removal of vegetation, blasting, and septic field installation.
- Key areas of interest to KFN are acknowledgement and history of territory, recognition of other First Nations in the area, cooperation with local governments for protection of archaeological and cultural heritage sites, and prioritizing the protection of watercourses and shoreline areas, ecosystems, and biodiversity.
- An HCA also functions as an effective education tool for property owners who may be caught off guard if they find archaeological artifacts on their properties, though they are currently legally obliged to report these finds.
 - The chair asked how an HCA permit aligns with the current K’ómoks First Nation Cultural Heritage Investigation Permit (CHIP).
 - The Planner responded that an enforceable HCA could possibly eliminate the KFN’s need for the difficult to enforce CHIP process and could alleviate the volume of CHIP applications they receive.

The Planner emphasized that multiple First Nations have expressed that the 200-metre boundary area from freshwater courses and the natural boundary of the sea

contains the most significant numbers of archaeological artifacts and cultural heritage sites. These areas also coincide with high numbers of settler heritage sites and alterations. An HCA covering the entirety of the 200-metre boundary could ensure high quality low impact development in this zone, or the HCA could be island wide, or it could apply to individual properties.

- A trustee expressed some support for including the entirety of Denman in an HCA, to prevent social divisions and inequities, and over-bureaucratization.
 - A planner responded that a disadvantage of applying the HCA island-wide was to not have clear areas of exclusion for higher density housing.
- A trustee remarked that considering sea level rise possibilities, that 200 metres seems not to be enough.
- A trustee commented that the 200-metre buffer is an averaging dimension that doesn't include exceptions.
- The Planner noted that because over 90% of archaeological materials are within the 200-metre boundary; and that because First Nations do not want to publicly share their precise data on archaeological sites, that the 200-metre boundary is their preferred approach to archaeological protection.
- The Planner added that First Nations are also interested in how HCAs could contribute to the preservation and restoration of local ecosystems and landscapes.
 - A trustee asked if an HCA could control clearcuts on private land.
 - The planner responded that yes, an HCA could protect Coastal Douglas Fir and Gary Oak ecosystems if clearly articulated in the Official Community Plan such as maximum square footage allowed to be cut or certain tree sizes must be protected, while still allowing development.
 - The planner added that a Development Variance Permit does not apply to provincial or federal land, whereas an HCA would apply.
- A trustee noted the large amount of culturally modified trees encountered in the woods far outside of the 200-metre boundary.
- A trustee asked how the Agricultural Land Reserve would be affected by an HCA permit?
 - The planner responded that this has yet to be explored.

The Planner presented slides and information on the two years long Denman Housing Project, noting the following:

- Work has been done on mapping, watershed resilience, and suitable land analysis.
- Discussions with the public are now occurring regarding suitable areas for higher housing densities; and the 200-meter boundary possibility was introduced to the public at a recent event in the context of it being an excluded area for increased density.
- There is an upcoming community engagement session in September or October for public discussion on suitable areas and options for higher densities, including limiting subdivisions and rezoning to Special Needs, Affordable, and Attainable categories.

- Revision of First Nations history in the OCP is being done alongside the housing project.

Trustee Graham added that other ideas being discussed on Denman were that of limiting the percentage of lot coverage development; and of applying a maximum residential square footage.

Chair Peterson suggested that trustees could address the discussion options contained in the planner's memorandum. The following comments were noted:

- A trustee suggested that all recommendations were worth exploring.
- A trustee expressed hesitancy about doing housing together due to island differences, even though both islands and everywhere is suffering from a housing crisis.
- The chair suggested that the Hornby Local Trust Committee (LTC) would need to review Denman's housing project before being able to determine possible areas of collaboration.
- A trustee asked staff how Denman and Hornby's housing aligned.
 - A planner responded that the housing deficiency of rental and alternative tenures was similar on both islands; and both islands share a preponderance of single-family dwellings. Solutions are likely similar, but implementation may be different.
- A trustee noted that land sharing is a commonality between Denman and Hornby, that could be further explored; and that both islands are siting and use permit areas rather than building permit areas.
- A trustee noted that on Hornby, the LTC had already determined that every development application be referred to KFN; and, in a September 2024 report in the journal *Frontiers in Environmental Archaeology* titled "Indigenous cultural heritage policies as a pathway for Indigenous sovereignty and the role of local governments: an example with K'ómoks First Nation, British Columbia" it highlights the Islands Trust as a proactive local government working to protect Indigenous archaeological heritage.
- A trustee asked if staff could report back on the housing approaches of both islands.
 - A planner responded that a summary of key Denman housing approaches could be provided to Hornby's housing project.
- The chair expressed that while it may be too soon to collaborate on housing, some joint advocacy and action could be accomplished on the HCA.
- A trustee suggested a succinct preamble for the Denman OCP.
 - A planner noted the depth of the Denman preamble which was now in the archives online.
- A trustee asked about discussion with KFN on place names and signage.
 - A planner responded that place names and signage had not come up as a priority for KFN.
- The chair expressed that an island wide HCA had the advantage of treating all property owners equally; and that it better addresses preserve and protect mandates, and KFN concerns.

HO-2025-035

It was Moved and Seconded,

that the Hornby Island Local Trust Committee direct staff to prepare a report on possible options for advancing collaboration with the Denman Island Local Trust Committee and K'ómoks First Nations on the following topics: working group, timelines, project charter amendments, and budget requests.

CARRIED

Planner Zupanec left the meeting at 4:44 pm.

The Planner affirmed to a trustee that an HCA could be stratified into an HCA Zone #1 applied to the 200-metre buffer and an HCA Zone#2 to cover the rest of the island; and affirmed for the chair that staff would be researching how HCAs would affect lands in the Agricultural Land Reserve.

Trustee Graham offered that the Hornby Island LTC would soon be receiving a referral from the Denman Island LTC once First Reading was given to the new Denman draft housing bylaws; and expressed that any Hornby comments would be welcome.

Trustees discussed the possibility of using a committee of the whole or Regional Planning Team model for having ongoing discussion enclaves of regional areas within the Trust area; the possibility for including into the Trust Council meetings some regional conversation time; and the possibility for a northern forum like the Southern Gulf Islands Forum.

4.2 K'ómoks First Nation Meeting October 9, 2025 - verbal discussion

The Planner had previously noted that the upcoming K'ómoks First Nation Chief and Council meeting with both Denman and Hornby Local Trust Committees will likely be in person, but will report back to trustees for confirmation.

Trustees discussed bringing a gift of food to the meeting and requested staff explore possibilities for an appropriate gift.

The chair requested that the upcoming staff report based on today's motion HO-2025-035 be shared with the Denman Island Local Trust Committee.

5. ADJOURNMENT

By general consent the meeting was adjourned at 5:13p.m.

Tim Peterson, Chair

Certified Correct:

Katherine Vogt, Recorder

DRAFT



Resolutions Without Meetings Log

Hornby Island

Resolution Number	Action	Date
2025-001	Carried	28-Jul-2025
write a letter of support for funding two small maintenance projects at the Hornby Island Community Hall through t that the Hornby Island Local Trust Committee, in response to Hornby Island Ratepayers' and Resident's Association's request, write a letter of support for funding two small maintenance projects at the Hornby Island Community Hall through the Heritage Legacy Fund.		

Follow Up Action Report

Hornby Island

13-Sep-2024

Progress	Activity	Responsibility	Dates	Status
0%	1 Staff to prepare briefing on farm stand regulations using other LTC bylaw examples. On hold until OCP/LUB project completed.	Ian Cox		In Progress

04-Jul-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 Hornby Island Local Trust Committee denied application PL-TUP-2025-0114. Advise applicant of reasons (see minutes).	Marlis McCargar Nadine Mourao		In Progress
100%	2 Hornby Island Local Trust Committee request staff schedule an in-person Community Information Meeting regarding proposed Bylaws No. 176 and 177 Short Term Vacation Rentals in early October, 2025 to begin in the late afternoon.	Lisa Millard Nadine Mourao Sonja Zupanec		Completed
0%	3 LTC resolution to defer comment on DE BL 255 until K'omoks FN has provided a response.			In Progress
0%	4 that the Hornby Island Local Trust Committee rescind standing resolutions HO-2020-013 & HO-2023-46.	Nadine Mourao		In Progress

Follow Up Action Report

Hornby Island

21-Aug-2025

Progress	Activity	Responsibility	Dates	Status
0%	1 that the Hornby Island Local Trust Committee direct staff to prepare a report on possible options for advancing collaboration with the Denman Island Local Trust Committee and K'o'moks First Nations on the following topics: working group, timelines, project charter amendments, and budget requests.			In Progress
0%	2 Report back to HO and DE LTC on whether K'omoks meeting is in person or online; whether opportunity for shared meal or gift can be finalized.	Renee Jamurat		In Progress



BRIEFING

To: Local Trust Committees and Islands Trust Conservancy **For the Meeting of:** Varies

From: Trust Area Services **Date Prepared:** August 15, 2025

SUBJECT: Bylaw Referral – Policy Statement Bylaw No. 183

PURPOSE: The purpose of this briefing is to update local trust committees (LTCs) and Islands Trust Conservancy that Trust Council expects to receive referral responses from LTCs and Islands Trust Conservancy no later than February 6, 2026, not October 10, 2025 as stated in the original referral package sent out on August 7, 2025.

BACKGROUND: The original bylaw referral package sent to LTCs and Islands Trust Conservancy in August stated that referral responses must be received by October 10, 2025. However, this date did not take into account that the local engagement events requested by LTCs are spread out between September and late November, and so some LTCs may not want to respond to the referral until those events have been held.

It is appreciated by staff if LTCs could submit their referral response as soon as practicable following local engagement events.

ATTACHMENT(S): None

FOLLOW-UP: TAS staff will follow up with individual LTCs and Islands Trust Conservancy as needed.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/August 20, 2025

DATE OF MEETING: September 5, 2025

TO: Hornby Island Local Trust Committee

FROM: Nadine Mourao, Legislative Clerk/Deputy Secretary

SUBJECT: Referral: Proposed Trust Council Bylaw No. 183 Policy Statement

File No.: TC BL 183
Policy Statement

PURPOSE

The Islands Trust Council has referred proposed Bylaw No. 183 (cited as "Islands Trust Policy Statement Bylaw, 2025") to the Hornby Island Local Trust Committee.

BACKGROUND

Islands Trust [Policy 4.1.9](#) Inter-Local Trust Committee Community Planning Bylaw Referral delineates how a local trust committee will implement a local trust committee referral process for community planning bylaws affecting another local trust committee or island municipality.

Your response to this referral will help to ensure that the Policy Statement advances the mandate of the Islands Trust, in cooperation with the Province, other agencies and Indigenous Governing Bodies. The Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs and Housing if it is to be used by Islands Trust Executive Committee and Trust Council to evaluate and approve bylaws submitted by local trust committees and island municipalities.

The proposed new Policy Statement contains policies that may affect your agency's interests. We would encourage you to review the Islands 2050 project webpage for additional information about the Policy Statement Amendment Project, including an FAQ.

For more information on the Islands 2050 Policy Statement Amendment Project, including the draft Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

- 1. If the LTC considers their interests unaffected by the bylaw:**
That the Hornby Island Local Trust Committee respond to the Islands Trust Council that interests are unaffected by Bylaw No. 183.
- 2. If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the Hornby Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 proceed for the following reasons:
 - *[list reasons] ...*
- 3. If the LTC wishes to recommend proceeding with the bylaw subject to conditions:**
That the Hornby Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 proceed, subject to the following recommendations:
 - *[list recommendations] ...*
- 4. If the LTC wishes to recommend not proceeding with the bylaw:**
That the Hornby Island Local Trust Committee recommend to the Islands Trust Council that proposed Bylaw No. 183 not proceed for the following reasons:
 - *[list reasons] ...*

MEMORANDUM

Submitted By:	Nadine Mourao, Legislative Clerk	August 13, 2025
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ATTACHMENTS

1. BYLAW REFERRAL FORM



ISLANDS TRUST POLICY STATEMENT BYLAW REFERRAL FORM

Islands Trust – Islands 2050
200 – 1627 Fort Street
Victoria, BC V8R 1H8
islands2050@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Islands Trust Area Bylaw No.: TC 183 Date: August 6, 2025

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 60 days. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

PURPOSE OF BYLAW:

The Islands Trust Act requires that Islands Trust Council adopt a Policy Statement. The current Policy Statement has not been substantively updated in over 30 years. The purpose of this bylaw is to update the Policy Statement through the lenses of reconciliation, climate change, and affordable housing.

GENERAL LOCATION:

The Islands Trust Policy Statement is a general policy that applies to all of the Islands Trust Area, including Bowen Island. For a map of the Islands Trust Area, please visit: <https://islandstrust.bc.ca/mapping-resources/mapping/>

YOUR RESPONSE IS RESPECTFULLY REQUESTED:

Your response to this referral will help to ensure that the Policy Statement advances the mandate of the Islands Trust, in cooperation with the Province, other agencies and Indigenous Governing Bodies. The Islands Trust Policy Statement requires the approval of the Minister of Municipal Affairs and Housing if it is to be used by Islands Trust Executive Committee and Trust Council to evaluate and approve bylaws submitted by local trust committees and island municipalities.

The proposed new Policy Statement contains policies that may affect your agency's interests. We would encourage you to review the [Islands 2050 project webpage](#) for additional information about the Policy Statement Amendment Project, including an FAQ. Please return the response form to islands2050@islandstrust.bc.ca

OTHER INFORMATION:

For more information on the Islands 2050 Policy Statement Amendment Project, including the draft Policy Statement: <https://islandstrust.bc.ca/programs/islands-2050/>

Please fill out the Response Summary on the back of this form. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your response and, if necessary, outline any conditions related to that response. Please note any legislation or official government policy that would affect our consideration of this Bylaw.


(Signature)

Name: David Marlor

Title: Secretary, Islands Trust

This referral has been sent to the following agencies:

Federal Agencies

Environment and Climate Change Canada
Fisheries & Oceans, Canada (Fish Protection and Aquaculture - Pacific Region)
Transport Canada
Parks Canada

Regional Agencies

Capital Regional District
Comox Valley Regional District
Cowichan Valley Regional District
Metro Vancouver Regional District
Nanaimo Regional District
qathet Regional District
Sunshine Coast Regional District

School District Boards

School District No. 45 (West Vancouver – Gambier)
School District No. 46 (Gambier)
School District No. 64 (Gulf Islands: Galiano, Mayne, North Pender, South Pender, Salt Spring, Saturna)
School District No. 68 (Gabriola/Ballenas Winchelsea)
School District No. 69 (Lasqueti/Ballenas Winchelsea)
School District No. 71 (Denman/Hornby)
School District No. 79 (Thetis)

Improvement District Boards

Gabriola Fire Protection District
Graham Lake Improvement District
Schmidt Improvement District
Galiano Estates Improvement District
Gossip Island Improvement District
Montague Improvement District
Spanish Hills Improvement District
Wise Island Improvement District
Bennett Bay Waterworks District
Campbell-Bennett Bay Improvement District
Lighthouse Point Waterworks District
Mayne Island Improvement District
Village Point Improvement District
Georgina Improvement District
Razor Point Improvement District
Trincomali Improvement District
Harbour View Improvement District
Mount Belcher Improvement District
North Salt Spring Waterworks District
Piers Island Improvement District
Salt Spring Island Fire Protection District
Scott Point Waterworks District
Saturna Shores Improvement District
Thetis Island Improvement District
Vaucroft Improvement District

Adjacent Local Trust Committees and Municipalities

Ballenas-Winchelsea Islands Local Trust Committee
Bowen Island Municipality
Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Mayne Island Local Trust Committee
North Pender Island Local Trust Committee
Salt Spring Island Local Trust Committee
Saturna Island Local Trust Committee
South Pender Island Local Trust Committee
Thetis Island Local Trust Committee
Islands Trust Conservancy Board

Provincial Agencies

Agricultural Land Commission
Attorney General (Housing Policy Branch)
BC Ferries
Ministry of Agriculture and Food
Ministry of Energy and Climate Solutions
Ministry of Energy and Climate Solutions (Climate Action Secretariat)
Ministry of Mining and Critical Minerals
Ministry of Environment and Parks
Ministry of Environment and Parks (BC Parks and Conservation Officer Service Division)
Ministry of Forests
Ministry of Water, Land and Resource Stewardship (South Coast Office, Crown Lands, Water Licensing (Watershed Stewardship & Security Branch, Ecosystems, Archaeology)
Ministry of Health
Ministry of Indigenous Relations and Reconciliation (West Coast Office; South Coast Office)
Ministry of Housing and Municipal Affairs (Governance and Structure Branch and Land Use Planning and Regional Impacts Branch)
Ministry of Transportation and Transit on Vancouver Island and South Coast (via electronic Development Approvals System)

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Islands Trust Area (Islands 2050)
(Island)

(Signature)

(Date)

TC 183
(Bylaw Number)

(Printed Name and Title)

(Agency)

ISLANDS TRUST COUNCIL

BYLAW NO. 183

A BYLAW TO ADOPT A POLICY STATEMENT FOR THE TRUST AREA

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act* S.B.C. 1996 c.239, enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as “Islands Trust Policy Statement Bylaw, 2025”.

APPLICATION

2. This Bylaw applies to the Trust Area, as defined in Schedule A of the *Islands Trust Act* S.B.C. 1996 c.239.

ORGANIZATION

3. Schedule A (Islands Trust Policy Statement) attached to and forming part of the bylaw is hereby adopted as the trust policy statement pursuant to S.15(1) of the *Islands Trust Act*.

SEVERABILITY

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

REPEAL

5. “Islands Trust Policy Statement, 1993” is hereby repealed upon adoption of this bylaw.

READINGS

READ A FIRST TIME THIS 29TH DAY OF JULY, 2025

READ A SECOND TIME THIS DAY OF ,2025

READ A THIRD TIME THIS DAY OF ,2025

APPROVED BY THE MINISTER OF HOUSING AND MUNICIPAL AFFAIRS PURSUANT TO SECTION 15(2)(c) OF THE ISLANDS TRUST ACT THIS DAY OF ,2025

RECONSIDERED AND FINALLY ADOPTED THIS DAY OF ,2025

Secretary

Chairperson



Islands Trust

Islands Trust Policy Statement

Acknowledgement

Islands Trust Council respectfully acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous Peoples since time immemorial and that their relationship to these lands and waters continues to this day. Islands Trust Council acknowledges that residential schools, forced removal, and colonial laws and restrictions on Indigenous governance and cultural practices have displaced and dispossessed Coast Salish peoples and disrupted their relationships with the islands and waters of the Salish Sea. Islands Trust Council acknowledges that a healthy environment is essential for Indigenous Peoples to be able to exercise their inherent and treaty rights. Islands Trust Council is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

The Islands Trust Area is located within Coast Salish Territory, in the treaty lands and territories of:

BOKÉĆEN (Pauquachin) First Nation

Da'naxda'xw/Awaetlala First Nation

K'ómoks (Comox) First Nation

Lhaq'temish (Lummi) Nation

MÁLEXEŁ (Malahat) First Nation

Mamalilikulla First Nation

Qualicum First Nation

Quw'utsun Nation (comprised of **Cowichan Tribes**, **Xeláltxw** (Halalt) First Nation, **Lyackson** First Nation, **Spune'luxutth'** (Penelakut Tribe) and **Stz'uminus** (Chemainus) First Nation)

scəwəθən (Tsawwassen) First Nation

səlilwətał (Tsleil-Waututh) First Nation

SEMYOME (Semiahmoo) First Nation

shíshálh (Sechelt) Nation

Skwxwú7mesh (Squamish) First Nation

Snaw-naw-as (Nanoose) First Nation

Snuneymuxw (Nanaimo) First Nation

Songhees First Nation

STÁUTW (Tsawout) First Nation

łəʔəmen (Tla'amin) First Nation

Tlowitsis Nation

Ts'uubaa-asatx (Lake Cowichan) First Nation

Wei Wai Kum (Campbell River) First Nation

We Wai Kai (Cape Mudge) First Nation

WJOLÉLP (Tsartlip) First Nation

WSIKEM (Tseycum) First Nation

Xwémalhkwu (Homalco) First Nation

Xwsepsum (Esquimalt) First Nation

xʷməθkʷəy̓əm (Musqueam) First Nation

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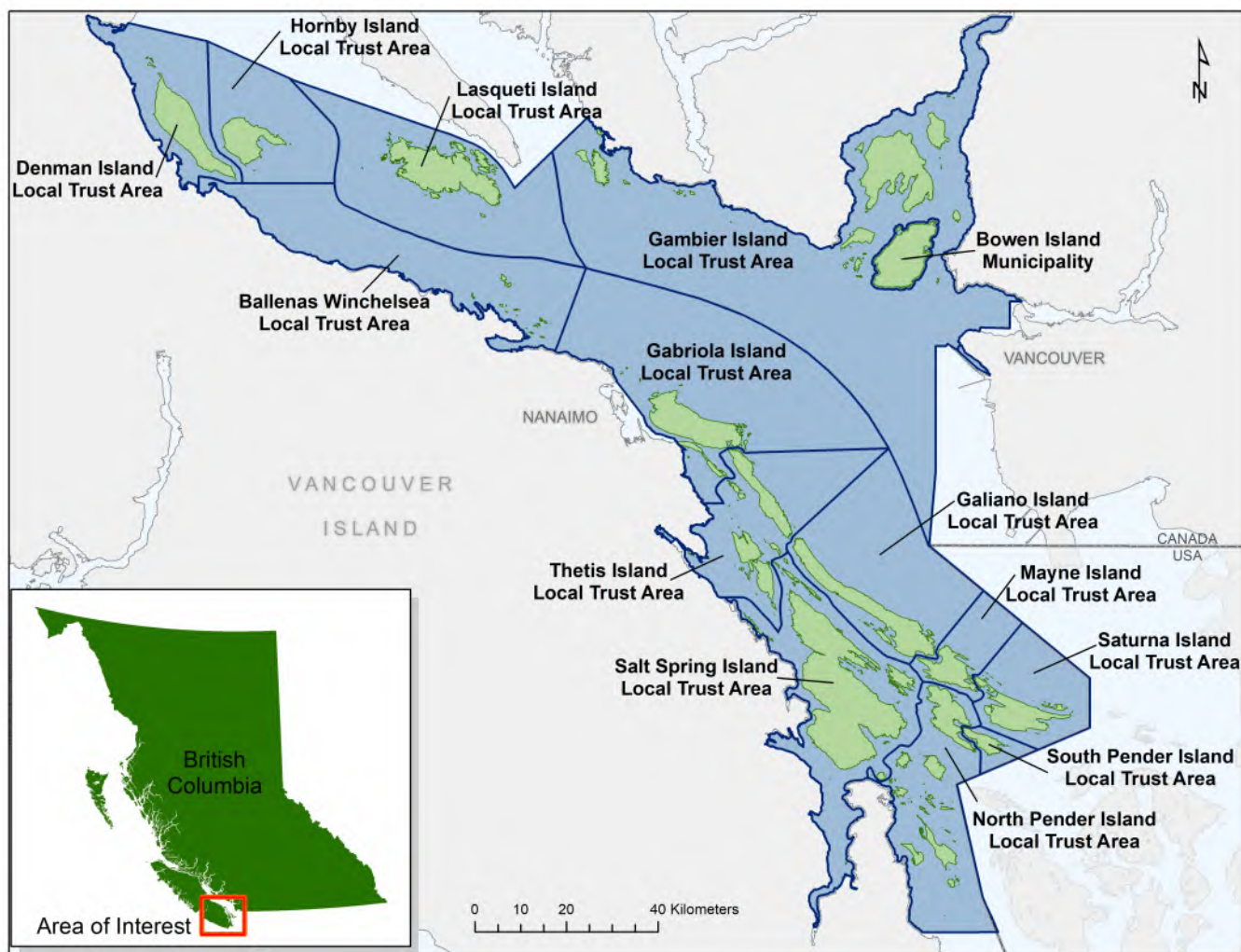
Part 1: The *Islands Trust Act*

In 1974, the Government of British Columbia established the *Islands Trust Act* to preserve and protect the Islands Trust Area and its unique amenities and environment against unrestrained growth and development. Islands Trust is a federated body responsible for the Trust Area, comprised of 13 major islands and more than 450 smaller islands and the surrounding waters in the Strait of Georgia and Howe Sound. Islands Trust regulates local land use, works with other levels of government, and, through the Islands Trust Conservancy, protects places of natural or cultural significance. This unique governmental mandate is defined in Section 3 of the *Islands Trust Act* and is commonly referred to as the “Islands Trust Object.”

1.1 — The Islands Trust Object

“**The object of the trust** is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.” (Section 3, *Islands Trust Act*)

1.2 – Map of the Islands Trust Area



1.3 – Indigenous Inherent Rights Acknowledgment

Islands Trust Council respectfully acknowledges Indigenous inherent rights as protected under section 35 of the *Constitution Act, 1982*. Islands Trust Council respectfully acknowledges Indigenous rights to self-governance and the expressed interest of Indigenous Governing Bodies in working toward co-governance of the Islands Trust Area. Islands Trust Council is committed to advancing reconciliation with Indigenous Governing Bodies through ongoing discussion and recognition of these rights.

Given the *Declaration on the Rights of Indigenous Peoples Act* and the evolving legislative landscape in British Columbia, the Policy Statement serves as a starting point for improved cooperation with Indigenous Governing Bodies. Islands Trust Council commits to an ongoing effort to co-develop planning and land use management processes with Indigenous Governing Bodies within the Islands Trust Area and acknowledges that this document does not serve as an endpoint. Islands Trust Council will be informed by the United Nations Declaration on the Rights of Indigenous Peoples as a framework for its approach to reconciliation.

