

Local Planning Committee

Agenda

Date: Thursday, September 3, 2020
 Time: 10:00 am - 2:00 pm
 Location: Electronic Zoom Meeting

Pages

1.	CALL TO ORDER	10:00 AM - 10:00 AM
2.	APPROVAL OF AGENDA	
2.1	New Items and Re-ordering of the Agenda	
2.2	Approval of Agenda	
2.3	Electronic Meetings	
	That in accordance with <i>Ministerial Order M192 – Local Government Meetings & Bylaw Process and Province of BC Bill 19 – 2020</i>, the Local Planning Committee cannot conduct public in-person meetings at this time because the meeting venues traditionally used have limited