1.4 – Purpose and Structure of the Policy Statement

Section 15 of the *Islands Trust Act* states that Trust Council must adopt, by bylaw, a Trust Policy Statement that applies to the Islands Trust Area as a whole. The *Islands Trust Act* specifies that the Policy Statement must be a general statement of the policies of Trust Council to carry out the Islands Trust Object, that it may establish different policies for different parts of the Islands Trust Area, and that it must be approved by the provincial Minister responsible for Islands Trust prior to adoption.

Islands Trust Council is responsible for establishing and amending the Policy Statement, which in turn guides the development of more specific official community plans and regulatory bylaws by local trust committees and island municipalities across the region. The *Act* stipulates that official community plans and bylaws required to be submitted to Executive Committee or Trust Council under the *Act* must not be approved if they are contrary to or at variance with the Policy Statement. This ensures that the Islands Trust Object is at the core of all planning and land use management decision-making in the Islands Trust Area.

The Policy Statement represents Trust Council’s vision for the preservation and protection of the Islands Trust Area and its unique amenities and environment. It aspires to reflect the values and interests of island communities, Indigenous Governing Bodies and Indigenous Peoples, partner agencies, and all British Columbians, as well as the silent voices of island ecosystems, species at risk, and future generations.

Three Types of Policies in the Policy Statement:

Guiding Principles

(Part 2 of the Policy Statement) establish general commitments of Trust Council that centre the Islands Trust Object in all daily decision-making across the Islands Trust Area by Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities.

Directive Policies

(Part 3 of the Policy Statement) are integral to carrying out the Islands Trust Object. They are policies with which official community plans and regulatory bylaws of a local trust committee or island municipality should be consistent to avoid rejection or objection when presented by the local trust committee or island municipality for consideration or approval by Executive Committee or Trust Council. They are also policies that should be directly addressed, where possible, in all official community plans and bylaws of a local trust committee or island municipality.

Advisory Policies

(also in Part 3 of the Policy Statement) are policies expressing select objectives of Trust Council, that local trust committees and island municipalities are advised to consider in the development of official community plans, bylaws, and in discretionary land use decisions. Advisory policies are not intended to constitute a basis for Executive Committee or Trust Council review of local trust committee or island municipality bylaws, or for potential rejection of such bylaws.

Part 2: Guiding Principles

2.1 – General Guiding Principles

In its efforts to carry out the Islands Trust Object, Islands Trust Council commits to the following set of shared principles to guide daily planning and decision making by Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities:

Trust Council's Guiding Principles	
2.1.1	Acknowledge and Respect Indigenous Rights To grow understanding of the history and legacy of colonialism in the Islands Trust Area, to acknowledge and respect the rights of Indigenous Peoples, and to work together with Indigenous Governing Bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species.
2.1.2	Prioritize Environmental and Indigenous Cultural Heritage Protection To place priority on preserving, protecting and restoring the environment, and preserving, protecting, and supporting restoration of Indigenous cultural heritage in all decision making.
2.1.3	Limit the Rate and Scale of Development To define and maintain appropriate limits for the rate and scale of development in order to preserve and protect the Trust Area and its unique amenities and environment.
2.1.4	Foster Sustainable, Inclusive, and Resilient Communities To support planning and land use management decisions that foster sustainable, inclusive, and resilient communities, acknowledging the interdependencies between healthy communities and healthy ecosystems.
2.1.5	Take Guidance from the Precautionary Principle To be guided by the precautionary principle in all decision making to safeguard the environment and cultural heritage where there is uncertainty over the potential for serious or irreversible damage from development.
2.1.6	Account for Cumulative Effects To strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, culturally sensitive areas and cultural heritage sites, and species and their habitats.
2.1.7	Foster Informed and Balanced Decision Making To be informed by a broad range of sources in its decision-making processes, including Indigenous Knowledge, institutional knowledge, local community knowledge, and science.

2.2 – Reconciliation Principles

Islands Trust Council has declared its commitment to reconciliation with Indigenous Peoples of the Islands Trust Area, with the understanding that this commitment is a long-term relationship-building process and is a commitment to be informed by these reconciliation principles to the extent that they engage the object of the trust.

Trust Council's Reconciliation Principles	
2.2.1	Guidance from <u>Truth and Reconciliation Commission</u> Be informed by the 10 principles established by the Truth and Reconciliation Commission of Canada (TRC).
2.2.2	Guidance from <u>United Nations Declaration on the Rights of Indigenous Peoples</u> Be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
2.2.3	Guidance from <u>Missing and Murdered Indigenous Women and Girls Calls for Justice</u> Be informed by the Principles for Change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls.
2.2.4	Guidance from <u>Indigenous Governing Bodies</u> Be informed by guidance from Indigenous Governing Bodies and Indigenous Knowledge Holders.

2.3 – Cooperation Principles

While Trust Council must provide the necessary leadership to carry out the Islands Trust Object, its mandate requires cooperation with partners who each have unique roles to play in preserving and protecting the region. Trust Council commits to be guided by the following principles in its cooperation efforts to advance the Islands Trust Object:

Trust Council's Cooperation Principles	
2.3.1	Collaborate with the Islands Trust Conservancy Board To collaborate closely with, and be informed by, the Islands Trust Conservancy Board, particularly in the areas of science-based conservation planning, ecosystem mapping, identification of core conservation areas and protected area networks, and protection of species and ecosystems at risk.
2.3.2	Collaborate with Island Municipalities To collaborate with island municipalities, particularly in the areas of conservation planning, communications and engagement, the Policy Statement, and other areas supporting the Islands Trust Object.
2.3.3	Work Towards Collaborative Governance with Indigenous Governing Bodies Develop strong relationships with Indigenous Governing Bodies and work toward building foundations for collaborative governance with Indigenous Governing Bodies, including through the development of shared decision-making agreements under the <i>Declaration on the Rights of Indigenous Peoples Act</i> .
2.3.4	Work Towards Strategic Inter-Agency Coordination To work towards establishing effective inter-agency coordination mechanisms with different levels of government, academic institutions and organizations who have important roles to play in supporting the Islands Trust Object.
2.3.5	Work Towards Accessible and Inclusive Public Communications and Engagement To work towards accessible and inclusive public communications and engagement strategies that engage a wide range of residents, communities, local organizations, and British Columbians.
2.3.6	Provide Public Education Opportunities To provide education opportunities to residents, communities, local organizations, and visitors, highlighting tangible ways they can contribute to preserving and protecting the Trust Area and its unique amenities and environment, while respecting the confidentiality interests of Indigenous Knowledge Holders and Indigenous Governing Bodies.

Part 3: Goals and Policies

Goal 1: Advance Reconciliation

Islands Trust Council is committed to reconciliation and to long-term relationship building with Indigenous Governing Bodies and Indigenous Peoples across the region. The policies in this section aim to acknowledge the history, legacy and continuing relationships of Indigenous Peoples to the area since time immemorial, to recognize and respect the interests of Indigenous Governing Bodies regarding planning and land use management decisions that impact their territories, and to build foundations for collaborative governance and shared decision making.

Directive Policies – Reconciliation

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.1.1 Engage with Indigenous Governing Bodies

Engage with Indigenous Governing Bodies and provide a record of the engagement at time of bylaw submission.

Advisory Policies – Reconciliation

Local trust committees and island municipalities should...

3.1.2 Engage with Indigenous Governing Bodies

Engage with Indigenous Governing Bodies on discretionary planning and land use management decisions.

3.1.3 Land Back

Through engagement with Indigenous Governing Bodies, support opportunities to direct land to Indigenous Governing Bodies, including, but not limited to, as amenity contributions in applications seeking additional development potential.

3.1.4 Information Sharing

Support and develop methods for regular and timely sharing of information with Indigenous Governing Bodies.

3.1.5 Respect Indigenous Protocols for Information and Data Provided

Respect Indigenous Governing Bodies' and Indigenous Knowledge Holders' protocols about how their data and information should be collected, protected, used and shared.

Goal 2: Preserve and Protect Indigenous Cultural Heritage and Culturally Significant Areas, Sites, and Species

Islands Trust Council recognizes Indigenous cultural heritage as a unique amenity in the Islands Trust Area that must be preserved, protected, and where possible, restored. The Islands Trust Area is home to many culturally significant areas, sites and species, including places that are the resting places of ancestors, which are of importance to present and future generations of Indigenous Peoples. This section lays out general types of Indigenous cultural heritage and culturally significant areas, sites, and species that should be identified and protected in each local planning area; this should be guided by Indigenous Peoples, Indigenous Governing Bodies and Indigenous Knowledge Holders and undertaken in a culturally sensitive manner that respects confidentiality protocols around the sharing of Indigenous Knowledge.

Directive Policies — Indigenous Cultural Heritage & Culturally Significant Areas, Sites and Species

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.2.1	Indigenous Cultural Heritage Sites Minimize potential adverse impacts to Indigenous cultural heritage sites including, but not limited to, identified village sites, burial sites, camp sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, pictographs, and registered, unregistered, or newly-discovered archaeological sites.
3.2.2	Indigenous Marine Harvesting Areas Minimize potential adverse impacts to marine harvesting areas used by Indigenous Peoples, including, but not limited to, fish weirs and clam gardens.
3.2.3	Indigenous Harvesting and Hunting Areas Minimize potential adverse impacts to land-based harvesting and hunting areas used by Indigenous Peoples.

Advisory Policies – Indigenous Cultural Heritage & Culturally Significant Areas, Sites and Species

Local trust committees and island municipalities should...

3.2.4	Indigenous Cultural Heritage Sites Through engagement with Indigenous Governing Bodies, identify and prioritize protection of Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, camp sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, and pictographs, and registered, unregistered, or newly discovered archaeological sites.
3.2.5	Indigenous Harvesting Areas Through engagement with Indigenous Governing Bodies, identify and prioritize protection of Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines.
3.2.6	Indigenous Harvesting and Hunting Area Access Through engagement with Indigenous Governing Bodies, identify and pursue opportunities to improve access by Indigenous Peoples to marine and land-based harvesting and hunting areas.
3.2.7	Other Culturally Significant Areas for Indigenous Peoples Through engagement with Indigenous Governing Bodies, identify and prioritize protection of areas of importance for Indigenous cultural and spiritual practices.
3.2.8	Culturally Significant Species and Medicinal Plants Through engagement with Indigenous Governing Bodies, identify, prioritize protection, and support restoration of culturally significant species and medicinal plants and ochre.
3.2.9	Cultural Monitors Through engagement with Indigenous Governing Bodies, support opportunities for cultural monitors to be present for ground-disturbing activities.

Goal 3: Preserve and Protect Healthy and Biodiverse Ecosystems

Islands Trust Council acknowledges that preserving and protecting the ecological integrity of the Islands Trust Area is essential to the Islands Trust Object and to supporting community well-being across the region. The policies in this section aim to identify and protect key ecosystem types and characteristics that safeguard biodiversity and promote resilience to climate change.

Directive Policies – Ecosystem Integrity

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.3.1	Protected Area Networks Identify, establish, and sustain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area.
3.3.2	Sensitive Ecosystems Identify and prioritize the preservation, protection, and restoration of sensitive ecosystems in the Islands Trust Area, classified as the following ecosystem types: cliff; freshwater; herbaceous; old and mature forest; riparian; wetland; and woodland.
3.3.3	Forest Ecosystems Identify forest ecosystems and prioritize the preservation, protection, and restoration of unfragmented forests, with a particular focus on the maintenance and restoration of their ecological integrity.
3.3.4	Coastal Oak and Prairie Ecosystems Identify and prioritize the preservation and protection of coastal oak and prairie ecosystems, with a particular focus on the maintenance, restoration and management of their ecological integrity.
3.3.5	Watershed Ecosystems Identify and prioritize the preservation, protection, and restoration of watershed ecosystems, freshwater sources, and groundwater recharge areas.
3.3.6	Marine Shorelines and Nearshore Areas Identify and prioritize the preservation, protection, and restoration of eelgrass meadows, kelp forests, forage fish spawning areas, clam beds, estuaries, tidal salt marshes, mud flats, and coastal wetlands.
3.3.7	Critical Habitat for Species at Risk Identify and prioritize the preservation, protection, and restoration of critical habitat for species at risk.
3.3.8	Islets and Small Islands Identify and prioritize the preservation, protection, and restoration of islets and small islands.
3.3.9	Light Pollution Minimize light pollution through the application of dark sky principles.

Advisory Policies – Ecosystem Integrity

Local trust committees and island municipalities should...

3.3.10	Indigenous Ecosystem Management Through engagement with Indigenous Governing Bodies, support opportunities for Indigenous-led ecosystem management.
3.3.11	Indigenous Protected and Conserved Areas Support Indigenous Governing Bodies in the establishment of Indigenous Protected and Conserved Areas.

Goal 4: Foster Sustainable, Inclusive, and Resilient Communities

Islands Trust Council recognizes that the Islands Trust Object is for the benefit of residents of the Islands Trust Area and all British Columbians, who in turn have a role in preserving and protecting this region. The policies in this section support the preservation and protection of unique island character and aim to foster sustainable, inclusive, rural, and resilient island communities.

Directive Policies – Managing Growth and Development

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.1	Sustainable Development Consider site capabilities, environmental and protected areas, and existing development patterns when determining the land use designation and appropriate locations and intensities of various uses of the land.
3.4.2	Growth Management Manage community growth and its associated impacts by directing residential, commercial and industrial development into suitable locations, to prevent sprawl, minimize fragmentation of forest lands, and avoid adverse impacts to Indigenous cultural heritage, harvesting and hunting areas.
3.4.3	Impacts of Development Consider the aesthetic, environmental, and social impacts of development.
3.4.4	Community Facilities and Services Ensure that each community's, and local Indigenous communities', current and projected long-term needs for educational, institutional, community, health, cultural, recreational facilities and services, and outdoor recreation are considered and planned for.
3.4.5	Climate Change Mitigation and Adaptation Implement planning and land use management strategies, and consider nature-based solutions, to minimize greenhouse gas emissions, and adapt to climate change-related vulnerabilities.
3.4.6	Hazardous Areas Identify areas at elevated risk of natural and climate change-related hazards and restrict development within these areas including, but not limited to, areas subject to flooding, sea-level rise, erosion, slope instability and wildfire.
3.4.7	Economic Activities Support sustainable economic activities that are compatible with the preservation and protection of the Trust Area and its unique amenities, environment, community well-being, and that consider transportation and infrastructure capacity.
3.4.8	Community Heritage Sites Identify, preserve, protect, and support the restoration of community heritage sites.

Advisory Policies – Managing Growth and Development

Local trust committees and island municipalities should...

3.4.9	Existing Development Potential Identify land where current zoning or other land use regulations allow development that could be inconsistent with the object of the trust, and consider policy and/or regulatory options to reduce development potential or minimize the impacts of future development.
3.4.10	Economic Development Opportunities for Indigenous Communities Through engagement with Indigenous Governing Bodies, support economic development opportunities for Indigenous communities.

Directive Policies – Housing

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.11	Suitable Locations for Additional Housing Identify suitable locations that could support increased density for the development of safe, secure, diverse, and attainable housing.
3.4.12	Housing Diversity Support a range of housing types and tenures to help meet the identified housing needs of the island community and local Indigenous communities.
3.4.13	Clustered Small Dwelling Units Support alternatives to conventional single-detached dwellings by establishing policies to permit clusters of small dwelling units in suitable areas.
3.4.14	Floor Area and Lot Coverage Limits Set floor area and lot coverage limits for residential development to minimize negative environmental impacts, including on land used for agricultural purposes.
3.4.15	Affordable and Special Needs Housing Prioritize the processing of rezoning applications from non-profit housing providers and public agencies, and the processing of housing agreement bylaws for affordable and special needs housing.
3.4.16	Short-Term Rentals Identify and assess the impacts of short-term rental of dwellings on the availability of safe, secure and affordable housing and, where necessary, regulate and limit the number of short-term rentals accordingly.

Advisory Policies – Housing

Local trust committees and island municipalities should...

3.4.17	Housing for Indigenous People Through engagement with Indigenous Governing Bodies, support housing opportunities for Indigenous people in the Islands Trust Area.
3.4.18	Multi-Unit Residential Implement land use regulations for affordable and special needs housing and other multi-unit residential development that permit a range of potential site configurations, and control form and character through development permit areas.
3.4.19	Natural Building Materials and Techniques Encourage construction of buildings and structures using local natural building materials and techniques, and minimize barriers to their use.

Directive Policies – Transportation

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.20	Public and Active Transportation Networks Identify and establish appropriately-situated, safe, comfortable, and equitable transportation networks that reduce dependency on private automobile use, encourage zero emission modes of transportation, and support increased use of trail systems, public transportation, and active transportation.
3.4.21	Rural Roadways Identify and protect rural roadways, including scenic and/or heritage roads.

Advisory Policies – Transportation

Local trust committees and island municipalities should...

3.4.22	Road Systems Ensure that road location, design, construction, and road systems are compatible with the preservation and protection of the Trust Area and its unique amenities and environment.
3.4.23	Transportation Network Vulnerabilities Cooperate with relevant agencies to identify parts of the local transportation network at risk of damage or deterioration and participate in planning to address mitigation or infrastructure relocation where necessary.

Directive Policies – Waste, Emissions and Pollutants

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.24	Pollutants to Air, Land and Water Regulate land use and development to reduce detrimental pollutants to air, land and water.
3.4.25	Disposal of Waste Where required, identify appropriate locations for waste transfer stations for the removal of waste from the Islands Trust Area.
3.4.26	Wastewater Disposal Systems Establish requirements for the location and siting of new wastewater disposal systems to mitigate adverse impacts on the Trust Area and its unique amenities and environment, with a focus on Indigenous Peoples' cultural heritage sites and marine harvesting areas.

Directive Policies – Recreation

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.4.27	Preservation of Natural Heritage Identify, preserve, protect, and support the restoration of natural heritage sites.
3.4.28	Location and Types of Recreational Facilities Identify appropriate locations for, types of, and access to, facilities for low-impact and active recreational activities, and discourage activities that may adversely impact the preservation and protection of the Trust Area and its unique amenities and environment.
3.4.29	Access to Community Marinas, Boat Launches, and Docks Identify and support safe public access and routes to community marinas, boat launches, and docks.
3.4.30	Access to Anchorages Identify appropriate and safe small-craft anchorage public-access locations.
3.4.31	Trail Systems Identify appropriate locations for, types of, and safe public access to public pedestrian, equestrian and bicycle trail systems to support active recreation that is compatible with preservation and protection of the Trust Area and its unique amenities and environment.
3.4.32	Public Shoreline Access Identify new, protect existing, and support the acquisition and protection of, safe public access to marine shorelines and along marine shorelines that are appropriate for low-impact, public recreational use and do not adversely impact the Trust Area and its unique amenities and environment, including Indigenous Peoples' identified cultural heritage sites and marine harvesting areas.
3.4.33	Public Access to Public/Crown Land Identify and support the acquisition and protection of public access and routes to publicly-owned lands.
3.4.34	Destination Gaming Facilities Prohibit destination gaming facilities such as casinos and commercial bingo halls.

Goal 5: Foster Sustainable Stewardship of Lands and Waters

Islands Trust Council recognizes that sustainable use of lands and waters in the Islands Trust Area is important to the long-term well-being and resilience of ecosystems in the Islands Trust Area and the communities that depend on them. This section lays out policies for sustainable land and water use that support the long-term health of ecosystems and sustainability of freshwater.

Directive Policies – Freshwater

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.1	Freshwater Sustainability Ensure that neither the density, nor intensity, of land use is increased in watersheds where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable.
3.5.2	Freshwater Demand and Supply Projections Ensure that existing, anticipated, and seasonal water demand and water availability are considered.
3.5.3	Freshwater Self-Sufficiency Ensure that islands are self-sufficient in their supply of freshwater.
3.5.4	Saltwater Intrusion Identify areas at elevated risk of saltwater intrusion and restrict development serviced by groundwater within these areas.

Advisory Policies – Freshwater

Local trust committees and island municipalities should...

3.5.5	Freshwater Quality Ensure that freshwater quality is maintained or remediated.
3.5.6	Freshwater Uses Strive to ensure that water quality in lakes, streams and wetlands is maintained, and that freshwater use is not to the detriment of other uses of the waterway such as fish and amphibian habitat uses, Indigenous cultural and spiritual uses, and aesthetic and recreational uses.
3.5.7	Freshwater Storage Encourage freshwater storage in groundwater regions where the quality or quantity of groundwater is likely to be inadequate or unsustainable.

Directive Policies – Forest Lands

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.8	Forest Lands for Sustainable Management Maintain large land holdings and parcel sizes to support sustainable forest management practices that are compatible with preservation and protection of the Trust Area and its unique amenities and environment.
3.5.9	Forest Lands and Road Systems Consider siting of roads and utility corridors to minimize the fragmentation of forest lands.
3.5.10	Forest Lands and Wildfire Risk Management Identify planning and land use management strategies that mitigate wildfire risk and that are appropriate to the unique biogeoclimatic zones and settlement patterns of each local planning area.

Directive Policies – Agricultural Lands

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.11	Protection of Agricultural Lands Identify and protect agricultural lands within the Agricultural Land Reserve for current and future use consistent with the <i>Agricultural Land Commission Act</i> and its regulations, while considering down-stream impacts, wildlife habitat, and adjacent properties.
3.5.12	Agriculture and Adjacent Properties Minimize any adverse impacts of land uses from properties adjacent to agricultural lands.
3.5.13	Agriculture and Road Systems Consider siting of roads and utility corridors to minimize fragmentation of agricultural lands.
3.5.14	Economic Viability of Farms Consider land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land or adversely impacting the Trust Area and its unique amenities and environment.

Advisory Policies – Agricultural Lands

Local trust committees and island municipalities should...

3.5.15	Sustainable Agriculture Preserve, protect, and encourage sustainable farming and the sustainability of farming.
3.5.16	Food Security and Food Sovereignty Support initiatives that advance food security and Indigenous food sovereignty.

Directive Policies – Soil and Fill

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.17	Soil Removal and Deposit Foster the preservation, protection, and restoration of soils in the Islands Trust Area.
3.5.18	Soil and Fill from Middens and Foreshore Areas of Cultural Significance Prohibit alteration, removal or excavation of soil or fill from all identified archaeological sites, including middens or foreshore areas identified as culturally significant areas.

Directive Policies – Marine Shorelands

Local trust committees and island municipalities shall, in all official community plan bylaws, and other bylaws that require Executive Committee or Trust Council review or approval...

3.5.19	Aquaculture Tenures Direct commercial aquaculture tenures to appropriate locations that will not adversely impact areas identified as culturally significant by Indigenous Governing Bodies, that provide critical habitat for species at risk, are of recreational significance or established or designated upland land uses, anchorages or moorages.
3.5.20	Setbacks from the Sea Incorporate current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea, taking into account best practices recommended by the federal and provincial governments.
3.5.21	Soft Shoreline Protections Prioritize and foster soft shoreline approaches, such as those identified by the “Green Shores” program, to set requirements for shoreline preservation, and to mitigate erosion of shoreline and foreshore cultural heritage sites.
3.5.22	Vessel Moorage Prohibit the moorage of vessels in sensitive marine areas, including, but not limited to, eelgrass meadows, kelp forests, forage fish spawning areas, estuaries and mud flats.
3.5.23	Marinas Identify requirements for the location, size, and nature of marinas that are compatible with the preservation and protection of the Trust Area and its unique amenities and environment.
3.5.24	Sharing of Coastal Facilities Identify opportunities for the sharing of coastal facilities such as docks, wharves, floats, jetties, boat houses, board walks, and causeways.
3.5.25	Marine Docks Consider the cumulative effects of docks, and limit or prohibit new docks in areas identified as culturally significant by Indigenous Governing Bodies, in areas that provide critical habitat for species at risk, and in areas of recreational significance.
3.5.26	Marine Structures Limit or prohibit the construction or installation of breakwaters, groynes, rock weirs and jetties in marine areas that are not zoned for group wharfage, marine commercial or industrial use, or ferry terminals.

Part 4: Implementation

4.1 — Policy Statement Implementation

Organizational Policy Alignment

Section 15 of the *Islands Trust Act* requires Islands Trust Council to adopt, by bylaw, a trust policy statement that applies to the Islands Trust Area. The Policy Statement must be a general statement of the policies of Islands Trust Council to carry out the object of the Trust.

Section 4(1) of the *Islands Trust Act* confirms that the Trust Council, Executive Committee, local trust committees and Islands Trust Conservancy are continued for the purpose of carrying out the object of the Trust.

Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities are expected to take general policy direction from the Policy Statement to ensure that decisions and activities of the organization are for the purpose of carrying out the Islands Trust Object. The Policy Statement should form the basis of Islands Trust Council's strategic planning process. To ensure consistency between the Policy Statement and the activities of Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities, staff should reference the Policy Statement and its relevant sections in meetings, staff reports, work programs, inter-governmental agreements (including protocols, letters of understanding and memoranda of understanding) and responses to referrals from other agencies. All inter-governmental coordination agreements, external communications, and advocacy should be consistent with the principles and policies set out in the Policy Statement.

Statutory Bylaw Approval Process

The main mechanism for implementing the Policy Statement in local planning and land use management decisions is the bylaw referral process under the *Islands Trust Act* and any referral process under the letters patent of an island municipality.

Executive Committee Approval: Under Section 15(4) of the *Islands Trust Act*, bylaws submitted to the Islands Trust Executive Committee must not be approved by the Executive Committee, or Trust Council, if they are contrary to or at variance with the Islands Trust Policy Statement.

Local Trust Committees: Under Section 27 (1) of the *Islands Trust Act*, a local trust committee must submit its bylaws to Islands Trust Executive Committee for approval before adoption. If Islands Trust Executive Committee returns a bylaw with requested changes or refuses to approve a bylaw, the local trust committee may refer the bylaw to Islands Trust Council for approval. A bylaw has no effect until it is approved by Islands Trust Executive Committee or Islands Trust Council. A bylaw adopting or amending an official community plan has no effect until it is approved by the Minister responsible for Islands Trust.

Island Municipalities: Under Section 38 (1) of the *Islands Trust Act*, the council of a municipality, all or part of which is in the Islands Trust Area, must submit official community plan bylaws to Islands Trust Executive Committee for approval before adoption. If Islands Trust Executive Committee returns an official community plan bylaw with requested changes or refuses to approve an official community plan bylaw, the municipality may refer it to Islands Trust Council for approval. If Islands Trust Council returns or refuses to approve a bylaw, the municipality may submit it to the Minister for approval. These bylaws have no effect until they are approved by Islands Trust Executive Committee, Islands Trust Council, or the Minister responsible for Islands Trust. Although not required under the *Islands Trust Act*, the letters patent for Bowen Island also require referral of bylaws other than official community plan bylaws.

Implementing Reconciliation

The main mechanism by which Islands Trust Council's commitment to Reconciliation will be implemented through the Policy Statement is the requirement for local trust committees and island municipalities to engage Indigenous Governing Bodies on official community plan and land use bylaw amendments set out in Directive Policy 3.1.1.

Additionally, the Policy Statement advises local trust committees and island municipalities to engage with Indigenous Governing Bodies on discretionary planning and land use management decisions, and on topics that need engagement with Indigenous Governing Bodies in order to be effectively addressed.

Policy Statement Implementation Plan

Prior to, or following the adoption of, a new Policy Statement, or amendments to it, Islands Trust Council should develop a plan to implement the Policy Statement. Execution of the Implementation Plan may inform the content of, or revisions to, the following documents:

- The Islands Trust Council Strategic Plan
- The Islands Trust Council Annual Budget
- The Policy Statement Implementation Policy
- Local trust committee and island municipality workplans
- Other documents as applicable

The Policy Statement Implementation Plan may guide the development of:

- A timeline to bring official community plans and land use bylaws into alignment with the Policy Statement
- A revised assessment tool that Islands Trust Executive Committee and Islands Trust Council can use to assess whether local trust committee and island municipality bylaws are contrary to or at variance with the Policy Statement
- Targets and indicators with which Islands Trust Council can monitor and evaluate implementation of the Policy Statement
- Annual monitoring and reporting activities
- Changes to existing Islands Trust Council policies, or new policies, to implement the Policy Statement
- Changes to existing Islands Trust Council agreements, or new agreements, with other levels of government, agencies, and Indigenous Governing Bodies, to implement the Policy Statement
- Communications regarding Policy Statement implementation
- Other implementation actions as applicable

4.2 – Policy Statement Amendments

Policy Statement Amendment Projects

At the beginning of each term, in conjunction with its strategic planning process, Islands Trust Council can identify any Policy Statement amendment tasks to be undertaken that term. Newly elected Islands Trust Councils will likely wish to engage with Indigenous Governing Bodies, and may wish to engage with other key partners and interested and affected parties across the Islands Trust Area to define priorities for Policy Statement amendments that term. Any topics that cannot be addressed in a particular term could be noted on a “Policy Statement Amendment Topic Review Inventory” for consideration by Islands Trust Council at a later date. Once an amendment project is initiated, Islands Trust Council could assign the Executive Committee or a council committee the task of leading and coordinating the Policy Statement review and amendment project, with the support of other committees as appropriate. As part of its annual budget cycle, Islands Trust Council should consider allocating resources required for a Policy Statement amendment project, including for any related communications and engagement.

Communications, Engagement, and Referrals

As soon as practicable after the initiation of a Policy Statement amendment process, Islands Trust Council should adopt a communications and engagement plan appropriate to the scope and scale of the amendment project.

Proposed Policy Statement amendments must be referred to regional district boards in the Islands Trust Area and should be referred to Indigenous Governing Bodies.

While there are no statutory requirements for public engagement or public hearings related to the Policy Statement, in cases where major amendments are being considered, Trust Council should inform and consult members of the public and relevant partner agencies. Engagement and referral partners could include, but would not be limited to: local trust committees and island municipalities; the Islands Trust Conservancy Board; residents and non-resident property owners in the Islands Trust Area; other residents of British Columbia; municipal councils, improvement district boards operating within the Islands Trust Area; relevant provincial government agencies; and other persons and organizations that would be interested and affected by the proposed Policy Statement amendments.

Legislative Process

Adoption of a Policy Statement amendment bylaw occurs only after Trust Council has undertaken four readings of the proposed Policy Statement bylaw and received approval by the Minister responsible for Islands Trust. Policy Statement amendment bylaws become effective upon date of adoption and are not retroactive.

Glossary of Terms

Active Recreation

Active recreation means recreation that is of a formal nature, often performed with specific people or teams, requires specialized equipment or prescribed places, sites or fields, but excludes recreation that primarily involves the use of a power-driven conveyance.

Archaeological Sites

Archaeological sites consist of the physical remains of past human activity.

All archaeological sites in British Columbia are protected under the [Heritage Conservation Act](#). This applies whether sites are located on public or private land, and whether the site is known or unknown. Protected archaeological sites may not be altered or changed in any manner without a permit. There are over 60,000 archaeological sites recorded in BC's Provincial Heritage Register including the remains of village and other habitation sites, as well as resource procurement activities such as fishing weirs and culturally modified trees. These sites may date anywhere from recent times to 14,000+ years ago, and studies continue to uncover new information. (Source: BC Archaeology Branch)

Biodiversity

Biodiversity (biological diversity) is the variety of living things, including diversity within species (genetic diversity), diversity between species, and diversity of ecosystems. When biodiversity characteristics are assessed for any location or region, three attributes are considered:

- composition (describes the parts of each biodiversity component in that area — e.g. habitat types, species present, genetic diversity within species);
- structure (refers to the physical characteristics supporting that composition — e.g. size of habitats, forest canopy structure, etc.);
- function (means the ecological and evolutionary processes affecting life within that structure — e.g. pollination, natural disturbances, predator-prey relationships). (Source: Biodiversity BC)

Colonialism

Colonizers are groups of people or countries that come to a new place or country and steal the land and resources from Indigenous peoples, and develop a set of laws and public processes that are designed to violate the human rights of the Indigenous peoples, violently suppress the governance, legal, social, and cultural structures of Indigenous peoples, and force Indigenous peoples to conform to the structures of the colonial state. Historical and ongoing colonialism, including the dispossession of lands, has a deep and devastating impact on Indigenous people and communities. (Source: BC Addressing Racism Working Glossary; BC Office of the Human Rights Commissioner)

Community Heritage Site

A community heritage site is real property that is considered to be heritage property. (Source: Local Government Act)

Conservation	Actions, legislation, or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or areas of heritage value or character.
Critical Habitat	Under the federal <i>Species at Risk Act</i> , critical habitat is the habitat that is necessary for the survival or recovery of listed extirpated, endangered, or threatened species, and that is identified as critical habitat in a recovery strategy or action plan. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. (Source: <i>Species at Risk Act</i>)
Land Use Density and Intensity	Density is regulated through zoning. Density may be defined by the number of units per given area of land. Density may also be measured by dividing the built area including all floor area, by the total area of the lot, e.g., floor area ratio (FAR). Intensity of use refers to the impacts of different types of land uses, e.g., certain types of commercial or industrial uses could be more intense with more impacts than residential or vice versa. Of note, density and intensity of use can combine to increase cumulative impacts of the land use.
Ecosystem	An ecosystem is a collection of communities of both living and non-living things that are connected. The biotic elements in an ecosystem include living things such as plants and animals. The abiotic elements found in an ecosystem include non-living things like land forms or climate. Healthy ecosystems provide important “services,” like clean air and water, healthy forests and farms, and habitat for plants and animals. (Source: Government of BC)
Ecosystem Integrity	Ecosystems have integrity when their native components, such as native species, biological communities, natural landscapes and ecological functions, are intact and are likely to persist. (Source: Government of Canada)
Equity / Equitable	Equity refers to achieving parity in policy, process and outcomes for historically and/or currently underrepresented and/or marginalized people and groups while accounting for diversity. It considers power, access, opportunities, treatment, impacts and outcomes. (Source: Equity & Inclusion Glossary, UBC)

First Nations	First Nations is not a legal term but came into common use in the 1970s to replace Indian, which some people found offensive. Many communities have also replaced “band” with “First Nation” in their names. Symbolically, the term elevates First Nations to the status of “first among equals” alongside the English and French founding nations of Canada. It also reflects the sovereign nature of many communities, and the ongoing quest for self-determination and self-government. First Nations people may live on or off reserve, they may or may not have legal status under the <i>Indian Act</i> , and they may or may not be registered members of a community or nation. “First Nations” should be used exclusively as a general term as community members are more likely to define themselves as members of specific nations or communities within those nations. (Source: Assembly of First Nations)
Groundwater Recharge Areas	Groundwater recharge areas are terrain that inherently provide geographical and ecological conditions for the infiltration of water from the land surface to the subsurface through soils, sediments, and fractured bedrock to replenish groundwater sources. Groundwater recharge areas can be <i>diffuse</i> where widespread precipitation on the landscape infiltrates into groundwater sources or <i>localized</i> where discrete surface water sources such as streams, lakes, septic fields, and/or irrigation fields infiltrate into groundwater sources. Groundwater recharge areas that have a significant groundwater recharging effect for drinking water sources or groundwater dependent ecosystems in the Islands Trust Area are defined as <i>Critical Aquifer Recharge Areas</i>.
Groundwater Region	A groundwater region is a defined geographic area characterized by shared groundwater recharge, flow patterns, usage, and hydrogeological features, and that has clusters of wells that draw from common recharge zones. Analogous to surface-water watersheds – which are delineated based on drainage to a common outlet – groundwater regions are mapped to support the sustainable assessment, protection, and management of subsurface freshwater resources. Unlike surface watersheds, groundwater regions may span multiple watershed boundaries due to the complex movement of groundwater. These regions serve as practical planning units to guide evidence-based decisions regarding land use, water allocation, and ecosystem protection.
Heritage Site	Heritage site means, whether designated or not, land, including land covered by water, that has heritage value to British Columbia, a community or an aboriginal people. (Source: BC Heritage Conservation Act)
Housing Diversity	Housing diversity refers to the range of housing types and tenures in a community that allow people to find appropriate housing as their needs change over time, and at all stages of life.
Inclusive / Inclusion	Inclusion is an active, intentional, and continuous process to address inequities in power and privilege, and build a respectful and diverse community that ensures welcoming spaces and opportunities to flourish for all. (Source: Equity & Inclusion Glossary, UBC)

Indigenous Cultural Heritage

Indigenous Peoples understand and describe cultural heritage according to their distinct perspectives, traditions, and languages. For Indigenous Peoples, cultural heritage refers to ideas, experiences, objects, artistic expressions, practices, knowledge, and places that are valued because they are culturally meaningful, connected to shared memory, or linked to collective identity. Indigenous cultural heritage cannot be separated from either Indigenous identity or Indigenous life. Indigenous cultural heritage can be inherited from ancestors or it can be created by people today as a legacy for future generations. Indigenous Peoples have a right to identify their own cultural heritage, interpret its meaning, and safeguard its value. (Source: Indigenous Heritage Circle)

Indigenous Governing Body

Indigenous Governing Body means an entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed by section 35 of the *Constitution Act, 1982*.

Indigenous Knowledge / Knowledge Holders

There is no single definition of Indigenous Knowledge. For the purposes of this document, "Indigenous Knowledge" refers to a set of complex knowledge systems based on the worldviews of Indigenous peoples. Indigenous Knowledge reflects the unique cultures, languages, values, histories, governance and legal systems of Indigenous Peoples. It is place-based, cumulative and dynamic. Indigenous Knowledge systems involve living well with, and being in relationship with, the natural world. Indigenous Knowledge systems build upon the experiences of earlier generations, inform the practice of current generations, and evolve in the context of contemporary society. Different First Nations, Inuit and Métis communities each have distinct ways of describing their knowledge. Knowledge Holders are the only people who can truly define Indigenous Knowledge for their communities. It is important to note that some Indigenous communities are struggling to maintain their Indigenous Knowledge due to ongoing impacts of colonialism. (Source: Impact Assessment Agency of Canada)

Indigenous Peoples

Indigenous Peoples has the same meaning as aboriginal peoples in section 35 of the *Constitution Act, 1982*. The Assembly of First Nations also states: There is no official definition of Indigenous Peoples. In part, Indigenous communities, peoples and nations can be described as those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories. Other terms include Aboriginal Peoples, Native Peoples, Original Peoples, or First Peoples. (Source: Assembly of First Nations)

Indigenous Rights

The term 'Indigenous Rights' is to be interpreted in accordance with the Province of British Columbia's Distinctions-Based Approach Primer, December 2023.

Middens

Midden, or 'shell midden' archaeological sites are indicative of past First Nations settlement activity. Formed by the accumulation of stratified cultural deposits over thousands of years, shell midden sites represent some of the most complex archaeological sites in the world. (Source: McLay et al (2008) *A'lhut tu tet Sul'hweentst Respecting the Ancestors*)

Note: A midden may be an archaeological indicator of village and burial sites, and may contain ancestral remains.

Natural Heritage Sites

Natural heritage sites are natural areas that:

- Furnish outstanding examples of Earth's record of life or its geologic processes;
- Provide excellent examples of ongoing ecological and biological evolutionary processes;
- Contain natural phenomena that are rare, unique, superlative, or of outstanding beauty; or
- Furnish habitats for rare or endangered animals or plants or are sites of exceptional biodiversity.

Nature-based solutions

Nature-based solutions are actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously benefiting people and nature.

Nature-based Solutions address societal challenges through the protection, sustainable management and restoration of both natural and modified ecosystems, benefiting both biodiversity and human well-being. Nature-based Solutions are underpinned by benefits that flow from healthy ecosystems. They target major challenges like climate change, disaster risk reduction, food and water security, biodiversity loss and human health, and are critical to sustainable economic development. (Source: International Union for Conservation of Nature (IUCN))

Precautionary Principle

Principle 15 of the Rio Declaration, known as the precautionary principle, states: "In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation." Four central components of the precautionary principle include: taking preventive action in the face of uncertainty; shifting the burden of proof to the proponents of an activity; exploring a wide range of alternatives to possibly harmful actions; and increasing public participation in decision making. (Source: *The Precautionary Principle in Environmental Science*, Kriebel et al., 2001)

Preservation

To maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

Protection	To maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.
Reconciliation	Reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behavior. (Source: Truth & Reconciliation Commission)
Restrict	To confine, bound or limit, not necessarily prohibit.
Sensitive Ecosystems	Sensitive ecosystems are classified as 'sensitive' because of their rarity and vulnerability to disturbances such as human impacts and climate change. The BC Sensitive Ecosystems Inventory identifies sensitive ecosystem types, which have been adapted by the Islands Trust Conservancy to identify sensitive ecosystems commonly found in the Islands Trust Area, including: • Cliff: Steep slopes, often with exposed bedrock. Very little soil accumulation, and only exceptionally hardy trees and plants. Cliffs are important vegetation refugia because they are often inaccessible to deer browsing or livestock grazing and can be important nesting habitat for birds. • Freshwater: all freshwater networks including but not limited to streams, lakes, wetlands, groundwater sources, springs, and precipitation. • Herbaceous: Shallow soils characteristic of herbaceous ecosystems support low-growing vegetation, such as grasses, forbs (low, broad-leaved plants), wildflowers, mosses and lichens. Few trees and shrubs survive on these sites due to the fast-drying and often shallow nature of the exposed soils. • Old and Mature Forest: Dry to moist forests dominated by conifer or deciduous tree species with a canopy cover of over 30%. Old forests have a stand age of over 250 years.; Mature forests have a stand age of 80–250 years. • Riparian: Located adjacent to lakes, streams and rivers and characterized by plant communities and soils dependent on increased moisture. Influenced by erosion, sedimentation, flooding and seepage. • Wetland: Feature moisture-dependent plants that thrive in an environment where water remains at or above the surface of the soil during most of the year. A wetland can be bog, fen, marsh, swamp, shallow water, wet meadow or a mixture of these types. • Woodland: Dry and open forests dominated by a mix of broadleaf and coniferous tree species with canopy coverage of 10–30%. Generally restricted to south-facing slopes and ridges with shallow soils and bedrock outcroppings. (Source: BC Sensitive Ecosystems Inventory, as adapted in Islands Trust Conservancy Regional Conservation Plan 2018–2027)

Species At Risk	An extirpated, endangered, threatened species, or a species of special concern. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. Species of special concern means a wildlife species that may become a threatened or an endangered species because of a combination of biological characteristics and identified threats. (Source: Federal <i>Species at Risk Act</i>)
Stewardship	Voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities in the Islands Trust Area. For Indigenous Peoples, stewardship may be mandatory under Indigenous law.
Sustainable	Capable of being maintained indefinitely; capable of meeting the environmental, economic, and social needs of current generations without compromising the ability of future generations to meet their needs.
Treaties / Treaty Nations	Treaties are constitutionally protected, government-to-government agreements that identify, define and implement a range of rights and obligations, creating long-term, mutually binding commitments. Treaties negotiated through the BC treaty negotiations process are tripartite agreements between the governments of Canada, British Columbia, and a First Nation. The goal of treaties is reconciliation. Treaties signed with First Nations in Canada between 1701 and 1923 are commonly referred to as historic treaties. In BC, there are Douglas treaties, signed with First Nations on Vancouver Island, and Treaty 8 covering a portion of northeastern BC. Treaties signed today are called modern treaties, and cover where there are no historic treaties, and can also deal with matters not addressed in historic treaties. (Source: BC Treaty Commission)
Watershed	A watershed is a topographically-defined area where all precipitation – rainfall and snowmelt – flows downslope via surface or subsurface pathways to a common receiving water body such as a stream, wetland, lake, or the ocean. Due to the islands' high shoreline-to-area ratio, many watersheds in the Islands Trust Area are non-basin watersheds the ephemeral flows and no defined channels or permanent receiving water bodies.

DATE OF MEETING: September 5, 2025

File No.: BL 256 (OCP)
and 257 (LUB) Denman
Island Conservancy

TO: Hornby Island Local Trust Committee
FROM: Nadine Mourao, Legislative Clerk/Deputy
Secretary
SUBJECT: Referral: Proposed Denman Island Bylaw Nos. 256
(OCP) and 257 (LUB)

PURPOSE

The Denman Island Local Trust Committee has referred proposed Bylaw No. 256 (cited as "Denman Island Official Community Plan, 2008, Amendment No. 3, 2025") and proposed Bylaw No. 257 (cited as "Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025") to the Hornby Island Local Trust Committee.

BACKGROUND

Islands Trust [Policy 4.1.9](#) Inter-Local Trust Committee Community Planning Bylaw Referral delineates how a local trust committee will implement a local trust committee referral process for community planning bylaws affecting another local trust committee or island municipality.

Proposed Bylaw No. 256 proposes amendments to the Official Community Plan (OCP) to re-designate four parcels from "Sustainable Resource" to "Conservation/Recreation," aligning the land use designations with the proposed Conservation zoning under Proposed Bylaw No. 257. This change reflects the parcels' current use as protected natural areas, prohibits residential and commercial development, and supports conservation and recreation objectives. Additionally, the amendment adds residential densities to the OCP's Density Bank to account for the permanent removal of development potential on these properties.

Proposed Bylaw No. 257 proposes to rezone three parcels and a portion of a fourth parcel from Forestry (F) to Conservation (CN) to reflect their existing use as protected natural areas. The rezoning restricts the land to passive recreation and conservation uses only, prohibiting residential and commercial development. This ensures consistency between zoning and current land use, supports environmental protection, the portion of the parcel within the Agricultural Land Reserve will remain zoned Agriculture.

The Denman Island Local Trust Committee gave First Reading to proposed Bylaw No. 256 and 257 on May 20, 2025. A copy of the staff report and the proposed bylaw is included in this referral for background information. All relevant background information, including staff reports and public correspondence received is posted to the Denman Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/denman/current-applications/>

NEXT STEPS

The following draft resolutions have been provided for consideration:

1. **If the LTC considers their interests unaffected by the bylaw:**
That the Hornby Island Local Trust Committee respond to the Denman Island Local Trust Committee that interests are unaffected by Bylaw No. 256 (OCP) and 257 (LUB).
2. **If the LTC wishes to recommend proceeding with the bylaw for specific reasons:**
That the Hornby Island Local Trust Committee recommend to the Denman Island Local Trust Committee that proposed Bylaw No. 256 (OCP) and 257 (LUB) proceed for the following reasons:
 - *[list reasons] ...*

MEMORANDUM

3. If the LTC wishes to recommend proceeding with the bylaw subject to conditions:

That the Hornby Island Local Trust Committee recommend to the Denman Island Local Trust Committee that proposed Bylaw No. 256 (OCP) and 257 (LUB) proceed, subject to the following recommendations:

- *[list recommendations] ...*

4. If the LTC wishes to recommend not proceeding with the bylaw:

That the Hornby Island Local Trust Committee recommend to the Denman Island Local Trust Committee that proposed Bylaw No. 256 (OCP) and 257 (LUB) not proceed for the following reasons:

- *[list reasons] ...*

Submitted By:	Nadine Mourao, Legislative Clerk	August 13, 2025
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ATTACHMENTS

1. BYLAW REFERRAL FORM



Islands Trust

BYLAW REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Denman Island Local Trust Area

Bylaw No.: 256 (OCP) and 257
(LUB)

Date: July 3, 2025

You are requested to comment on the attached Bylaws for potential effect on your Nation/Agency's interests. We would appreciate your response within 90 days, by **September 26, 2025**. If you require support in reviewing this referral, our project planner is available to schedule a virtual meeting at your earliest convenience. Please contact our office directly with any questions. A Public Hearing to consider the Bylaws is anticipated in late 2025.

APPLICANTS NAME / ADDRESS:

Denman Island Conservancy

PURPOSE OF BYLAW:

Proposed **Bylaw No. 256** proposes amendments to the Official Community Plan (OCP) to re-designate four parcels from "Sustainable Resource" to "Conservation/Recreation," aligning the land use designations with the proposed Conservation zoning under Proposed Bylaw No. 257. This change reflects the parcels' current use as protected natural areas, prohibits residential and commercial development, and supports conservation and recreation objectives. Additionally, the amendment adds residential densities to the OCP's Density Bank to account for the permanent removal of development potential on these properties.

Proposed **Bylaw No. 257** proposes to rezone three parcels and a portion of a fourth parcel from Forestry (F) to Conservation (CN) to reflect their existing use as protected natural areas. The rezoning restricts the land to passive recreation and conservation uses only, prohibiting residential and commercial development. This ensures consistency between zoning and current land use, supports environmental protection, the portion of the parcel within the Agricultural Land Reserve will remain zoned Agriculture.

GENERAL LOCATION:

Central Denman Island (off Pickles Rd and Central Rd)

LEGAL DESCRIPTION:

PID 006-639-771, 006-657-656, 023-005-424 and 023-005-432

SIZE OF PROPERTY AFFECTED:

32.45 ha (Non ALR portion 19.45 ha),
30.69 ha, 16.08 ha and 15.95 ha

ALR STATUS:

Yes, on a northeast
portion of one property

OFFICIAL COMMUNITY PLAN DESIGNATION:

Sustainable Resource (SR)

OTHER INFORMATION:

The Denman Island Local Trust Committee gave First Reading to proposed Bylaw No. 256 and 257 on May 20, 2025. A copy of the staff report and the proposed bylaw is included in this referral for background information. All relevant background information, including staff reports and public correspondence received is posted to the Denman Island Current Applications webpage: <https://islandstrust.bc.ca/island-planning/denman/current-applications/>

Please direct any communications regarding this referral to Marlis McCargar at 250-247-2210, or by email to mmccargar@islandstrust.bc.ca.

Please fill out the Response Summary on the back of this form. If your Nation or Agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

mmccargar

(Signature)

Name: Marlis McCargar

Title: Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Da'naxda'xw First Nation
Halalt First Nation
Homalco First Nation
K'omoks First Nation
Lyackson First Nation
Mamaliklikulla First Nation

Nanwakolas Council
Penelakut Tribe
Qualicum First Nation
Snaw-Naw-As First Nation
Snuneymuxw First Nation
Stz'uminus First Nation
Te'mexw Treaty Association
Tla'amin Nation
Tlowitsis Nation
Ts'uubaa-asatx First Nation
We Wai Kai Nation
We Wai Kum First Nation

Provincial Agencies

Agricultural Land Commission
Ministry of Agriculture and Food
Ministry of Housing and Municipal Affairs

Adjacent Local Trust Committees and Municipalities

Hornby Island Local Trust Committee
Comox Valley Regional District

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐ Approval Recommended for Reasons Outlined Below

☐ Approval Recommended Subject to Conditions Outlined Below

☐ Interests Unaffected by Bylaw

☐ Approval Not Recommended Due to Reason Outlined Below

Denman Island Trust Area
(Island)

256 (OCP) and 257 (LUB)
(Bylaw Number(s))

(Your Signature)

(Print Your Name, Your Title)

(Date)

(First Nation/Agency)

PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 256

A BYLAW TO AMEND DENMAN ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 185, 2008

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

1. CITATION

This Bylaw may be cited for all purposes as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2025”.

2. SCHEDULES

Denman Island Official Community Plan Bylaw No. 185, 2008 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

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

READ A FIRST TIME THIS 20th DAY OF MAY, 2025

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS 20th DAY OF MAY, 2025

READ A THIRD TIME THIS _____ DAY OF _____ 20____

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

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

ADOPTED THIS _____ DAY OF _____ 20____

CHAIR

SECRETARY

**DENMAN ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 256**

SCHEDULE 1

1. That the Residential Density Bank table of Appendix D, “Density Banking” be amended by the addition of a new entry, in sequential order, which reads as follows:

Authorising Bylaw	Date Added to or transferred from the Bank	Legal Description	Number of residential dwelling units added or deleted	Cumulative Total of residential dwelling units in the bank
2XX	[date of adoption]	The east 1/2 of the north east 1/4 of Section 21, Denman Island, Nanaimo District The west 1/2 of the north east 1/4 of Section 21, Denman Island, Nanaimo District except that part in plan VIP78186 Lot A, Section 21 Denman Island, Nanaimo District, Plan VIP60286 Lot B, Section 21 Denman Island, Nanaimo District, Plan VIP60286	+4	4 + 7 = 11 (*as per standing resolution #2023-073) (* Final cumulative totals will be reconciled upon adoption of all relevant bylaws.)

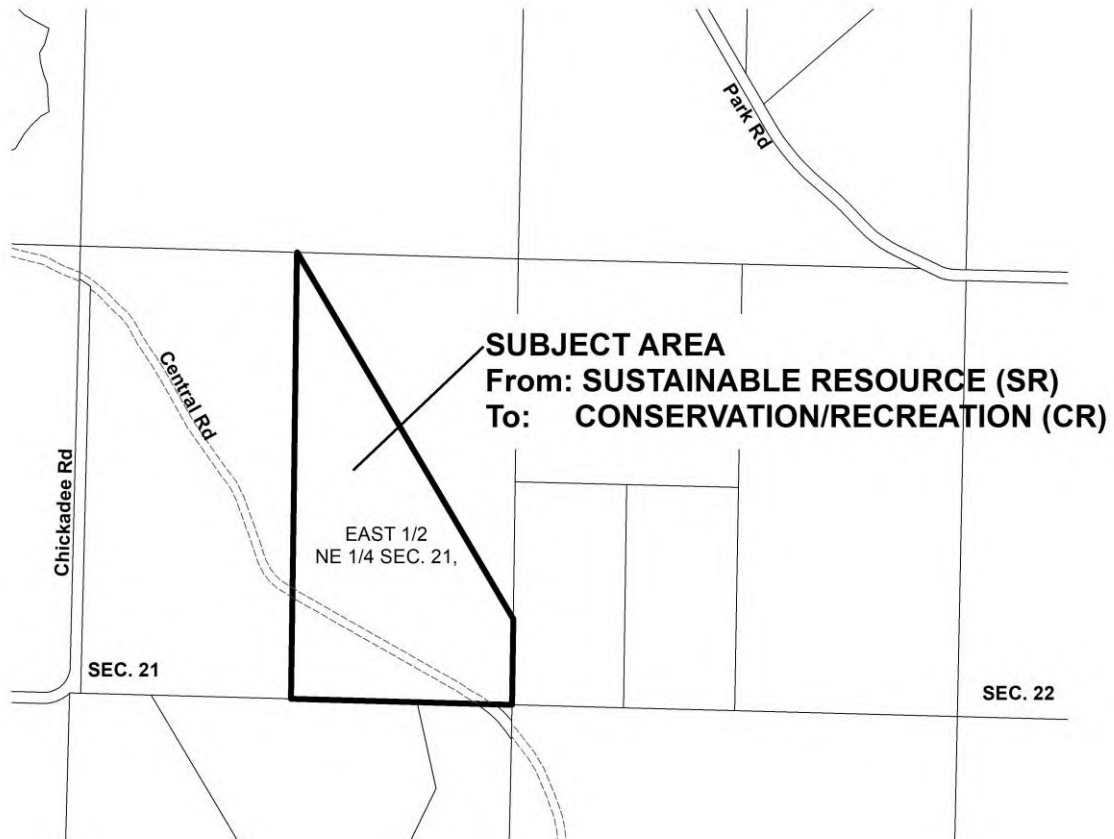
2. Schedule C [Land Use Designations Map] is amended by changing the land use designations as follows:
- a) On portions of land legally described as THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT the land use designation is changed:
- from a split “Sustainable Resource” and “Agriculture” designation to a split “Conservation/Recreation” and “Agriculture” designation;
- as shown on Appendix No. 1 attached to and forming part of this bylaw.

- b) On portions of land legally described as THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP78186 the land use designation is changed:
 - from a “Sustainable Resource” designation to
“Conservation/Recreation”;
 - as shown on Appendix No. 2 attached to and forming part of this bylaw.
- c) On portions of land legally described LOT A SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 the land use designation is changed:
 - from a “Sustainable Resource” designation to
“Conservation/Recreation”;
 - as shown on Appendix No. 3 attached to and forming part of this bylaw.
- d) On portions of land legally described as LOT B SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 the land use designation is changed:
 - from a “Sustainable Resources” designation to
“Conservation/Recreation”;
 - as shown on Appendix No. 4 attached to and forming part of this bylaw.

DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

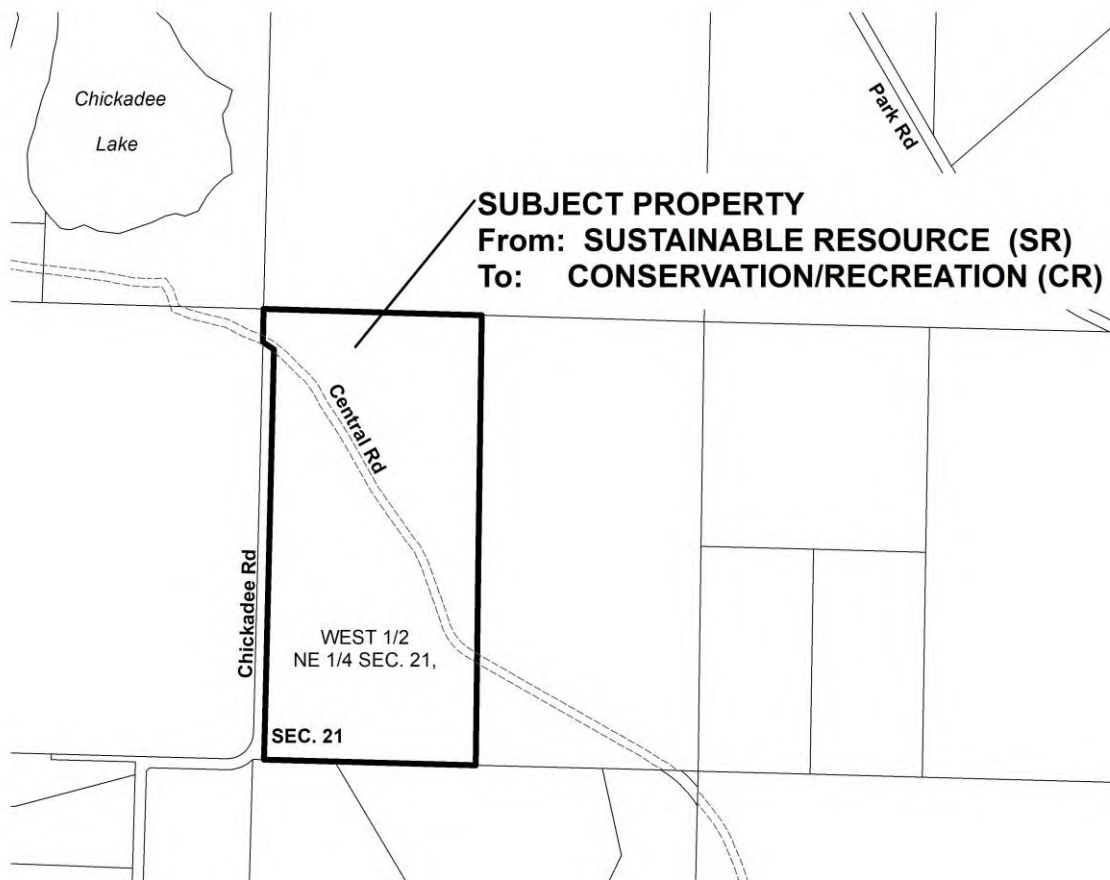
Appendix No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

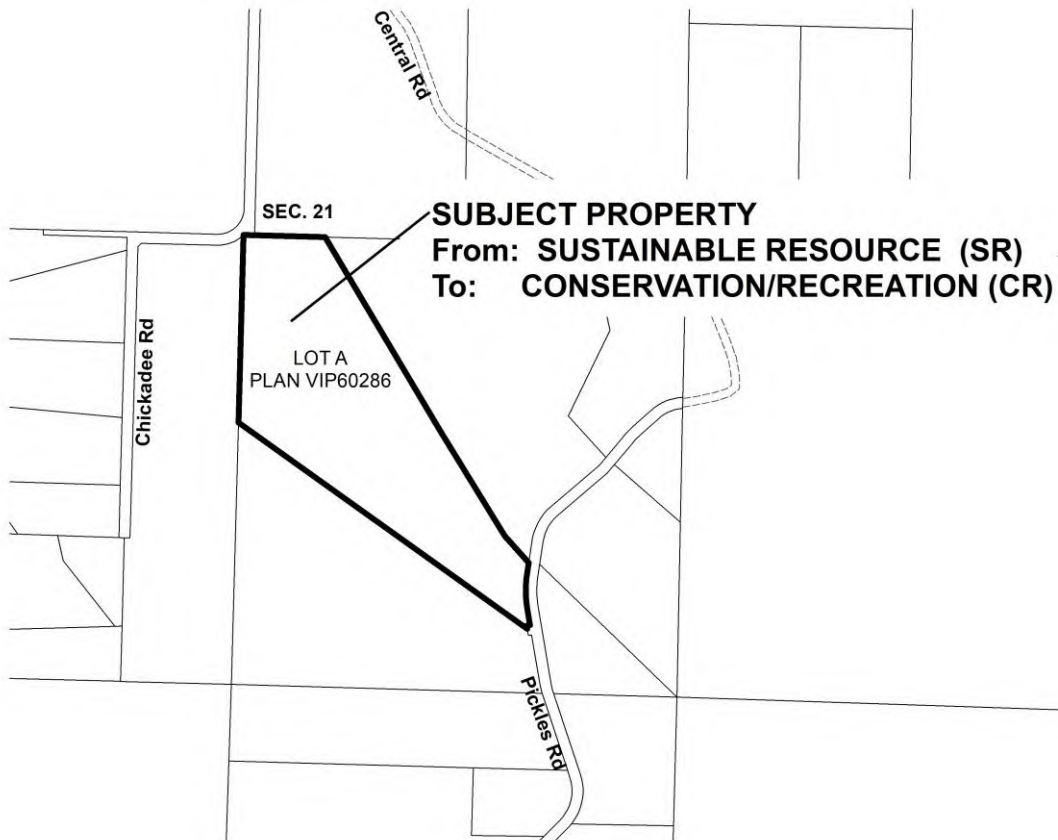
Appendix No. 2



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

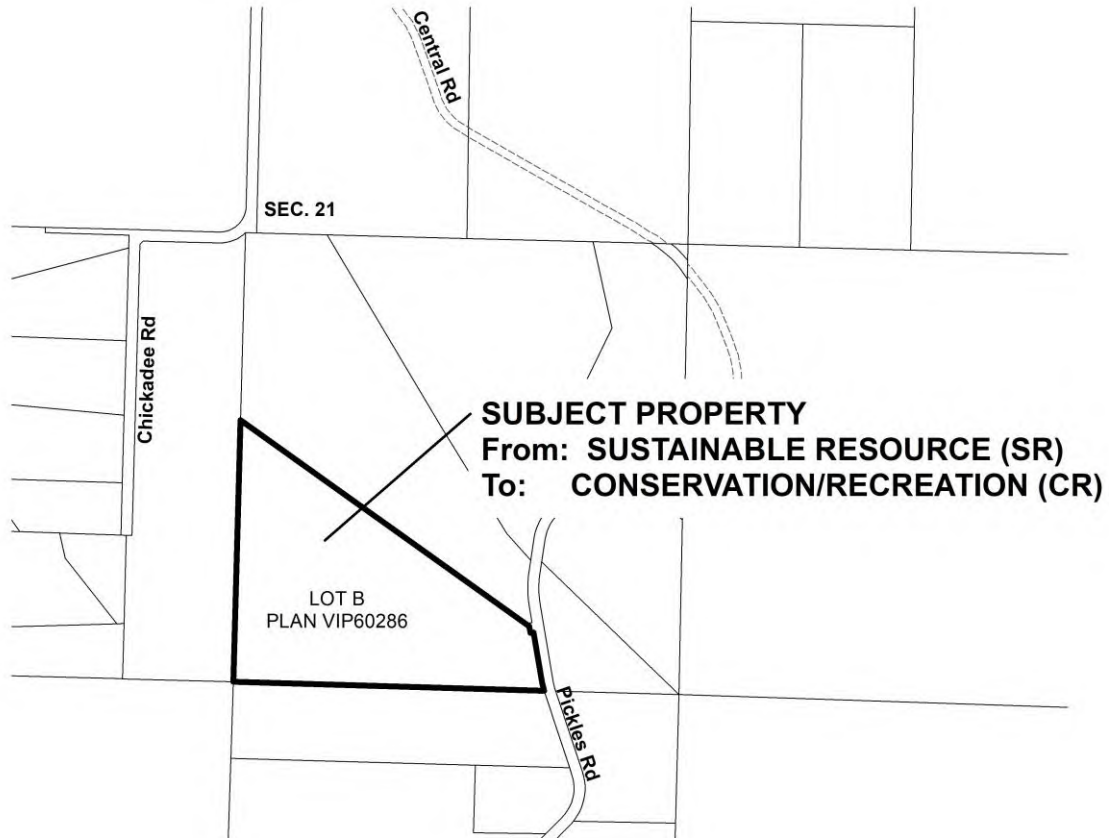
Appendix No. 3



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 256

Appendix No. 4



PROPOSED

DENMAN ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 257

A BYLAW TO AMEND DENMAN ISLAND LAND USE BYLAW, 2008

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

1. Citation

This bylaw may be cited for all purposes as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025”.

2. Denman Island Local Trust Committee Bylaw No. 186, cited as “Denman Island Land Use Bylaw, 2008,” is amended as per Schedule 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS 20TH DAY OF MAY , 2025

READ A SECOND TIME THIS 20TH DAY OF MAY , 2025

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 202X

READ A THIRD TIME THIS _____ DAY OF _____ , 202X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202X

ADOPTED THIS _____ DAY OF _____ , 202X

Chair

Secretary

**DENMAN ISLAND LOCAL TRUST
COMMITTEE BYLAW NO. 257**

**Schedule
1**

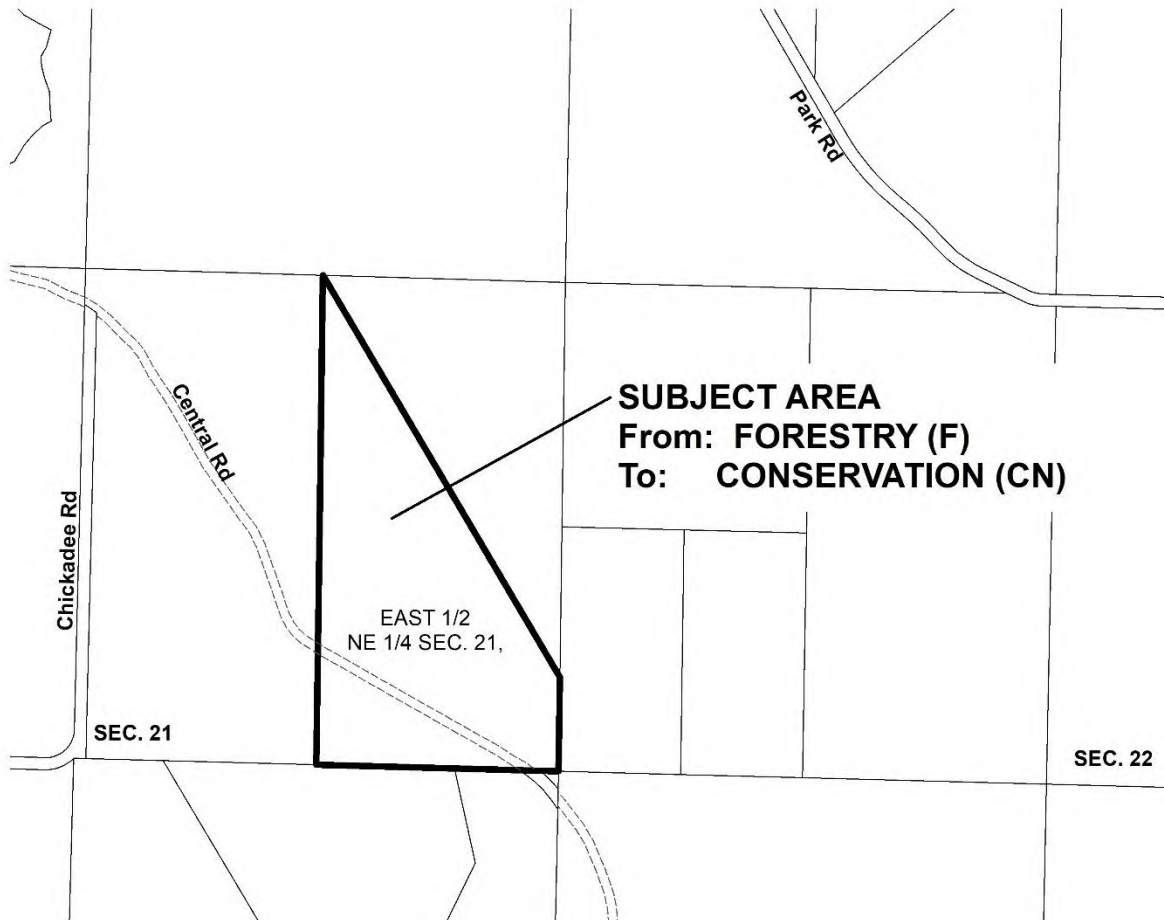
1. Schedule “B” of Denman Island Land Use Bylaw, 2008, is amended as follows:
 - 1.1 Schedule “B” – North Map, is amended by changing the zoning classification of the non-Agricultural Land Reserve portion of THE EAST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT (PID 006-639-771) as shown on Appendix No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.
 - 1.2 Schedule “B” – North Map, is amended by changing the zoning classification of PID 006-657-656 THE WEST 1/2 OF THE NORTH EAST 1/4 OF SECTION 21, DENMAN ISLAND, NANAIMO DISTRICT EXCEPT THAT PART IN PLAN VIP78186 as shown on Appendix No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.
 - 1.3 Schedule “B” – North Map, is amended by changing the zoning classification of PID 023-005-424 LOT A SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 as shown on Appendix No. 3 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.
 - 1.4 Schedule “B” – North Map, is amended by changing the zoning classification of PID 023-005-432 LOT B SECTION 21 DENMAN ISLAND NANAIMO DISTRICT PLAN VIP60286 as shown on Appendix No. 4 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 186 as are required to effect this change.

DENMAN ISLAND LOCAL TRUST COMMITTEE

DE-BL-257

BYLAW NO. 257

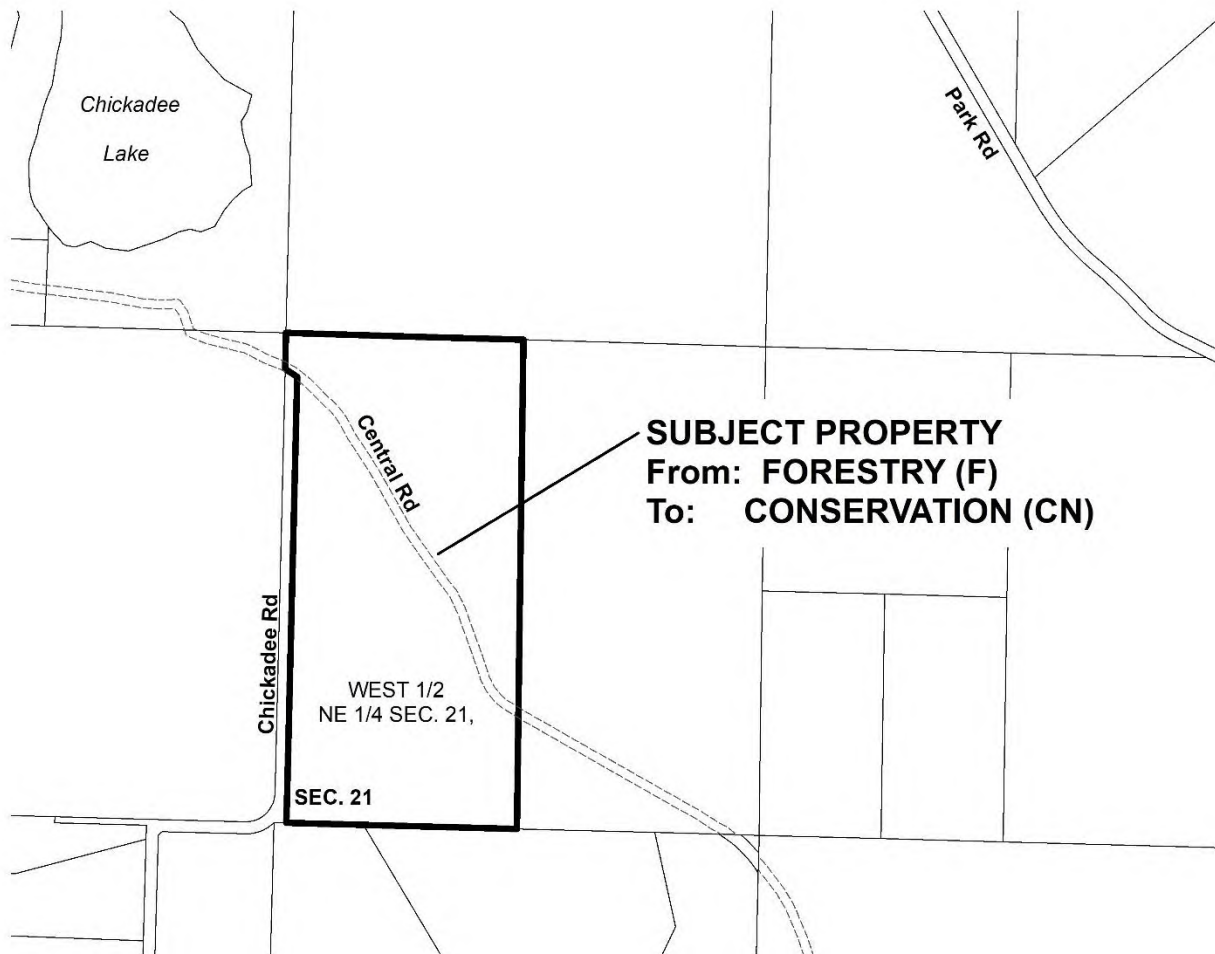
Appendix No. 1



DENMAN ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 220

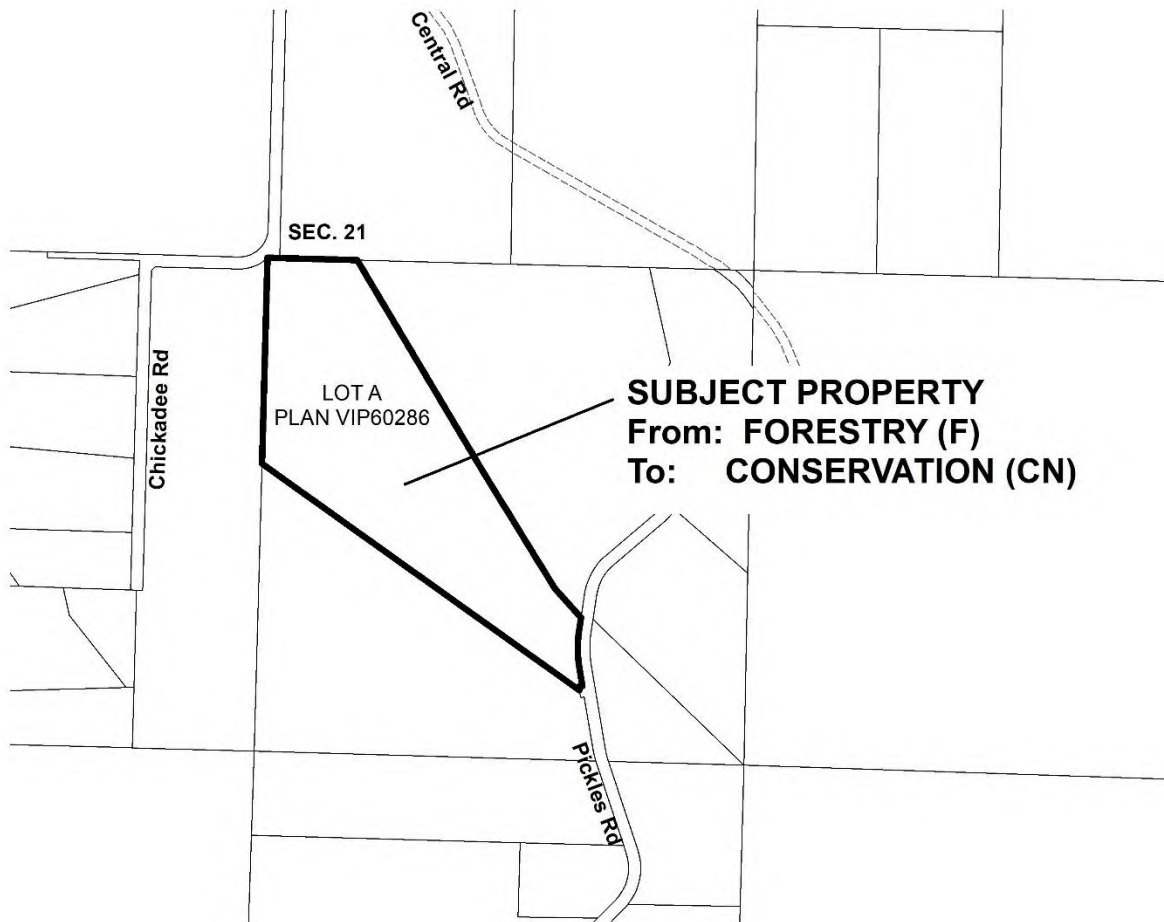
Appendix No. 2



DENMAN ISLAND LOCAL TRUST COMMITTEE

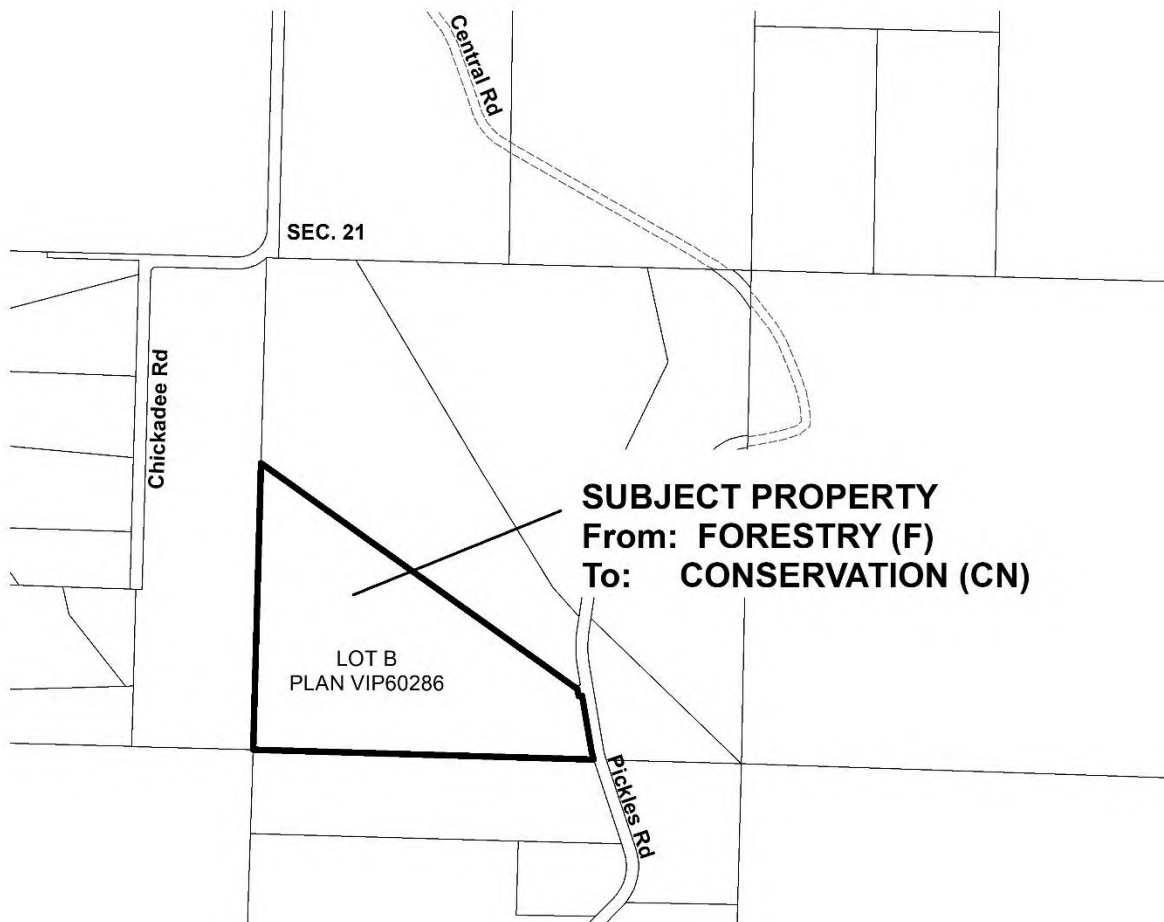
BYLAW NO. 257

Appendix No. 3



BYLAW NO. 257

Appendix No. 4



File No.: PLRZ20240055 (Denman
Conservancy)

DATE OF MEETING: May 20, 2025

TO: Denman Island Local Trust Committee

FROM: Marlis McCargar
Northern Team

SUBJECT: LUB Amendment Application to Rezone Four Parcels to Conservation
Applicant: Steven Carballeira on behalf of the Denman Conservancy Association
Location: PID 006-639-771; 006-657-656; 023-005-424; 023-005-432
Denman Island

RECOMMENDATION

1. That Denman Island Local Trust Committee Bylaw No. 256 cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2025” be read a first time.
2. That Denman Island Local Trust Committee Bylaw No. 257 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025” be read a first time.
3. That the Denman Island Local Trust Committee request staff to refer proposed Bylaw No. 256 cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2025” and proposed Bylaw No. 257 to cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025” the following First Nations, Local Governments and agencies for comment: Cowichan Tribes, Halalt First Nation, Da'naxda'xw/Awaetlala First Nation, Qualicum First Nation, Tla'amin Nation, Nanwakolas Council, Wei Wai Kum Nation, We Wai Kai Nation, Lyackson First Nation, Penelakut Tribe, Snuneymuxw First Nation, Snaw'Naw'As Nation, Stz'uminus First Nation, Te'Mexw Treaty Association, Tsu'uubaa-asatx First Nation, Tlowitsis First Nation, Homalco First Nation (Xwemalhwu), Mamalilikulla First Nation, K'ómoks First Nation, Comox Valley Regional District, Hornby Island Local Trust Committee, Agricultural Land Commission, Ministry of Agriculture and Food and Ministry of Housing and Municipal Affairs.
4. That the Denman Island Local Trust Committee request staff to schedule an in-person or online community information meeting, after the close of the referral period, for application PL-RZ-2024-0055 (Denman Conservation Association) and Proposed Bylaw Nos. 256 and 257.

REPORT SUMMARY

This application proposes amendments to the Denman Island [Official Community Plan](#) (OCP) and [Land Use Bylaw](#) (LUB) to rezone four parcels of land from forestry to conservation. The parcels in question are owned and managed by the Denman Conservancy Association (DCA), the applicant for this proposal. One of the parcels is split-zoned between forestry and agriculture and is located within the Agricultural Land Reserve (ALR).

This report introduces draft bylaws to amend the Denman Island Official Community Plan (OCP) and the Land Use Bylaw (LUB). The intent of these amendments is to enhance conservation efforts on Denman Island by transitioning land use away from forestry and resource extraction towards protection and preservation on these parcels.

Staff is recommending that the draft bylaws Nos. 256 and 257 in Attachments 1 and 2 of this report be given First Reading as presented. All relevant background information is posted to the Islands Trust [current applications webpage](#).

BACKGROUND

The Denman Island Local Trust Committee (LTC) is considering a rezoning application from the Denman Conservancy Association (PL-RZ-2024-0055) to land use away from forestry and resource extraction towards protection and preservation on these parcels.

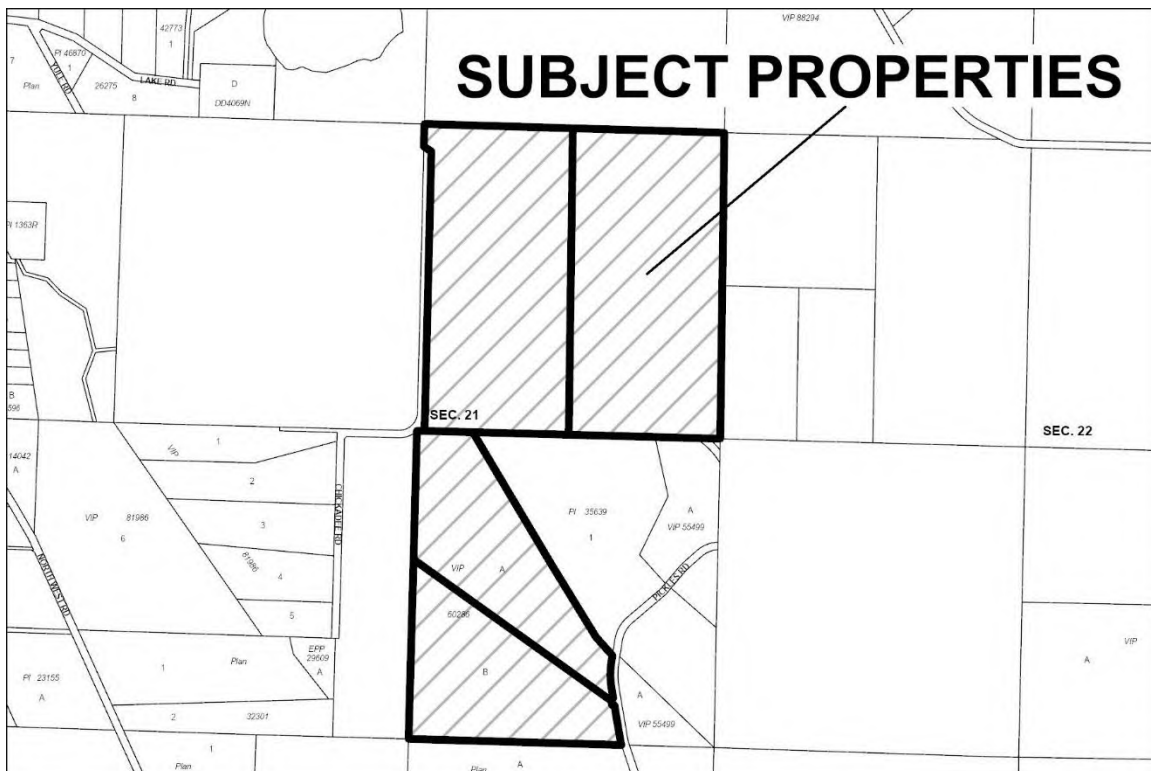


Figure 1. Location of Subject Properties

The following table provides relevant details of the subject properties, and existing and proposed OCP designations, zoning and density.

Table 1. Subject Property Details

Property	Parcel Area	Existing OCP Designation	Proposed OCP Designation	Existing LUB Zoning	Proposed LUB Zoning
PID 006-639-771	32.45 ha, Non ALR portion 19.45 ha	Sustainable Resource (SR)/ Agriculture (A) (change required)	Conservation/ Recreation (CR)	Forestry and Agriculture (change required)	Conservation and Agriculture
PID 006-657-656	30.69 ha	Sustainable Resource (SR) (change required)	Conservation/ Recreation (CR)	Forestry (change required)	Conservation
PID 023-005-424	16.08 ha	Sustainable Resource (SR) (change required)	Conservation/ Recreation (CR)	Forestry (change required)	Conservation
PID 023-005-432	15.95 ha	Sustainable Resource (SR) (change required)	Conservation /Recreation (CR)	Forestry (change required)	Conservation

The Denman Island LTC passed the following resolution at the December 12, 2024 regular business meeting to initiate this work:

DE-2024-075

**that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend the Denman Island Official Community Plan, 2008, to enable application PL-RZ-2024-0055 (Denman Conservancy Association).
CARRIED**

DE-2024-76

**that the Denman Island Local Trust Committee request staff to prepare a draft bylaw to amend Denman Island Land Use Bylaw, 2008, to enable application PL-RZ-2024-0055 (Denman Conservancy Association).
CARRIED**

A draft bylaw to amend the OCP and LUB are included as Attachment 1 and 2 for LTC Consideration.

DE-2024-077

**that the Denman Island Local Trust Committee request staff to send an early referral of PL-RZ-2024-0055 (Denman Conservancy Association) to the Islands Trust Conservancy and Agricultural Land Commission for comment.
CARRIED**

Islands Trust Conservancy Response

An early referral was sent to the Islands Trust Conservancy (ITC) on January 16, 2025, requesting comments, particularly on the potential benefits of recommending a conservation covenant for the two parcels that currently lack one. This early referral was reviewed by ITC staff, and has not been reviewed or considered by the ITC Board. In response, the ITC staff noted that while conservation covenants are a strong tool for protecting habitat, placing them on nature reserves is generally considered unnecessary, as these lands are already secured through legal ownership, internal policies, and binding agreements that prohibit sale or development. Additionally, covenants are costly to establish and maintain, requiring significant ongoing staff resources. Layering covenants onto already protected lands also raises concerns related to land access and reconciliation. For these reasons, and given current staff capacity limitations, staff advised that the ITC Board has paused placing covenants on its own nature reserves and gives low priority to holding covenants on reserves owned by other land trusts. Staff would only recommend such a project to the Board if a compelling and timely rationale is provided. At this time, the ITC's securement efforts are focused on high-priority lands that are not yet protected.

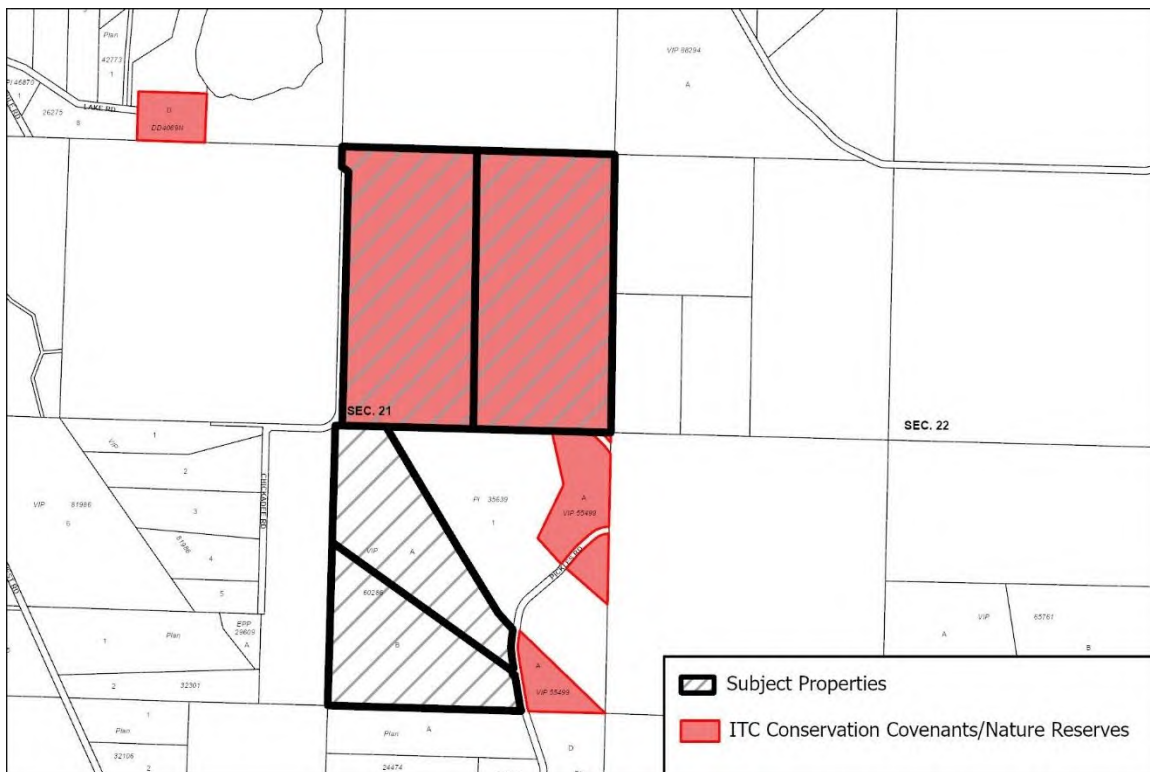


Figure 2. Subject Properties and ITC Conservation Covenants

Agricultural Land Commission Response

An early referral was sent to the Agricultural Land Commission (ALC) on January 17, 2025, requesting comments, particularly on rezoning the east portion of a parcel (PID 006-639-771) currently zoned Agriculture and in the ALR to a Conservation zone. ALC staff strongly object to the rezoning of the ALR portion of the parcel from Agriculture to Conservation as the Conservation zone would outright prohibit agricultural use. The priority use of land within the ALR is for agriculture and prohibition of farm uses by a local government enactment is not permitted except under limited circumstances that do not apply in this case (s. 4 of [ALR Use Regulation](#)).

ANALYSIS

Issues and Opportunities

Staff have identified the following, discussed in more detail below:

- Summary of draft Bylaw No. 256 (OCP)
- Summary of draft Bylaw No. 257 (Land Use Bylaw)
- Agricultural Land Commission and Agricultural Land Reserve
- Bylaws Consistent with Islands Trust Policy Statement

Summary of Draft Bylaw No. 256 (OCP)

Draft Bylaw No. 256 proposes amendments to the Official Community Plan (OCP) to align land use designations with the proposed Conservation zoning under Bylaw No. 257.

The four subject parcels are currently designated “Sustainable Resource” in the OCP, which supports forestry as the primary land use. One parcel (PID: 006-639-771) is split between “Sustainable Resource” and “Agriculture.” Based on early feedback from the ALC, staff recommend retaining the “Agriculture” designation on the portion within the ALR, while amending only the “Sustainable Resource” portion.

The Sustainable Resource designation is intended for large-lot lands used for resource extraction, such as forestry. Since the proposed Conservation zoning prohibits residential and commercial development and aims to preserve the land in its natural state, this designation no longer reflects the intended use. An OCP amendment is therefore required to ensure consistency between land use policy and zoning.

The proposal includes re-designating the subject properties from “Sustainable Resource” to “Conservation/Recreation,” which aligns with the OCP’s objective: *“To protect land for conservation and recreation purposes.”*

In addition, the proposal seeks to add four residential densities to the OCP’s Density Bank, as the Conservation zone will permanently remove all residential development potential from these parcels. Under Appendix D, Density Banking, Policy 1:

The Local Trust Committee may add unused residential densities to the Density Bank:

- from a rezoning application that removes residential density from lots that have subdivision potential, provided the lot retains at least one residential density;
- from an application to donate land to a conservation agency or organisation for conservation purposes or dedicated as park; and
- from a Local Trust Committee initiated zoning amendment that results in unused residential densities.

Although the DCA is not formally donating the land, staff recommend applying a broad interpretation of Policy 1, because the voluntary extinguishment of development rights and rezoning for conservation provide a lasting public benefit consistent with the policy’s intent.

Summary of Draft Bylaw No. 257 (LUB)

The map displays two sections of land, SEC. 21 and SEC. 22. SEC. 21 is divided into several parcels, some of which are shaded with diagonal lines, indicating they are subject properties. SEC. 22 is primarily green, indicating it is part of the Agricultural Land Reserve. A legend in the bottom right corner identifies the symbols: a diagonal line pattern for 'Subject Properties' and a solid green color for 'Agricultural Land Reserve'.

Although currently zoned for forestry, which allows residential use and resource activities, the properties are used solely for conservation. They contain only narrow walking paths through small portions of the land, with no permanent buildings. The rezoning will not change how the land is used; it will simply align the zoning regulations with the existing use.

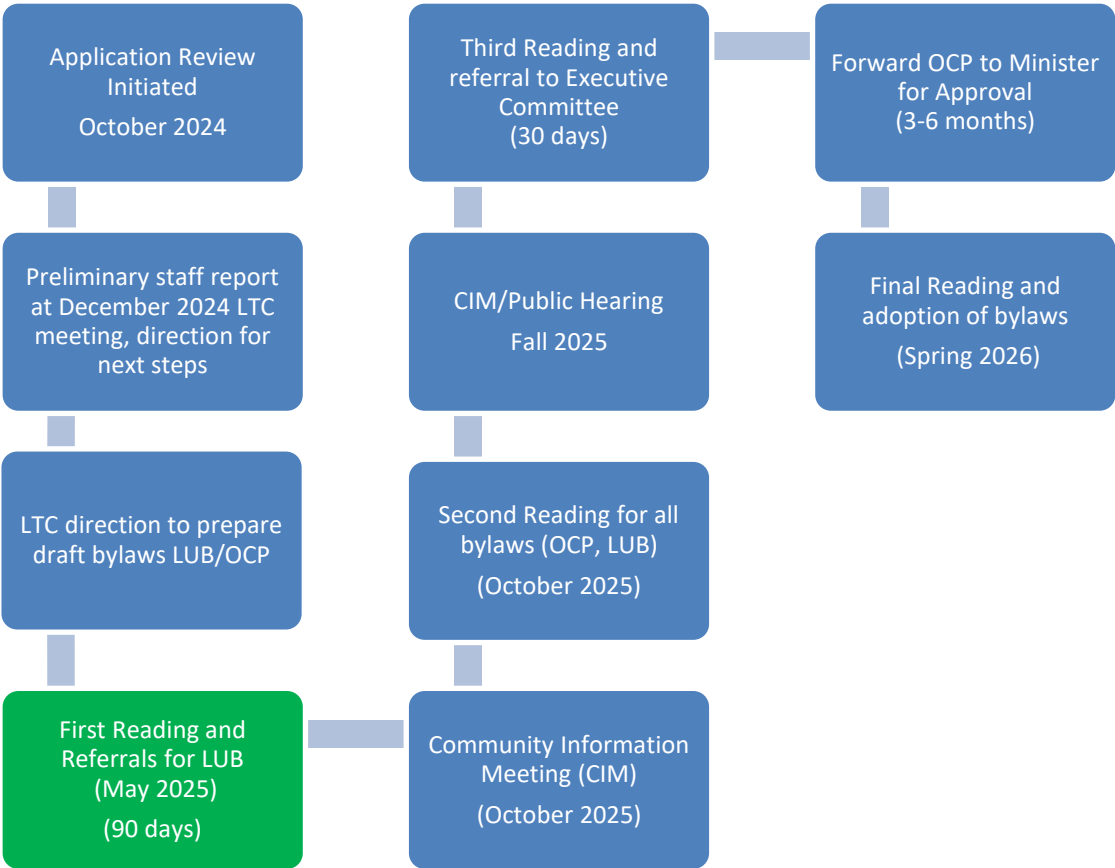
Bylaws Consistent with Islands Trust Policy Statement and OCP:

6 97

Attachment 3) and concluded that the Draft Bylaw No. 256 (OCP) and Draft Bylaw No. 257 (LUB) as written are not contrary to or at variance with the ITPS

Timeline

As the project involves an OCP amendment, the Local Government Act requires the LTC to consider opportunities for consultation with any persons, organizations, and authorities it believes may be affected. If the LTC wishes to pursue additional consultation beyond what staff have identified, please advise staff accordingly.



Protocols

Protocols and agreements exist and are relevant to the consultation/engagement process for this file with the Islands Trust Conservancy, K’omoks First Nation, Comox Valley Regional District and adjacent (Hornby Island) LTC.

Rationale for Recommendations

Staff recommend giving first reading to both draft Bylaw No. 256 (OCP) and draft Bylaw No. 257 (LUB) to initiate formal consultation with First Nations, agencies, and local governments.

The full list of staff recommendations can be found on page 1 of this report.

ALTERNATIVE

1. Direction to amend draft bylaw

The LTC may wish to make amendments to the draft bylaws. Recommended wording for the resolution is as follows:

That the Denman Island Local Trust Committee amend Proposed Bylaw No. 256, cited as the “Denman Island Land Use Bylaw, 2008, Amendment No. 3, 2025” by...

That the Denman Island Local Trust Committee amend draft Bylaw No. 257, cited as the “Denman Island Official Community Plan Bylaw, 2008, Amendment No. 2, 2025” by...

2. Give First and Second Readings to the draft bylaws

The LTC may choose to give First and Second Readings to all bylaws at this time and proceed with agency and First Nations referrals. This approach may be appropriate if the LTC feels the bylaws are well-developed and no substantial changes are anticipated. While referrals to agencies and First Nations can begin after First Reading, advancing to Second Reading signals the LTC’s general support for the direction of the bylaws and allows for more certainty when engaging with referral partners and preparing for a Public Hearing. Recommended wording for the resolutions are as follows:

That Denman Island Local Trust Committee Bylaw No. 256 cited as “Denman Island Official Community Plan, 2008, Amendment No. 3, 2025” be read a second time.

That Denman Island Local Trust Committee Bylaw No. 257 cited as “Denman Island Land Use Bylaw, 2008, Amendment No. 2, 2025” be read a second time.

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study or OCP process, etc.

4. Proceed no further.

The LTC may choose this alternative at any stage in a bylaw amendment application’s process. If this alternative is selected the following resolution is recommended:

“That the Denman Island Local Trust Committee proceed no further with application PL-RZ-2024-0055 (Denman Conservancy Association) for the following reasons [insert rationale].”

NEXT STEPS

Should the LTC concur with the staff recommendations, bylaw referrals will be sent out requesting a response within 90 days of the date on the referral.

Submitted By:	Marlis McCargar, Island Planner	May 9, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 12, 2025

ATTACHMENTS

1. Draft Bylaw No. 256 (OCP) – for First Reading
2. Draft Bylaw No. 257 (LUB) - for First Reading
3. ITPS Checklist (OCP)
4. ITPS Checklist (LUB)
5. Islands Trust Conservancy – Staff Early Referral Response, dated January 16, 2025
6. Agricultural Land Commission – Staff Early Referral Response, dated March 20, 2025



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST (OCP)

File No.: PLRZ20240055 (Bylaw No. 256)

File Name: Denman Conservancy Assoc.

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
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
✓	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
✓	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
✓	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
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.
✓	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
✓	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.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

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

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	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.
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	5.6	Cultural and Natural Heritage
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST (LUB)

File No.: PLRZ20240055 (Bylaw No. 257)

File Name: Denman Conservancy Assoc.

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECKLIST

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

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CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
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N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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

From: Kathryn Martell
Sent: Thursday, January 16, 2025 2:00 PM
To: Marlis McCargar
Cc: Clare Frater
Subject: RE: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Marlis,

I have had a look through this proposal from the perspective of whether ITC would be interested in holding conservation covenants on the 2 uncovenanted parcels that are part of this rezoning.

In general, having conservation covenants on protected areas, such as a nature reserve, is considered 'best practice' but it really represents a belt-and-suspenders approach: land trusts that hold nature reserves usually already have several layers of mandate, policies, and agreements in place to ensure that the lands are managed for conservation purposes, and cannot be sold or transferred except under extraordinary circumstances and often with prohibitive financial consequences. Conservation covenants are expensive to put in place, and require significant annual and ongoing work from the land trust holding the covenant. Moreover, a conservation covenant on a nature reserve represents yet another layer of alienation of lands for reconciliation purposes. For these reasons, as well as staff capacity constraints, the ITC Board has paused placing conservation covenants on ITC nature reserves, and places a lower priority on holding covenants for other land trusts' reserves.

Conservation covenants are a great tool for habitat protection but in this case, I do not think staff would be able to recommend this project to the ITC Board, unless the Denman Conservancy Association makes a compelling case for why this extra layer of protection is necessary at this point. Our current securement priority is on unprotected lands.

For additional context, over the last several years, the ITC Board has prioritized projects to address strains on ITC staff capacity. Recent resolutions include:

28 May 2024, **ITC-2024-024:**

that the Islands Trust Conservancy (ITC) Board request that staff prioritize Goal #2 of the Regional Conservation Plan related to strengthening relationships with First Nations, and components of Goal #1 related to knowledge, information and data management of ITC properties, and components of Goal #3 related to ongoing management of ITC

protected areas.

[and therefore not focus on components of Goal #3 related to new securements]

14 March 2023, **ITC-2023-009:**

that the Islands Trust Conservancy Board direct staff to:

1) Focus work for the 2023/24 fiscal year on:

- Land management, land securement and targeted outreach components of the Species at Risk Program;
- First Nations engagement associated with development of the ITC Plan;
- Administrative needs, including: policy updates, maintenance and updates to internal databases (land management and contact management), job description reviews for selected staff, review of the new website and technology used in the field; and
- Working on proposals for conservation lands that are high priority; and

2) Delay the following work items until the 2024/25 fiscal year:

- The Climate Change Project;
- Revision of property management plans;
- Development of a Reconciliation Action Plan;
- Monitoring of lands that are protected by other conservation agencies (i.e. parks and nature reserves) or that are considered at low risk of covenant breach or trespass;
- Outreach and communications that generate new conservation proposals; and
- Placing of covenants on ITC Nature Reserves.

25 January 2022, **ITC-2022-002:**

that the Islands Trust Conservancy Board direct staff to:\n

1) Focus work for the 2022/23 fiscal year on: \n

- the Climate Change Project;
- land management and targeted outreach components of the Species at Risk Program;
- development of a Reconciliation Action Plan; and
- administrative needs, including: policy updates, review of staff roles/structure/training, maintenance and updates to internal databases, review of the new website and technology used in the field; and

2) Delay the following work items until the 2023/24 fiscal year:\n

- revision of property management plans;

- monitoring of lands that are protected by other conservation agencies (i.e. parks and nature reserves) or that are considered at low risk of covenant breach or trespass;
- outreach and communications that generate new conservation proposals;
- work on conservation proposals for lands not considered a very high priority for conservation, including those under 8 ha in size; and,
- placing of covenants on ITC Nature Reserves.

From: Carolyn Stewart <cstewart@islandstrust.bc.ca>

Sent: Thursday, January 16, 2025 10:03 AM

To: Kathryn Martell <kmartell@islandstrust.bc.ca>

Cc: Marlis McCargar <mmccargar@islandstrust.bc.ca>; Clare Frater <cfrater@islandstrust.bc.ca>

Subject: FW: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Hi Kathryn,

Will you please take a look at this referral, in particular check timing for response, given ITCB's desire to receive all referrals for its review and that the Jan meeting package is out already and you probably need time to review/analyze this.

Thanks,

Carolyn Stewart

A/Manager

Islands Trust Conservancy

200-1627 Fort Street | Victoria BC V8R 1H8

T 250-405-5191 | islandstrust.bc.ca/conservancy

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

[Follow us on Facebook](#)

Protecting islands in the Salish Sea

I respectfully acknowledge that the Islands Trust Area is located within the treaty lands and territories of the BOŖEĆEN, Cowichan Tribes, K'ómoks, Lyackson, MÁLEXEL, Qualicum, scəwəθən, səliwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Songhees, Spune'luxutth', S̓ÁÁUTW̓, Stz'uminus, ʔaʔəmen, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̓JOLÉLP, W̓SIKEM, Xeláltxw, Xwémalhkww, Xwsepsum, and x̣ʷməθkʷəy̓əm First Nations. Islands Trust Conservancy is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

From: Marlis McCargar <>

Sent: Wednesday, January 15, 2025 4:29 PM

To: Carolyn Stewart <cstewart@islandstrust.bc.ca>

RE: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Subject: Early Referral to ITC - PLRZ20240055 (Denman Conservancy Association)

Hi Carolyn,

At the December 2024 Denman LTC meeting, the LTC passed the following resolution:

DE-2024-077

that the Denman Island Local Trust Committee request staff to send an early referral of PLRZ20240055 (Denman Conservancy Association) to the Islands Trust Conservancy and Agricultural Land Commission for comment.

CARRIED

The rezoning application involves four parcels of land. Two of these parcels (PIDs 006-639-771 and 006-657-656) already have a conservation covenant registered on title. To further preserve the ecological integrity of the area, the LTC is considering the benefits of recommending a conservation covenant on the two parcels that currently lack one. Staff have noted that while conservation covenants provide significant environmental benefits, they also come with substantial legal and administrative costs. As a result, the LTC has referred the matter to the Islands Trust Conservancy for an analysis of the benefits, feasibility, and potential interest in implementing a covenant on the remaining parcels (PIDs 023-005-424 and 023-005-434).

The [preliminary staff report](#) on our website outlines the proposal in more detail, and I'd be happy to discuss it with you further. Thank you for reviewing the materials, and please let me know if you have any early referral comments or particular issues you'd like considered as part of the rezoning application.

Regards,

Marlis McCargar, MEdes (she, her, hers)

Island Planner

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2210 | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOKEĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səllilwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SʔÁUTW, Stz'uminus, ʔaʔəmen, toq qaymíxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLELP, WSIKEM, Xeláltxw, Xwémalhkwu/ʔop qaymíxʷ, and xʷməθkʷəy̓əm.

From: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>
Sent: Thursday, March 20, 2025 12:39 PM
To: Marlis McCargar
Subject: RE: Early Referral - Rezoning Application in Partially in ALR - PLRZ20240055

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Marlis,

My apologies for the delayed response. The information you provided in your referral and the staff report were very helpful.

ALC staff strongly object to the rezoning of the ALR portion of the parcel with PID:006-639-771 from Agriculture to Conservation as the Conservation zone would outright prohibit agricultural use. The priority use of land within the ALR is for agriculture and prohibition of farm uses by a local government enactment is not permitted except under limited circumstances that do not apply in this case (s. 4 of ALR Use Regulation).

Please do not hesitate to contact me if you have any questions or would like to discuss further.

Sincerely,



Nicole Mak (she/her)
Regional Planner – Island & South Coast (FVRD) | Agricultural Land Commission
201 – 4940 Canada Way, Burnaby, BC, V5G 4K6
T 236.468.3278 | F 604.660.7033
ALC.Referrals@gov.bc.ca | www.alc.gov.bc.ca

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From: Marlis McCargar <mmccargar@islandstrust.bc.ca>
Sent: Friday, January 17, 2025 12:07 PM
To: ALC Referrals ALC:EX <ALC.Referrals@gov.bc.ca>
Subject: Early Referral - Rezoning Application in Partially in ALR - PLRZ20240055

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hello,

RE: Early Referral - Rezoning Application in Partially in ALR - PLRZ20240055

I am reaching out to request your feedback on a rezoning proposal under application PLRZ20240055 (Denman Conservancy Association), as discussed at the December 2024 Denman Island Local Trust Committee (LTC) meeting. The LTC passed the following resolution:

DE-2024-077

that the Denman Island Local Trust Committee request staff to send an early referral of PLRZ20240055 (Denman Conservancy Association) to the Islands Trust Conservancy and Agricultural Land Commission for comment.

CARRIED

The proposal includes rezoning the east portion of a parcel (PID 006-639-771) currently zoned Agriculture and in the ALR to a Conservation zone. While conservation activities are generally allowed within the ALR, the applicant has not provided confirmation of ALC support for this rezoning. Although no exclusion application has been submitted, and despite an existing conservation covenant on the property, it is important to note that the covenant currently permits farm activities on any portion of the lot within the ALR, in line with ALR Use Regulations.

Should the property be rezoned entirely to Conservation, this could prevent farm activities from continuing in these areas. Given these factors, the LTC is recommending that this application be referred to the ALC for further review.

The [preliminary staff report](#) on our website provides more detailed information on the proposal, and I'd be happy to discuss it further if needed. I would appreciate any early referral comments or insights you have on issues that should be considered as part of this rezoning application.

Please don't hesitate to reach out if you have any questions or would like to discuss this matter further.

Marlis McCargar, MEdes (she, her, hers)

Island Planner

Islands Trust

700 North Road | Gabriola BC V0R 1X3

T 250-247-2210 | www.islandstrust.bc.ca

You can also reach us toll-free via Service BC 1-800-663-7867 | 604-660-2421

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea

I am humbly thankful to live and work in the treaty lands and territories of the BOŦEĆEN, K'ómoks, Łək'wəŋən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səllilwətaʔ, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SʔÁUTW, Stz'uminus, łaʔəmen, toq qaymíxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLÉLP, WSIKEM, Xeláltxw, Xwémalhkww/ʔop qaymíxʷ, and xʷməθkʷəy̓əm.

DATE OF MEETING: September 5, 2025

TO: Hornby Island Local Trust Committee

FROM: Sonja Zupanec, RPP, MCIP
Northern Team

SUBJECT: Consideration of Amendments to Proposed Bylaw Nos. 176 (OCP) and 177 (LUB)

RECOMMENDATION

1. That the Hornby Island Local Trust Committee (LTC) request staff to report on the provincial short term rental registry data from May – September 2025 at the November regularly scheduled business meeting of the LTC.
2. That the Hornby Island Local Trust Committee direct staff to present proposed Bylaw Nos. 176 and 177, along with the August 15, 2025 Hornby Island Short Term Rental Association (HISTRA) recommendations, at the October 2025 Community Information Meeting for public feedback on potential bylaw amendments.

REPORT SUMMARY

The purpose of this report is to outline next steps for advancing considerations of Proposed Bylaws Nos. 176 and 177. Staff recommend presenting the bylaws, along with the August 15, 2025 Hornby Island Short Term Rental Association ([HISTRA](#)) recommendations, at the October Community Information Meeting to gather public feedback. Staff also recommend reporting back in November with an analysis of available provincial short-term rental registry data (May–September 2025) so the LTC can consider possible amendments with up-to-date information. All relevant background information and public correspondence related to this project is posted to the Islands Trust [project webpage](#).

BACKGROUND

In July 2025, the LTC gave second reading as amended to Proposed Bylaws No. 176 (Official Community Plan – Attachment 1) and 177 (Land Use Bylaw – Attachment 2) to remove a draft provision for a cap of 67 temporary use permits (TUP) for vacation home rentals. The LTC indicated it wished to learn more from the Provincial short term rental registry data for the summer of 2025 before considering a specific cap for TUPs.

ANALYSIS

Issues and Opportunities

Staff have identified the following issues and opportunities, discussed in more detail below.

Provincial Short-Term Rental Registry Data (May - July 2025)

At the time of report writing, 76–83 active short-term rentals were registered with the province. Actual numbers are likely higher due to unregistered operations or recently registered operations not currently reflected in the dataset. Staff have learned that the data sets are not live and take some time to be updated. Staff anticipate it will take until November 2025 to receive the total number of Hornby Island registrations for the 2025 summer season. Staff recommend the LTC request an update from staff at the November regular business meeting prior to any further amendments to the proposed bylaws being considered.

Overview of HISTRA's August 15, 2025 Recommendations

The HISTRA provided correspondence to the LTC on the proposed bylaws, recommending limiting one TUP per person or business to prevent concentration of ownership, and supporting six-month advance application windows, permanent resident exemptions, streamlined renewals, and alignment with CVRD licensing in the future. HISTRA also supports keeping the STR definition at less than 30 days to protect seasonal worker housing, a community-led cap-setting process within one year, continuity for current lawful operators through timely TUP issuance, and advance notice of decisions to align with booking cycles. They recommend removing lot/site plan requirements while retaining mandatory water and septic documentation. HISTRA's request for six-year TUPs is not legally possible under the Local Government Act, though a policy approach favouring renewals for compliant operators could provide similar predictability. Staff do not support making water and septic standards a collaborative process, as these are technical public health matters requiring Island Health oversight and consideration of K'ómoks First Nation's concerns about water use.

RATIONALE FOR RECOMMENDATIONS

Staff recommend that the Local Trust Committee (LTC) take a two-stage approach to advancing Proposed Bylaws Nos. 176 (OCP) and 177 (LUB). First, staff propose presenting the bylaws together with the August 15, 2025 recommendations from HISTRA at the October 2025 Community Information Meeting. This will give the community an opportunity to review the proposed regulations and provide feedback on possible amendments before the LTC considers further changes.

Second, staff recommend that the LTC defer any decisions on amending the bylaws until the November 2025 regular business meeting. Staff can report back on the provincial short-term rental registry data collected from May–September 2025 and results of the Community Information Meeting. This data will provide important evidence on the extent and impact of short-term rentals on Hornby Island and will help ensure that any bylaw amendments are well-informed and responsive to actual community conditions.

This approach allows the LTC to proceed with community engagement while also ensuring that upcoming provincial data is available to support decision-making on potential amendments.

A summary of staff recommendations is provided on page 1 of this report.

ALTERNATIVE:

1. Amend the Project Charter and/or request staff to amend the Proposed Bylaws further.

The LTC can amend the [Project Charter](#) scope/objectives and/or further amend the Proposed Bylaws to ensure alignment with the LTC's intentions to update the OCP and LUB. If this alternative is selected, the suggested resolution would be:

"That the Hornby Island Local Trust Committee amend (insert Proposed Bylaw No. or Project Charter) by (insert specific amendments)."

Next Steps

A Community Information Meeting is scheduled for October 24, 2025 at 4pm at the Community Hall.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	August 26, 2025
Concurrence:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	August 26, 2025

ATTACHMENTS

1. Proposed Bylaw No. 176 (OCP) – at second reading
2. Proposed Bylaw No. 177 (LUB) – at second reading

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 176

A BYLAW TO AMEND HORNBY ISLAND OFFICIAL COMMUNITY PLAN, 2014

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

1. This bylaw may be cited for all purposes as “Hornby Island Official Community Plan Bylaw No. 149, 2014, Amendment No. 1, 2024”.
2. Hornby Island Local Trust Committee Bylaw No. 149, cited as “Hornby Island Official Community Plan, 2014,” is amended as per Schedule “1” and “2” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 9TH DAY OF AUGUST , 2024

READ A SECOND TIME THIS 16th DAY OF MAY , 2025

PUBLIC HEARING HELD THIS - DAY OF - , 202x

READ A THIRD TIME THIS - DAY OF - , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

- DAY OF - , 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

- DAY OF - , 202x

ADOPTED THIS - DAY OF - , 202x

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 176
Schedule “1”

1. **Schedule “A”** of Hornby Island Official Community Plan, 2014 is amended as follows:

1.1 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.1 Residential – General, Objectives** (1) is deleted and replaced with:

“(1) to ensure that a variety of housing and housing tenure options are supported by this Plan.”

1.2 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.1 Residential – General, Policies**, is amended by adding the following new policy after 6.3.1.3 “6.3.1.4 Vacation Home Rental use is permitted through the issuance of a valid Temporary Use Permit.”

1.3 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Objectives**, be amended by adding a new objective after (4) which reads: “(5) to support multi-dwelling residential rental tenure development in the Large Lot Residential zone, through rezoning applications.”

1.4 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Policies** 6.3.3.6 is amended by deleting the words “and vacation home rentals”.

1.5 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.3 Residential**, article **6.3.3 Rural Residential, Policies** is amended by adding a new policy 6.3.3.10 that reads “6.3.3.10 Rezoning applications are encouraged for multi-dwelling developments restricted to residential rental tenure and which ensure affordability is maintained in perpetuity.”

1.6 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.4 Agriculture**, article **6.4.1 Agriculture, Policies**, 6.4.1.4 be deleted in its entirety and replaced with “6.4.1.4 On lots 4.0 hectares or larger in the Agricultural Land Reserve, regulations should permit one principal dwelling and one secondary suite within the principal dwelling as well as one additional secondary dwelling limited in floor area and consistent with the Agricultural Land Commission regulations.”

1.7 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, 6.5.2.5 a) is amended by removing the words “, guest houses or vacation home rentals”.

1.8 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, 6.5.2.5 b) is deleted in its entirety and replaced with “6.5.2.5 b) On land in the Agricultural Land Reserve, vacation home rentals approved by a temporary

use permit and agri-tourism accommodation in accordance with Agriculture Land Commission policy and regulations, if zoning allows such a use.”

- 1.9 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.2 Visitor Accommodations and Tourism, Policies**, Policy 6.5.2.5 is amended by adding a new item c) that reads: “c) Vacation home rental use may be approved through the issuance of a Temporary Use Permit and subject to guidelines contained within the Land Use Bylaw.”
- 1.10 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.3 Vacation Home Rental**, is deleted in its entirety and subsequent subsections renumbered accordingly.
- 1.11 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.5 Home Occupations, Background**, paragraph 2 is amended by removing the words “and vacation home rental of a primary residence is addressed in article 6.5.3 Vacation Home Rental”.
- 1.12 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.5 Commercial and Home Occupations**, article **6.5.5 Home Occupations, Policies**, Policy 6.5.5.7 is deleted in its entirety and subsequent policies renumbered accordingly.
- 1.13 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.10 Temporary Use Permits, Objectives**, Objective (9) is deleted in its entirety and replaced with “(9) to allow vacation home rental use as per Policy 6.5.2.5 c)”.
- 1.14 **Section VI – OBJECTIVES AND POLICIES FOR SUSTAINABLE LAND USE**, Subsection **6.10 Temporary Use Permits, Guidelines**, 6.10.1 through 6.10.10 are deleted and replaced with the following text: “The guidelines for this subsection are found in the Hornby Island Land Use Bylaw.”

PROPOSED

HORNBY ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 177

A BYLAW TO AMEND HORNBY ISLAND LAND USE BYLAW, 2014

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

1. This bylaw may be cited for all purposes as “Hornby Island Land Use Bylaw No. 150, 2014, Amendment No. 1, 2024”.
2. Hornby Island Local Trust Committee Bylaw No. 150, cited as “Hornby Island Land Use Bylaw, 2014,” is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 9TH DAY OF AUGUST , 2024

READ A SECOND TIME THIS 16th DAY OF MAY , 2025

PUBLIC HEARING HELD THIS - DAY OF - , 202x

READ A THIRD TIME THIS - DAY OF - , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

- DAY OF - , 202x

ADOPTED THIS - DAY OF - , 202x

Chair

Secretary

HORNBY ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 177
Schedule "1"

1. **Schedule "A"** of Hornby Island Land Use Bylaw, 2014 is amended as follows:

- 1.1 **PART 1, INTERPRETATION**, Section **1.1 Definitions**, the definition of **structure** is amended by adding the words ", and water storage cisterns." After "related appurtenances".
- 1.2 **PART 1, INTERPRETATION**, Section **1.1 Definitions**, and the definition of **vacation home rental use** is deleted.
- 1.3 **PART 3, GENERAL REGULATIONS**, Section **3.7 Vacation Home Rental Uses** be deleted and subsequent sections are re-numbered accordingly.
- 1.4 **PART 8, ZONE REGULATIONS**, Section **8.1 Residential 1- Small Lot (R1) Zone (Galleon Beach, Shingle Spit, Sandpiper, Whaling Station Bay/Anderson Drive and portion of Klaver Lot)**, Subsection **(1) (d)** is deleted.
- 1.5 **PART 8, ZONE REGULATIONS**, Section **8.2 Residential 2- Large Lot (R2) Zone**, Subsection **(1) (h)** is deleted.
- 1.6 **PART 8, ZONE REGULATIONS**, Section **8.4 Residential 4- Forest (R4) Zone**, Subsection **(1) (g)** is deleted.
- 1.7 **PART 8, ZONE REGULATIONS**, Section **8.5 Agriculture 1 (A1) Zone**, Subsection **(1) (f)** is deleted.
- 1.8 **PART 8, ZONE REGULATIONS**, Section **8.21 Public Use (PU) Zone**, Subsection **(9) table** is amended by adding a new site specific regulation after "(d) Recycling depot" that reads "(e) Community housing, to a maximum density of 10 units per hectare and 24 live/work units per lot."
- 1.9 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.1 Temporary Use Permits**, text is amended by adding the following sentence at the end of the paragraph "All Temporary Use Permit Objectives are listed in the Hornby Island Official Community Plan."
- 1.10 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.2 Objectives** is deleted and subsequent section renumbered accordingly.
- 1.11 **PART 10, TEMPORARY USE PERMIT AREAS**, Section **10.3 Guidelines**, Subsection **(10)** is deleted and replaced with the following:

"When considering the issuance of a Temporary Use Permit for a vacation home rental, the following additional guidelines apply:

 - (a) The cumulative impacts of vacation home rentals on both the neighbourhood and the island as a whole shall be considered. Applications may be refused where the concentration or cumulative effect of vacation home rentals would result in unacceptable land use impacts, including but not limited to impacts on residential character, traffic, or housing availability.
 - (b) applicants for a Temporary Use Permit should provide:

- i) Confirmation from an authorized person that the sewerage system for the vacation rental has been inspected in the last 6 months and meets the requirements of the Sewerage System Regulation and/or determines what level of construction is required on the existing system to comply with the Sewerage System Regulation;
- ii) an issued operating permit for a water supply system servicing more than one dwelling;
- iii) confirmation from a qualified professional to certify the watery supply meets the Guidelines for Canadian Drinking Water Quality for microbial and chemical quality or can be made potable with specified measures;
- iv) confirmation from a qualified professional that well water quantity intended to supply the vacation rental is sufficient.

(c) a condition of the Temporary Use Permit should require the permit holder to post information for guests about awareness and sensitivity to the significant First Nations cultural heritage and archaeological sites on the island;

(d) a condition of the Temporary Use Permit should prohibit recreational vehicles or camping;

(e) a condition of the Temporary Use Permit should allow vacation home rental use only between May 1 – September 30;

(f) a condition of the Temporary Use Permit should allow no more than 2 beds per bedroom and no more than three bedrooms to be used for dwellings on lots less than 1.0 hectare in size; or more than four bedrooms if the lot has an area of 1.0 hectare or more.

(g) a condition of the Temporary Use Permit should restrict occupancy during any period of seven consecutive days to only one guest or guest party;

(h) a condition of the Temporary Use Permit should limit occupancy and signage on the property;

(i) a condition of the Temporary Use Permit should require specific information to be posted to guests regarding the location of property lines by way of a map, any applicable noise bylaws, measures to address water conservation, fire safety, storage and management of garbage, septic system care and control of pets (if pets are permitted) as stated in the Temporary Use Permit or as determined by the owner or manager to effectively manage the site; and

(j) any other requirements the Local Trust Committee may consider appropriate.

DATE OF MEETING: Sept 5, 2025
TO: Hornby Island Local Trust Committee
FROM: Renee Jamurat, Regional Planning Manager
Northern Team
COPY: Sonja Zupanec, Island Planner
SUBJECT: Business Case for 2026/27 Fiscal - OCP/LUB Review

RECOMMENDATION

- 1. That the Hornby Island Local Trust Committee endorse the attached business case for the OCP/LUB Review Project and that staff forward the business case to the relevant committees and to Trust Council.**

REPORT SUMMARY

The report attaches a draft business case for the allocation of funding and staff resources for the continuation and anticipated completion of the OCP/LUB Review Project for the next fiscal year.

DISCUSSION

As a Major Project, Trust Council must approve a business case. Attached is a draft business case for LTC review and consideration. The LTC may approve as presented, amend the business case and approve, or defer consideration. If approved, the next step would be to forward the business case to Regional Planning Committee (RPC) and Financial Planning Committee (FPC) for review and forwarding to Trust Council. If approved, the project would continue April 2026 and be completed by March 2027.

Business Case

A budget of \$5,000 is proposed, to cover legal review and costs of the legislative process (advertising and public hearing). This is a fairly typical budget request for final bylaw drafting and legislative review. As a major project, it would be managed by a planner from the Regional Planning Team, supported by the assigned Island Planner, with additional support and direction from the Regional Planner Manager, and support from mapping, administrative staff, and other staff. No consultants are proposed for this final phase of the project.

Rationale for Recommendation

The recommendation is for the LTC to endorse the business case and forward to committees and Trust Council.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision.

That the Hornby Island Local Trust Committee request that staff report back to a future meeting with...

2. Proceed No Further

The LTC may choose to not proceed with the project

That the Hornby Island Local Trust Committee proceed no further with an OCP/LUB Review project.

3. Receive for information

The LTC may receive the report for information.

NEXT STEPS

If the LTC provides direction, staff will forward the Business Case for review and approval.

Submitted By:	Renee Jamurat, Regional Planning Manager	August 27, 2025
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ATTACHMENTS

1. Hornby OCP/LUB Review Project Draft Business Case



Islands Trust

**Budget Funding Request
Short-Form Business Case**

Completion of this form initiates a request to the management team, FPC, and ultimately Trust Council for allocation funding in the next fiscal year budget. The form is to be completed and submitted at the start of the decision making process. The business case forms part of the Annual Budget Process (refer to Islands Trust Council Budget Process Policy 6.3.i).

TO BE COMPLETED BY INITIATOR

Requested by (Committee or Operational Unit):

Regional Planning Committee

Department:

Planning Services

Name of Request:

Hornby Island LTC – Comprehensive OCP & LUB Review Project

(Year 6 of 6)

\$ Value of Request (indicate by fiscal year and total if project is multi-year):

2026-2027: \$5,000

Budget to-date: \$56,050

2021-22 = \$14,500 (GM LTC OCP: \$4,000; RPC OCP: \$8,500; First Nations: \$2000)

2022-23 = \$14,050 (Consultant Contract, admin costs)

2023-24 = \$12,000 (First Nation capacity funding agreement)

2024-25 = \$25,000 (First Nation Capacity Funding agreement)

2025-26 = \$5,000

Budget Source (select all that apply):

- ☐ **Specific Project Funding** (select all that apply)
- ☐ Third Party Contractors
 - ☒ Staff Travel Expense
 - ☒ Staff Overtime Expense
 - ☐ New Staff Member – Temporary for project
 - ☐ Computer Hardware/Software

☐ **Furniture & Equipment**

☐ **Computer Hardware/Software/Supplies**

☐ **New Staff Resources** (see Staff Costing Tool)

☐ Permanent

☐ Temporary

Temp Duration: _____

☒ **Other – please describe:** implementing First Nation Engagement Summary Recommendations and increasing housing options on Hornby Island.

Date of Submission to Finance: September 2025

Funding Required for (date range):

April 1, 2026 – March 31, 2027

TIE TO ISLANDS TRUST GUIDING DOCUMENTS:

Islands Trust has adopted policies regarding reconciliation, respect, communication and actions that build relations with Indigenous Communities on whose traditional and unceded lands the Islands Trust operates.

- 1) Islands Trust Reconciliation Declaration, adopted by Islands Trust Council on March 14, 2019.

“The Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and honours the rich history, stewardship, and cultural heritage that embody this place we all call home.”

The Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous Peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

The Islands Trust Council will strive to create opportunities for knowledge-sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea."

2) The Hornby Island LTC's standing resolution regarding First Nations in the Local Trust Area, adopted May 24, 2019.

"Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;*
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;*
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;*
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;*
- e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area."*

- 3) Islands Trust Conservancy Reconciliation Declaration, ratified by the Islands Trust Conservancy Board on June 16, 2019, in the territories of the Lək̓ʷəŋən Peoples, METULIYE/Victoria, B.C.
- 4) Reconciliation Action Plan 2019-2022, passed by the Islands Trust on June 19, 2019, in the Coast Salish/Penelakut Territory, Galiano Island.
- 5) Islands Trust Council Strategic Plan 2025-2028 addresses objective to Strengthen Relations with First Nations.

ISSUE/OPPORTUNITY:

This funding request is for an additional year to complete the Hornby Comprehensive OCP & LUB Review project. This project aims to update the OCP and LUB regarding affordable housing, and implementing First Nations engagement recommendations.

The LTC has reviewed a draft engagement summary from the K'ómoks First Nation and will be advancing consideration of implementation once proposed Bylaws Nos. 176 and 177 (short term vacation rental bylaws) have been advanced to public hearing. The LTC considers engagement with K'ómoks First Nation to be a top priority as well as addressing the need for increased housing options to address the lack of affordable housing on the island.

PROJECTED RESULTS/DELIVERABLES:

- The proposed Major Project would implement First Nations engagement summary recommendations into new policies and regulations to protect cultural heritage resources and the natural environment as well as provide for more equitable housing options.
- Results in updated OCP and LUB bylaws for Hornby Island.
- Implementing actions in the Islands Trust Reconciliation Action Plan 2019-2022 by undertaking early and meaningful engagement with First Nations, to align land use planning policies and regulations with First Nations interests and First Nations-led planning and policy initiatives.

RISK ASSESSMENT:

Factors potentially affecting the timing of project deliverables include:

- Regional Planning Team capacity and K'ómoks First Nation capacity to support the work. First Nation capacity and interest to engage may not align with desired project timelines.
- Unanticipated timing delays or extensions due to change of scope, trustee or staff availability/capacity, coordination with other IT projects, or other factors.
- The project has been taking longer to complete, running into multiple fiscal years.

ALTERNATIVES CONSIDERED:

Option 1: Proceed no further. The benefit of not proceeding further is budget savings. The risk of not implementing the First Nations engagement recommendations into updated policies and regulations may adversely impact relations with First Nations and threaten culturally significant areas of the island with status quo development. The risk of not proceeding with the review of increased housing options on the Island may adversely impact the ability for residents to develop secure rental housing options.

CRITICAL SUCCESS FACTORS:

- First Nation reconciliation efforts will be advanced.
- Ongoing, consistent, and positive efforts by LTC, supported by staff.
- Interest from K'ómoks First Nation to initiate and engage in discussion with the LTC.
- LTC completes Public Hearing by March 2027; ministerial approval and adoption by Fall 2027.

RECOMMENDED OPTION:

The present funding request is for \$5,000 for fiscal 2026/27 to allow the Hornby Island OCP/LUB project to be completed and implemented.

COST/BENEFIT ANALYSIS:Quantitative:

\$5,000 for fiscal 2026/2027

- \$2,500 - Legal Review of Drafting OCP and LUB amendment bylaws
- \$1,000 – CIM, Legislative Process including referral to First Nations and agencies
- \$1,000 - CIM and Public Hearing
- \$500 - Communications

Qualitative:

If no action taken, housing crisis will elevate to a critical level. Without updating the OCP to strengthen the various policies and objectives that impact the conditions of housing (and its associated environmental, social, economic and cultural conditions), Hornby Island will no longer be able to provide healthy social, economic, environmental and cultural conditions for its residents. Furthermore, the island will no longer be able to maintain its character. Most importantly, if no action is taken, we will fail to implement the Trust Council's mandate of preserving and protecting Hornby Island.

PURCHASING PROCEDURE: n/a

PROPOSED IMPLEMENTATION STRATEGY:

April 1, 2022 – March 31, 2027 over 5 years.

	Date Range	Budget Request
Legal Review of Drafting OCP and LUB amendment bylaws	Spring/Summer 2026	\$2,500
CIM, 1 st reading, further engagement, referrals to First Nations and agencies	Winter 2027	\$1,000
Consideration of changes and 2 nd reading	Spring 2027	0
Community Information Meeting and Public Hearing	March 2027	\$1,000
3 rd reading	Spring 2027	0
Forward to Executive Committee and Ministry of Municipal Affairs	Spring 2027	0
Final Adoption	Fall 2027	0
Bylaw amendment communications	Fall/Winter 2027	\$500

STAFF RESOURCING:

- 450 hrs Regional Planning Team Project Manager
- Up to 20 hours LTC Planner
- Up to 20 hours Regional Planning Manager
- Up to 20 hrs Admin Support (subject to other approved major projects)
- 40 hours Communications
- 20 hours GIS mapping
- 10 hours SIRA

CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION:

Adoption of the bylaws will involve communications with the Hornby Island community and First Nations. The budget request includes public outreach and website updates normally completed as part of the organization's standard communications for bylaw updates.

Requested by: Hornby Island Local Trust Committee

Prepared by: Renée Jamurat, RPM, Planning Services / date

Reviewed by: Stefan Cermak, Director Local Planning Services/date

From: northinfo
Sent: Monday, July 14, 2025 9:48 AM
To: Nadine Mourao
Subject: FW: Invitation to the Liquor and Cannabis Regulation Branch's Engagement on Cannabis Market Controls and Sales at Events
Attachments: Discussion Paper - Cannabis Sales at Events.pdf; Discussion Paper - Market Controls.pdf

From: LCRB Outreach LCRB:EX <LCRB.Outreach@gov.bc.ca>
Sent: Tuesday, July 8, 2025 4:14 PM
To: LCRB Outreach LCRB:EX <LCRB.Outreach@gov.bc.ca>
Subject: Invitation to the Liquor and Cannabis Regulation Branch's Engagement on Cannabis Market Controls and Sales at Events

Hello,

The Liquor and Cannabis Regulation Branch (LCRB) is reviewing cannabis market controls (licence cap, tied-house, vertical integration) and is looking into enabling cannabis sales at events.

We invite you to review the attached discussion papers and share your perspectives. Your input will help inform our policy development and ensure we understand and consider the priorities of local governments in British Columbia.

Input on cannabis market controls or cannabis sales at events may be provided to the LCRB in the following ways:

Request a meeting

If you would like to meet to discuss your feedback, please contact LCRB.Outreach@gov.bc.ca by **August 1, 2025**.

Written feedback

If you wish to provide written feedback, please respond to the discussion questions listed in the engagement paper and submit your comments by **September 1, 2025**.

- Responses to the engagement paper can be sent via email:
LCRB.Outreach@gov.bc.ca.
- Responses to the engagement paper can be sent by mail:
Attn: LCRB Communications
PO Box 9292 Stn Prov Govt
Victoria, B.C. V8W 9J8

Questions and/or input regarding this engagement may be sent to the LCRB at LCRB.Outreach@gov.bc.ca.

Thank you,

Janet Donald
Executive Director
Liquor and Cannabis Regulation Branch
Ministry of Public Safety and Solicitor General
www.gov.bc.ca/lcrb



DISCUSSION PAPER

Cannabis Sales at Events

June 2025

Purpose

The Liquor and Cannabis Regulation Branch, Ministry of Public Safety and Solicitor General, invites Indigenous partners and interested parties to comment on enabling cannabis sales at events. This discussion paper provides a brief background and discussion questions.

Responses will be accepted until **September 1, 2025**

Contact

Sarah Gosman
Director, Legislation and Policy
LCRB.Outreach@gov.bc.ca

Introduction

In Spring 2022, the Government of British Columbia completed a broad engagement to support a strong, diverse and safe legal cannabis sector across the province. This engagement identified an interest in expanding opportunities for cannabis hospitality.

In January 2024, the Government of British Columbia took its first step in gradually enabling cannabis hospitality and tourism by allowing the promotion of cannabis-friendly spaces and consumption of cannabis on public patios where smoking and vaping tobacco is already allowed, subject to Indigenous nation or local government bylaws and other rules.

As a next step, the Liquor and Cannabis Regulation Branch (LCRB) is exploring how to enable cannabis sales at events. The LCRB is seeking input on the potential options for enabling cannabis sales at events.

Who can give feedback?

The LCRB wants to hear from:

- Section 119 agreement holders and Indigenous partners
- Cannabis retail licensees
- Federally licensed producers
- First Nations, Modern Treaty Nations and local governments
- Cannabis industry organizations
- Other partners

What Have People Said So Far?

Between August and September 2024, the LCRB held initial engagement sessions with cannabis industry leads and Indigenous partners to better understand the impacts of enabling cannabis sales at events.

The key messages the LCRB heard from these sessions include:

- Cannabis sales at events can improve public safety by bringing legal sources into event spaces where illicit sales and consumption are likely already occurring.
- There are opportunities to:
 - Educate consumers about legal sources at events,

- Use retailer experience in detecting intoxication and age-gating at events,
 - Market B.C. products, and
 - Increase community partnerships and presence at local events.
- The process to apply should be simple and not too expensive.

Proposed Options

Based on input and analysis, there are two potential options to enable temporary cannabis sales at events:

1. Develop a new licence class, or
2. Create an event sale 'add-on' for current licensees and authorization holders.

Option 1: Create a new licence class

- This option would create a new licence class for selling cannabis at events.
- Provincial retail licensees, section 119 authorizations holders, and federally licensed producers could apply.
- This option aims to streamline licence application and requirements by using current processes where possible, such as considering past security screenings and financial integrity checks.
- Requires a one-time fee around \$1000-\$2000, plus a small yearly fee.
- Key Considerations:
 - Available to provincial retail licensees, s. 119 authorization holders and federally licensed producers;
 - Likely available in 2026;
 - Will have upfront administrative requirements (e.g., applying for a new licence);
 - Fees would likely be higher than option 2.

Option 2: Create an event sale add-on for licensees and authorizations holders

- This option would create an event sale add-on for current provincial retail licensees (including PRS licensees) and section 119 authorization holders.
- This option would work similar to event sales processes in the liquor framework, such as endorsements and authorizations.

- In addition to standard fees associated with provincial cannabis licensing, a small, one-time fee, around \$500, would likely apply to endorsement applications.
- Key Considerations:
 - Less administrative requirements upfront;
 - Fees would likely be lower than option 1;
 - Federally licensed producers would not be eligible unless they hold a PRS licence;
 - Likely available in late 2026 or 2027.

What's not Changing?

Cannabis framework will continue to balance economic development opportunities with public health and safety. For example, possession limits and restrictions around cannabis advertising and promotions will continue to apply.

Cannabis consumption at events will have to follow the current rules in the *Cannabis Control and Licensing and Act* and its regulations and applicable Indigenous nation and local government bylaws. The current cannabis framework also allows First Nations and local governments to set cannabis retail rules for their communities and the LCRB is committed to maintaining local authority.

For adults 19+, consuming cannabis is legal anywhere except where it is explicitly restricted. Smoking and vaping cannabis are not allowed in the following public places:

- Playgrounds, sports fields, skate parks, swimming pools and spray pools, or any decks or seating areas associated these places
- Public buildings, workplaces, or common areas of apartments, condos, or dormitories, and within six metres of air intakes, windows, and doorways attached to these places
- Within six metres of bus stops, transit shelters, train stations, ferry docks and similar places
- Regional and municipal parks, except for designated campsites
- Provincial parks, except for areas identified or designated
- Health board properties, except in designated smoking areas

Events with cannabis sales must consider cannabis consumption laws during planning for an event.

Read the [Public Consumption Fact Sheet \[626KB,PDF\]](#) to learn more about public consumption restrictions in B.C.

Discussion Questions

The LCRB wants to hear your feedback on the proposed options for enabling cannabis sales at events.

Please share your thoughts on the questions below. Comments not related to the questions will not be considered at this time. Your comments are confidential and will not be shared in a manner that identifies you.

1. Which option do you prefer for enabling cannabis sales at events and why?
2. What are the risks and opportunities for allowing cannabis sales at events?
3. What type of events should cannabis be sold at (e.g., festivals, farmer's markets, etc.)?
4. Are there events where cannabis sales should not occur (e.g., all-ages events, specific locations like next to a playground)?
5. What public safety limitations and restrictions should be placed on cannabis sales at events (e.g., how much you can buy per purchase, type of product you can buy)?
6. Is there anything else we should consider about enabling cannabis sales at events?

Submitting your Comments

Send your comments to LCRB.Outreach@gov.bc.ca with the subject "Cannabis Sales at Events Engagement." Email submissions are preferred.

Submission deadline: September 1, 2025

When submitting your comments, please include:

- Full name of the person submitting
- Name of the business/organization and licence number, if applicable
- Municipality or regional district in which your store or production facility is located
- Municipality, regional district or Indigenous nation in which you are

- submitting a response on behalf of, if applicable
- Phone number, including area code and reply email address

If you wish to provide comments by mail, you can send to:

Liquor and Cannabis Regulation Branch
PO Box 9292 Stn Prov Govt
Victoria, BC V8W 9J8

Collection Notice

By submitting a response to this consultation paper, I understand that my personal information is being collected pursuant to sections 26(c) and 26(e) of the *Freedom of Information and Protection of Privacy Act* for the purposes of sharing my views or the views of my organization in response to the questions outlined in the discussion paper. Any questions about the collection, use, disclosure and storage of my Personal Information pursuant to this engagement should be directed to the Communications Director, Liquor and Cannabis Regulation Branch at PO Box 9292 STN PROV GOVT, Victoria, B.C., V8W 9J8, or by phone at 236-478-0348.



DISCUSSION PAPER

Market Controls

June 2025

Purpose

The Liquor and Cannabis Regulation Branch, Ministry of Public Safety and Solicitor General invites Indigenous partners and interested parties to comment on B.C.'s cannabis market controls. This discussion paper provides a brief background and discussion questions.

Responses will be accepted until **September 1, 2025**

Contact

Sarah Gosman
Director, Legislation and Policy
LCRB.Outreach@gov.bc.ca

Introduction

When cannabis became legal in 2018, the Province created rules to govern the legal cannabis market. These rules are referred to as market controls and include:

- **Licence Cap:** limits the number of cannabis retail store licences a company, person or group can hold to eight;
- **Tied House:** prohibits financial or other arrangements between cannabis retail store licensees and federally licensed producers;
- **Vertical Integration:** restricts federally licensed producers' ownership of cannabis retail stores.

The Liquor and Cannabis Regulation Branch (LCRB) is reviewing these cannabis market controls and considering whether setting a minimum required distance between cannabis retail stores (CRS) and allowing the sale of retail branded cannabis products (also called “white label” or “private label” products) would support the cannabis industry in B.C.

Who can give feedback?

The LCRB wants to hear from:

- Section 119 agreement holders and Indigenous partners
- Cannabis retail licensees
- Federally licensed producers
- First Nations, Modern Treaty Nations and local governments
- Cannabis industry organizations
- Other Partners

What's This About?

Market controls are intended to:

- Support diversity in the legal market,
- Prevent well-capitalized companies from dominating the retail market,
- Foster a competitive marketplace, and
- Create economic opportunities for local entrepreneurs and Indigenous people.

Current market controls apply to all CRSs in B.C.; however, exceptions, such as vertical integration and tied house exemptions, have been part of government-to-government section 119 agreements between First Nations and the Province.

Previous Licence Cap Engagement:

In 2023, the LCRB engaged, on the licence cap, with cannabis store licensees, Section 119 agreement holders, First Nations and Modern Treaty Nations, local governments and cannabis industry associations. The LCRB received 61 responses and most responses either supported no change to the licence cap or wanted to raise the licence cap. Now, with the broader review of market controls we are seeking updated input.

Provincial Distance Criteria:

The LCRB has heard the cannabis industry advocating for a minimum distance between CRSs similar to the distancing requirement in B.C.'s liquor framework. This would potentially require CRSs to be a set distance from another CRS. The distance between CRSs can be based on different criteria, such a specific measurement or limiting the number of stores allowed in a specific area based on population. The current cannabis framework allows First Nations and local governments to set distancing rules for their communities. In acknowledgement of the role that First Nations and local governments play in shaping B.C. communities, the LCRB is committed to maintaining local authority.

Retail Branded Cannabis Products:

The LCRB has heard that CRSs want to sell cannabis products with their own retail branding. Retail branded cannabis products are commonly known as “white label” or “private label” cannabis products.

We understand “white label” to mean a product that is produced by a Producer and then packaged and sold by retailers using their own branding. The specific product could be sold by multiple companies, and the labeling or branding would be specific to the retailer where the product is sold.

On the other hand, “private label” means a product that is produced by a Producer and packaged and sold using a specific company or retailer’s branding, opposed to multiple companies selling the same product under their brand.

What's not Changing

The LCRB will continue to require a local government or Indigenous nation's recommendation on a proposed retail store location before approving or changing a cannabis store licence in their community.

Any potential changes to B.C.'s market controls must align with federal cannabis rules under the *Cannabis Act* and its regulations.

Discussion Questions

The LCRB wants to hear your feedback on the following:

- the licence cap,
- minimum distancing rules between CRSs, and
- the sale of retail branded cannabis products in CRSs.

Feedback received will inform policy development for this project.

Please share your thoughts on the questions below. All questions may not be relevant to all participants. Comments not related to the questions will not be considered at this time. Your comments are confidential and will not be shared in a manner that identifies you.

Licence Cap:

- How does the licence cap affect the cannabis industry in B.C.?
- Which of the following options do you most agree with (and why):
 - a) Keep the licence cap at 8.
 - b) Increase the licence cap to 12.
 - c) Increase the licence cap to 16.
 - d) Remove the licence cap.
 - e) Other (please specify).

Retail Branded Cannabis Products:

If you are a provincially licensed retail store or a federally licensed producer:

- Is this something that would benefit your business as a cannabis retailer or federally licensed producer and why?
- Are you interested in partnerships to develop and sell retail branded cannabis products?
- Are there any restrictions or limitations that should be placed on retail branded cannabis products?

Provincial Distance Criteria:

- In addition to any rules or requirements from First Nations or local governments, do you think the province should introduce a minimum distance rule between CRSs and why?
- Is there criteria that should be considered, such as:
 - a. CRSs must be a set distance (in meters or kilometers) from each other,
 - b. The distance between CRSs is based on population (e.g., no requirement for low-density areas and distance rules for high-density areas), and/or
 - c. The number of stores allowed in an area is based on population (e.g., the number of CRSs in high-density areas are limited to a specific number).
- If you are a community or municipality, what do you see as the benefits and challenges of a provincial distancing rule and why?

Other Ideas:

- Given the existing market controls, are there any additional measures that could further support the cannabis industry in B.C.? Please provide specific suggestions or ideas that have not yet been considered.

Submitting your Comments

Send your comments to LCRB.Outreach@gov.bc.ca with the subject "Cannabis Market Controls Engagement." Email submissions are preferred.

Submission deadline: September 1, 2025

When submitting your comments, please include:

- Full name of the person submitting
- Name of the business/organization and licence number, if applicable
- Municipality, regional district or Indigenous nation in which your store or production facility is located
- Municipality, regional district or Indigenous nation in which you are submitting a response on behalf of, if applicable
- Phone number, including area code and reply email address

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Tony Law

To: Hornby Island Local Trust Committee

24 July 2025

re: Administrative Fairness and Natural Justice

I am not a proponent, nor an opponent of the recently-considered Temporary Use Permit application (PL-TUP-2025-0114). I would neither benefit from, nor be impacted by, what would have been permitted.

But I am a proponent of administrative fairness and natural justice. The Islands Trust's *Governance Principles* includes the following: "*To strive for a high standard of administrative fairness and to recognize the principles of natural justice in decision-making processes.*" It seems to me that the way this application was considered and decided did not meet this standard.

Administrative fairness

The Islands Trust's *Administrative Fairness Principles* includes the following:

3.3 Parties whose interests may be affected by a decision or action should be given a reasonable opportunity to review the nature of the resulting action or decision and to examine the information of other sources being considered.

3.4 Parties whose interests may be affected by a decision or action should be given a reasonable opportunity to provide written or verbal information in support of their position.

3.6 Decisions should be based on a review of relevant information, excluding all irrelevant considerations.

The Islands Trust's *Procedural Fairness in Rezoning*s is also relevant in that a Temporary Use Permit is essentially a zoning change with respect to permitted uses on a property for a specified period. This document sets "*a high standard of procedural fairness*" and notes that: "*The level of procedural fairness implied by procedures specified in the Local Government Act has been augmented over the years by administrative case law that has introduced higher standards. Court decisions have indicated that local governments should strive to meet a high standard of procedural fairness in their decision-making.*"

It states: "*Before an LTC makes a decision about a zoning change, those whose interests may be affected by the decision must be given an opportunity to hear and respond to those who present information against their position.*"

In addition, the BC Ombudsperson, in *A Guide to Administrative Fairness in the Public Sector*, states:

“The opportunity to be heard requires that decision makers provide the person affected by a decision with an opportunity to tell their story, present their case and share any information or evidence they have that is relevant to the decision-making process. They must have a fair opportunity to present their case, to challenge or correct the facts that the decision maker is relying on, and to provide alternative or contrary information in support of their position. A person affected by a decision should have an opportunity to be heard in a meaningful way before a final decision is made.” [my emphasis]

With respect to this particular application:

1. The trustees had several questions and uncertainties about the proposed uses, but failed to take steps to obtain the information they needed by actually asking the applicant, who was present at the meeting, or by requesting the APC to review the application and in the process obtain the required information. In other words, the trustees failed to take advantage of available opportunities to obtain relevant information required to enable a considered decision.
2. The trustees in both their discussion of the application, and in their reasons for the LTC’s decision, based their position on irrelevant considerations, despite professional planning staff (in the written report and in verbal comments) indicating that these were, in fact, not relevant to the proposed permit.
3. Despite the applicant having their hand up, the trustees failed to provide the applicant with an opportunity to correct misinformation, to provide additional information, to respond to negative comments, or to make suggestions of additional conditions on the permit that might address trustees’ stated concerns.
In other words, the process failed to address the Ombudsperson’s requirement that: “the “person affected by a decision should have an opportunity to be heard in a meaningful way before a final decision is made”.

Evidence-based decision-making and good communication

The Islands Trust’s Procedural Fairness in Rezoning states: “Evidenced-based decision making and good communication with the parties affected by a decision are also important practices that can help to ensure that processes are fair and seen to be fair.”

1. One trustee asserted that the decision was based on “big concerns of the community” but provided no evidence of this, while the majority of public submissions were supportive and did not raise concerns. The trustee cited a lack of letters of support from nearby neighbours, but this is not evidence of concerns by the small number of close neighbours, let alone “big concerns in the community”.
2. There was an absence of good communication with the party affected by the decision, who was present at the meeting and had their hand up requesting to speak. Staff had communicated the following to the applicant: “typically at the time it is being considered by the LTC. trustees often ask questions during this part of the meeting, and applicants are given the chance to respond and provide clarification.” This opportunity for good communication did not happen, even though trustees stated they wanted more information.

Despite staff suggesting how information could be obtained to assist consideration of this application, trustees instead spoke to the applicant submitting a subsequent application in order to provide more information, but also stating: “It is not up to us to suggest what more information we need.” Is this good communication?

Open meeting requirements

The Islands Trust’s *Local Trust Committee Guidelines* state: “Any gathering of a quorum of LTC members at which the business of the LTC is advanced in a material way constitutes a meeting for the purposes of the “open meeting” rule in the Community Charter. The purpose of the open meeting rule is to ensure that the LTC’s business is conducted in an open forum.”

The Islands Trust’s *Meeting Procedure Guidelines* includes this policy: “All meetings of Trust Council, a Local Trust Committee, the Islands Trust Conservancy Board and any committees must be open to the public.”

The BC Ombudsperson states: “When any of the bodies listed in section 93 of the Community Charter decide to close a meeting to the public, they can only do so in accordance with section 92. Section 92 requires local governments to pass a resolution containing two things: 1. 2. The resolution must state that a meeting or part of a meeting is to be closed; and The resolution must state the reason for closing the meeting.”

Part way through the LTC’s consideration of this application, the Chair declared a break. Before the meeting was reconvened, a microphone was inadvertently switched on, and what was heard indicated that the meeting was continuing, and that trustees were discussing the application outside of the open meeting, despite it not having been officially closed to the public by an appropriate resolution.

Perception of bias

The BC Ombudsperson has stated: “it is not necessary to demonstrate actual bias in order to bring the fairness of a decision into question. The fairness of a decision-making process can be undercut by the mere perception of bias, where that perception is deemed to be reasonable.”

The members of the LTC gave limited consideration to this application, moving quickly to a decision to deny the application, despite the suggestions of the Chair and staff to first consider the alternatives of referring to the APC (identified by one trustee, but not discussed), requesting more information (not discussed), or adding additional conditions to the permit (not discussed). Neither did the LTC discuss the information presented in the staff report.

Trustee’s stated concerns were that the number of events (up to 10) and capacity (up to 150 people) would not be sustainable on this small aquifer-challenged island and that they perceived non-compliance with ALR regulations, such as with respect to the rugby posts and building. These concerns seemed to curtail any consideration of the application.

This lack of consideration would not lead to a perception of bias if the trustees were being equally vigorous about applying these concerns to other properties, given that Islands Trust

Bylaw Enforcement and Compliance Policy enables investigations to be commenced “by direction of a local trust committee” and “when there is advertising for unlawful uses”.

There are three ALR properties on Hornby Island that are currently advertising public events without Temporary Use Permits:

- one is advertising 11 events in July and August (in 2023, a video installation on this property was watched by 1,300 people);
- a second is advertising 6 events in July and August involving amplified music on a main stage and food vendors, with attendees likely numbering in the hundreds;
- a third is hosting a public event (with no permit) which would have been hosted on the applicant’s property in accordance with the conditions on the proposed permit that was denied.

There are ALR properties on Hornby that contain the following:

- 100 large steel sculptures, some embedded in the ground, that would be more difficult to remove than four wooden rugby posts;
- a large art gallery, also used as a performance venue;
- a large bakery / commercial kitchen that has also been used as a pizzeria and retail store.

(In addition, there are other ALR properties that have buildings not constructed for farm purposes but rather as studios or guest accommodation.)

Despite these uses and structures likely not being “lawful”, they are clearly considered acceptable by the local trust committee and the community, given the lack of bylaw investigation and enforcement initiated by the trustees or other community members. Neither has there been enforcement on the part of the ALC.

Given this context, there could well be a perception of bias in that the LTC did not discuss the staff recommendation to approve the permit, did not discuss the alternatives suggested for consideration by planning staff and the Chair, but moved quickly to outright denial.

Course correction

As a former trustee, I can absolutely empathize with the stress of having to make difficult decisions in public, halfway through a 100+ page agenda. In such circumstances, I have found the guidance of professional planning staff and the chair helpful in arriving at well-considered decisions.

But there are times when I have afterwards realized we should have done better. And there are times when we have revisited decisions in order to do better, particularly where poor processes have impacted an applicant who has paid a substantial fee and has prepared a detailed application (while other property owners have gone ahead with uses without seeking permission).

I have read the Islands Trust's *Handling of Administrative Complaints Policy*. I note that there is a formal complaints process. I hesitate to initiate big bureaucratic wheels turning when this matter can be readily addressed locally at the next LTC meeting

Rescinding and Replacement Resolutions

Bill Buhozer of *Young Anderson*, addressing "the inherent right to reconsider, quotes *Bourinot's Rules of Order*:

"[P]rocedures are sometimes provided for not only rescinding a motion decided in the affirmative, but also reconsidering a negative decision. A reconsideration rule usually provides that a person must give notice in writing that he will move at the next meeting that a question be reconsidered. The provision is a useful one, in that conclusions occasionally may be reached hastily or on the basis of inadequate information and a later review may well be in the public interest."

and *Robert's Rules of Order*:

"Reconsider – a motion of American origin – enables a majority in an assembly, within a limited time and without notice, to bring back for further consideration a motion which has already been voted on. The purpose of reconsidering a vote is to permit correction of hasty, ill-advised, or erroneous action, or to take into account added information or a changed situation that has developed since the taking of the vote."

The Islands Trust provides a procedure of rescinding and replacing a decision in the *Local Trust Committee Guidelines for Authorizing Decisions* through this policy on *Replacement Decisions*:

"A replacement resolution must identify by substance and by date and must rescind the previous resolution as part of the replacement resolution."

An example is provided: *Resolution Number _____, giving first reading to Bylaw No. 2 passed on June 2, 1994 is rescinded and replaced with the following:*

(A motion to rescind would be inappropriate in circumstances where the original motion had authorized new activity, such as construction, that might have started to take place. In this case, the original motion denied new activity.)

Next steps

- 1) A local trustee could notify the Chair and Staff of intent to introduce a replacement resolution* at the 5 September 2025, LTC meeting; staff could then notify the applicant.
- 2) At the 5 September meeting, the Chair could invite the applicant to speak in response to the reasons stated in the decision to deny, and to the comments made by trustees at the 4 July meeting
- 3) The Chair could facilitate consideration of the alternatives identified by staff.
- 4) A replacement resolution* could then be moved and discussed.

Possible replacement resolutions:

That Resolution Number _____, denying application PL-TUP-2025-0114 passed on July 4, 2025, is rescinded and replaced with the following: That the Hornby Island Local Trust Committee approve issuance of Temporary Use Permit PL-TUP-2025-0114.

or

That Resolution Number _____, denying application PL-TUP-2025-0114 passed on July 4, 2025, is rescinded and replaced with the following: That the Hornby Island Local Trust Committee refer the application PL-TUP-2025-0114 to the Advisory Planning Commission for review and comment.

or

That Resolution Number _____, denying application PL-TUP-2025-0114 passed on July 4, 2025, is rescinded and replaced with the following: That the Hornby Island Local Trust Committee request [...insert information...] to consider application PL-TUP-2025-0114.

or

That Resolution Number _____, denying application PL-TUP-2025-0114 passed on July 4, 2025, is rescinded and replaced with the following: That the Hornby Island Local Trust Committee amend Temporary Use Permit PL-TUP-2025-0114 to include a condition limiting the number of temporary events on the property to no more than [...insert number...] events per calendar year.

* Staff could maybe advise the LTC on the possibility of dividing the resolution into two motions: one to rescind and the other to replace

Last words

Because assumptions can be so readily made, I want to emphasize that I have no stake in the outcome of this particular application, nor am I writing on anyone's behalf except my own.

I am motivated by wanting to support you in making sure our local governance is perceived as acting with integrity and that all applicants treated fairly.

Thank you so much for considering this,

Tony Law



REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** September 5, 2025

From: David Marlor, Director,
Legislative and Information
Services **Date Prepared:** August 29, 2025

**SUBJECT: Trust Council Bylaw No. 197 - Local Trust Committee Meeting Procedures
Bylaw, Update Hornby Island LTC Meeting Procedures Bylaw**

RECOMMENDATION:

That the Hornby Island Local Trust Committee give Bylaw 179, cited as “Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025”, First Reading.

That the Hornby Island Local Trust Committee give Bylaw 179, cited as “Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025”, Second Reading.

That the Hornby Island Local Trust Committee give Bylaw 179, cited as “Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025”, Third Reading.

That the Hornby Island Local Trust Committee forward Bylaw 179, cited as “Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025” to the Islands Trust Executive Committee for consideration of approval.

DIRECTOR COMMENTS:

1 PURPOSE:

To rescind the Hornby Local Trust Committee Meeting Procedure Bylaw, 2022.

2 BACKGROUND:

At its regular meeting in June 2025, Trust Council adopted the Local Trust Committees' Meeting Procedures Bylaw by a 2/3 majority vote. This bylaw is authorized under s.11 of the *Islands Trust Act*.

Staff based the draft LTC meeting procedures bylaw on the local trust committee meeting procedures model bylaw that Trust Council adopted in December 5, 2003 and updated in early 2020's, and which was used by local trust committees to develop their own meeting procedures bylaws.

The new Trust Council Bylaw No. 197 'LTC Meeting Procedures' does not add anything new beyond what local trust committees were recommended to have in their bylaws under Trust Council's previously adopted model meeting procedures bylaw, with the exception of:

- adding the release of an agenda outline two-days before the agenda deadline as indicated in the Trust Council resolution;

- changing the period for notification of meetings from calendar year to fiscal year (April 1 to March 31) to align with proposed changes to Trust Council's meeting procedures bylaw;
- adding an allowance for the minimum of two required annual meetings of the Executive Committee Acting as a local Trust Committee (for Ballenas-Winchelsea) to be in-person or electronically; and
- making other minor changes to address wording amendments and clarity.

Gabriola, Galiano, Gambier, Mayne, North Pender, Saturna, and South Pender local trust committees do not currently have procedures regarding "delegations", "order and decorum", "Invited Presentations", and "public participation" in their bylaws (sections 23 to 45 in the draft Trust Council Local Trust Committees Meeting Procedure Bylaw).

The Trust Council Bylaw No. 197 has the same meeting procedure requirements for all 12 local trust areas and the Executive Committee Acting as a Local Trust Committee (for Ballenas-Winchelsea). This will streamline administration of meetings and reduce costs and resources.

Most local trust committee bylaws contain a clause authorizing the LTC Chair as signatory to documents on behalf of the local trust committee. As this is not a meeting procedure it is omitted from the Trust Council Bylaw No. 197 for local trust committee meeting procedures. Local trust committees authorize Chair signatory through other means, such as a standing resolution or policy of the local trust committee.

Under s.11 of the *Islands Trust Act*, a Trust Council meeting procedures bylaw for local trust committees would over-ride any local trust committee meeting procedures bylaws in the event of a conflict. As Trust Council's Local Trust Committee Meeting Procedure Bylaw contains all the procedures that are in the local trust committee's meeting procedure bylaws, the local trust committee meeting procedures bylaws are redundant. To avoid confusion, Staff recommend that the local trust committee rescind their meeting procedure bylaws.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Rescinding the local trust committee meeting procedure bylaws will avoid confusion, as the Trust Council bylaw prevails, and there are no additional procedures in the local trust committee bylaws.

FINANCIAL:

There is no direct financial implication.

POLICY:

There are no policy implications

IMPLEMENTATION/COMMUNICATIONS:

Islands Trust website has been updated to link the Trust Council Local Trust Committee Meeting Procedures Bylaw to each local trust committee's list of administrative bylaws.

FIRST NATIONS RELATIONS:

There are no implications for First Nations relations.

OTHER:

There are no other implications.

4 RELEVANT POLICY(S):

- [Islands Trust Act, Section 11](#)
- [Policy 2.1.7 Trust-wide Administrative Procedures \(Section 11\)](#)
- [Trust Council Bylaw No. 197, 2024 Local Trust Committees' Meeting Procedures Bylaw](#)

5 ATTACHMENT(S):

- Draft Bylaw 179 "Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025"

RESPONSE OPTIONS

Recommendation:

That the Hornby Island Local Trust Committee give Bylaw 179, cited as "Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025", First Reading.

That the Hornby Island Local Trust Committee give Bylaw 179, cited as "Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025", Second Reading.

That the Hornby Island Local Trust Committee give Bylaw 179, cited as "Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025", Third Reading.

That the Hornby Island Local Trust Committee forward Bylaw 179, cited as "Hornby Island Local Trust Committee Meeting Procedures Repeal Bylaw No. 179, 2025" to the Islands Trust Executive Committee for consideration of approval.

Alternative:

As requested by the Hornby Local Trust Committee

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

Reviewed By/Date: Renée Jamurat, Regional Planning Manager, Gabriola (Northern) Office

HORNBY ISLAND LOCAL TRUST COMMITTEE MEETING PROCEDURES REPEAL BYLAW BYLAW NO. 179



Hornby Local Trust Committee

Open Applications

Report

Print Date: August 29, 2025

Development Permit

Application Number	Applicant Name	Date Received	Address	Purpose
HO-DP-2021.2	Taylor, MacDonald H	7/9/2021		PID: 000-457-752 To bring remaining temporary buildings into compliance to become permanent. Civic address: 2200 Sollans Road, Hornby Island, BC.
Planner	Status	Most Recent Completed Activity		
Stephen Baugh	Waiting for Revisions	Waiting for Revisions		

Siting and Use Permit

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUP-2022.9	Steve & Cather	9/27/2022	4990 PORPOISE CRES, HORNBY I	PID: 003-342-158 New house. Civic address: 4990 Porpoise Crescent, Hornby Island, BC.
Planner	Status	Most Recent Completed Activity		
Stephen Baugh	Waiting for Revisions	Waiting for Revisions		

Hornby

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250311	Gunnar Neumann	7/29/2025	7250 CENTRAL RD, HORNBY ISLA	Construction of an essential agricultural shelter to support livestock housing and hay storage, contributing to the revitalization of farm operations. The structure will feature a simple shed-style roof on a concrete slab foundation, finished with locally sourced wood siding to complement the rural landscape.

Planner	Status	Most Recent Completed Activity
Ian Cox	Under Review	Add Optional Referrals

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250345	Lindsay Carter	8/22/2025	5595 SEAWRIGHT RD, HORNBY IS	Build of a 1822 sq foot residential home (4bed/3 bath) with new well and septic field

Planner	Status	Most Recent Completed Activity
Rob Pingle	Under Review	Generate Complete Application Letter

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20250282	Jacqueline Forrie	7/18/2025	3565 BRIGANTINE CRES, HORNBY	Installation of the manufactured home.

Planner	Status	Most Recent Completed Activity
Rob Pingle	Under Review	Planning Review

Hornby

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20240329	Igor Oleshko; Kyle M	12/3/2024	3565 HARWOOD RD, HORNBY ISL	To construct a covered carport and bike storage at 3565 Harwood Rd.

Planner	Status	Most Recent Completed Activity
Rob Pingle	Under Review	Planning Review

Application Number	Applicant Name	Date Received	Address	Purpose
PLSUP20240160	Angus Hayman	8/6/2024	4970 PORPOISE CRES, HORNBY I	demolition of existing home and build of a new 700 square foot cabin

Planner	Status	Most Recent Completed Activity
Rob Pingle	In Abeyance	Add Optional Referrals

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUP-2024.2	Brandon Scott	1/10/2024	7925 ANDERSON DR, HORNBY ISL	PID: 004-701-704 construction of new SFD at 7925 Anderson Drive on Hornby.

Planner	Status	Most Recent Completed Activity
Rob Pingle	In Abeyance	File Administrative Decision

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUP-2021.18	School District 71	7/9/2021		PID: 000-457-752 To bring remaining temporary buildings into compliance to become permanent.

Planner	Status	Most Recent Completed Activity
Stephen Baugh	In Abeyance	Generate Notice of Revisions

Hornby

Hornby

Subdivision				
Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUB-2022.3	Evert Steen	8/16/2022		PID 001-249-266 Two lot subdivision. 8550 Central Rd, Hornby Island.
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		In Abeyance	Add Optional Referrals	
Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUB-2018.1	Brian Brooke	12/13/2018		PID: 026-100-932 Two lot subdivision Civic address: 3750 Euston Road, Hornby Island, BC
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		In Abeyance	Verify Submittal / Fees	
Application Number	Applicant Name	Date Received	Address	Purpose
PLSUB20250188	Dan Hadden	5/8/2025	5705 CENTRAL RD, HORNBY ISLA	Conventional subdivision to create two new lots (MOTT #2025-00511).
Planner		Status	Most Recent Completed Activity	
Marlis McCargar		Administrative Review	Generate and Send Referral Response Form	

Hornby

Application Number	Applicant Name	Date Received	Address	Purpose
HO-SUB-2023.1	Michael & Cath	6/20/2023		PID: 000-095-826 subdivision of 10 acre lot into 2 5-acre parcels at 1305 Sollans Rd on Hornby Island.
Planner	Status		Most Recent Completed Activity	
Marlis McCargar	Administrative Review		Generate and Send Referral Response Form	

Islands Trust
LTC EXP SUMMARY REPORT F2026
Invoices posted to Month ending June 2025

635 Hornby	Invoices posted to Month ending June 2025	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
LTC Local				
65200-635	LTC - Local Exp - LTC Meeting Expenses	2,220.00	732.42	1,487.58
65210-635	LTC - Local Exp - APC Meeting Expenses	2,910.00	0.00	2,910.00
TOTAL LTC Local Expense		<u>5,130.00</u>	<u>732.42</u>	<u>4,397.58</u>
Projects				
73001-635-2004	Hornby OCP/LUB	18,750.00	8,750.00	10,000.00
TOTAL Project Expenses		<u>18,750.00</u>	<u>8,750.00</u>	<u>10,000.00</u>

Hornby Island Local Trust Committee Policies & Standing Resolutions

No.	Meeting Date	Resolution No.	Issue	Policy
1.	January 27, 2017 <u>UPDATES-below:</u> September 28, 2018 November 6, 2020 October 8, 2021	HO-2017-011 <u>UPDATES-below:</u> HO-2018-070 HO-2020-081 HO-2021-053	Enforcement actions against three specific properties for unlawful dwellings	It was MOVED and SECONDED that the Hornby Island Local Trust Committee adopt the following Standing Resolution: 1. That whereas the Hornby Island Local Trust Committee intends to facilitate a community process to review residential density to address community housing needs, which may result in amendments to the Official Community Plan and Land Use Bylaw, it is resolved that related enforcement actions against properties identified as: a) Lot B, Section 15, Hornby Island, Plan 24652 (1655 Central Road); b) Lot B, Section 6, Hornby Island, Plan 30442 (7205 Central Road); and c) Lot 6, Section 10, Hornby Island, Plan 26332 (2475 St. Johns Point Road) shall be held in abeyance; 2. That nothing in this enforcement policy should be interpreted as giving permission to any party to violate Hornby Island Land Use Bylaw No. 150 and the Hornby Island Local Trust Committee may change this policy at any time and may give direction to commence enforcement activities with respect to the identified properties at any time without notice; and 3. That unless the Hornby Island Local Trust Committee extends the effective period, this enforcement policy expires on October 31, 2018 or when the housing needs project is complete, whichever is the sooner.
2.	August 3, 2018	HO-2018-044	Processing non-medical cannabis retail license applications	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal.

No.	Meeting Date	Resolution No.	Issue	Policy
				- However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms - The location of the proposed establishment and the subject site - The place where, and date and time when, both a public meeting will be held and a resolution of the Local Trust Committee considered. - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application - How public comments may be submitted to the Local Trust Committee.
3.	September 28, 2018	HO-2018-070 See HO-2017-011 above	Enforcement actions against three specific properties for unlawful dwellings	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee extend the effective period of Standing Resolution HO-2017-011 to expire on October 31, 2020 or when the Housing Review Project is complete, whichever is the sooner.
4.	January 25, 2019	HO-2019-007	Notices of intention to apply for a federal cannabis license	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution: “That the Hornby Island Local Trust Committee request that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.”

No.	Meeting Date	Resolution No.	Issue	Policy
5.	May 24, 2019	HO-2019-038	First Nations Relationship Building	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
6.	January 24, 2020	HO-2020-013	Bylaw Enforcement to undertake proactive enforcement of non-compliant STVRs	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution: authorize proactive enforcement of the Hornby Island Land Use Bylaw No. 150 regulations for Vacation Home Rentals. Short Term Vacation Rentals that have one or more of the following characteristics, will be subject to proactive enforcement: • Non-compliant Short Term Vacation Rentals are advertised on the internet, newspapers or other media. • More than one dwelling on the lot is made available simultaneously for a Short Term Vacation Rental.

No.	Meeting Date	Resolution No.	Issue	Policy
				- While the property is rented, additional persons are staying in tents, trailers or recreational vehicles. - There are issues related to health and safety in accordance with the Land Use Bylaw. - There is more than one complaint from the immediate neighborhood (defined as being within 200 meters of the subject property) regarding issues related to the Short Term Vacation Rental, such as noise, parking congestion, more than one guest/party in a week, or too many people. - The residential dwelling being used as a Short Term Vacation Rental does not meet the following criteria for Short Term Vacation Rentals from the Hornby Island Official Community Plan Bylaw No. 149: - that the owner or tenant of the parcel is ordinarily resident on the property and the vacation home rental use is occurring during the temporary absence of the owner or tenant; or - where the owner or residential tenant of the parcel resides seasonally in the dwelling and the vacation home rental use is occurring during the absence of the owner or tenant; or - where the owner or residential tenant is residing in another lawful dwelling on the property while the vacation home rental is occurring. - The Short Term Vacation Rental is not managed locally, or was purpose built to be a Short Term Vacation Rental. - A complaint is made by an official of a government regulatory body or the bylaw enforcement officer and it concerns overuse of water, inadequate septic capacity, or too many buildings on the property.
7.	June 26, 2020	HO-2020-055	Standing Resolution regarding Restaurant Expansion during COVID Emergency Response - Staff Report	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following standing resolution: That the Hornby Island Local Trust Committee has no objection to Liquor and Cannabis Regulation Branch issuance of Temporary Expanded Service Area Authorizations for liquor primary and manufacturer licensees in the Hornby Island Local Trust Area.
8.	November 6, 2020	HO-2020-074	Proactive Enforcement of Year-Around Unlawful Housing	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the following Standing Resolution: That enforcement on unlawful permanent dwellings be deferred until such time that the Local Trust Committee can review the critical housing supply issue on Hornby Island or until December 31, 2021.

No.	Meeting Date	Resolution No.	Issue	Policy
9.	November 6, 2020	HO-2020-081 See HO-2017-011 HO-2018-070 above	Enforcement actions against three specific properties for unlawful dwellings	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee amend the expiration date of Standing Resolution No. HO-2017-011 to December 31, 2021.
10.	October 8, 2021	HO-2021-053 See HO-2017-011 HO-2018-070 and HO-2020-081 above	Enforcement actions against three specific properties for unlawful dwellings	It was MOVED and SECONDED, that Hornby Island Local Trust Committee amend the expiration date of Standing Resolution No. HO-2017-011 to December 31, 2023.
11.	October 8, 2021	HO-2021-054	Enforcement actions on unlawful permanent dwellings – deferral	It was MOVED and SECONDED, that Hornby Island Local Trust Committee adopt the following Standing Resolution: That enforcement on unlawful permanent dwellings be deferred until such time that the Local Trust Committee can review the critical housing supply issue on Hornby Island or until December 31, 2023.
12.	September 9, 2022	HO-2022-053	Model Cell Tower Consultation Process	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee adopt the Islands Trust Model Strategy for Antenna Systems.
13.	December 13, 2023	HO-2023-046	Enforcement Staff to temporarily withhold enforcement against unlawful dwellings, unless the following conditions apply...	It was MOVED and SECONDED, that the Hornby Island Local Trust Committee directs Bylaw Compliance and Enforcement staff to temporarily withhold enforcement against unlawful dwellings upon receipt of a written complaint, unless any of the following conditions apply: a) There is a complaint from an immediate neighbour; b) There is a referral from an agency responsible for health and safety issues that is doing concurrent enforcement; and c) There appears to be more than one unlawful dwelling on a lot. Nothing in this enforcement policy should be interpreted as giving permission to violate the Hornby Island Land Use Bylaw and the Hornby Island Local Trust Committee may change this policy or give direction to expand enforcement activities at any time.

Active Projects Report

Hornby Island

1. Major Project - Hornby Island Official Community Plan and Land Use Bylaw

Review

Activity:

Topic areas of focus: First Nations, Short Term Vacation Rentals, Housing, and the Riparian Areas DPA and that the project include APC recommendations regarding the LUB referenced in the March 26, 2021 LTC meeting agenda package. Update: add consideration of steep slope area regarding heritage portion of central road to ford cove and consideration of wetland categories.

Responsible

Dates

Sonja Zupanec

Rec'd: 06-Nov-2020

Future Projects Report

Hornby Island

1. <i>OCP</i>	Responsible	Date Received
- Ford's Cove Neighbourhood and Transportation Plan - Aquifer Classification System: A review of the aquifer classification system as described in the email letter from Sadie Chezenko dated December 19, 2021 - Freshwater Sustainability: LTC project absorbed into regional project managed by RPC in 2018-2022 term		09-Sep-2022
2. <i>OCP & LUB</i>	Responsible	Date Received
- Climate Change: Address climate change through amendments of OCP policies and LUB regulations - Regional Conservation Plan: Consider amendments to the OCP and LUB that would make these documents consistent with the Regional Conservation Plan		09-Sep-2022
3. <i>Advocacy and Communications</i>	Responsible	Date Received
- Marine Protection: Ongoing participation in public education, advocacy and regional processes with respect to the marine environment and shoreline protection.		09-Sep-2022
4. <i>LUB</i>	Responsible	Date Received
Consider zoning amendments to allow chickens (but not roosters) in all zones. Consider excluding cisterns from setback regulations.		09-Sep-2022

Future Projects Report

Hornby Island

5. *Administrative*

Responsible

Date Received

- Consider the use of Covenants (enabled under S. 219 of the Land Title Act) in conjunction with rezoning applications, to reduce the direct impacts of development on Indigenous culturally sensitive areas.

20-Jan-2023

6. *Bylaw Enforcement*

Responsible

Date Received

7. *First Nations*

Responsible

Date Received

- Participate in heritage and traditional knowledge mapping with the K'omoks First Nation.
- Consider the use of covenants in conjunction with rezoning application to reduce the direct impacts of development on indigenous culturally sensitive areas.
- improve communications with K'omoks First Nation by setting up regular LTC/Chief and Council meetings to discuss a wide range of issues of mutual concern.
- Consider the development of an agreemetn similar to the qathet Regional District, City of Powell River and Tla'amin First Nation.
- Work with K'omoks First Nation to determine how they wish to be engaged, information circulated in review of development and policy plans.
- Consider inviting K'omoks representatives to attend as non voting members and Advisory Planning Commission and Local Trust Committee meetings.

05-May-2023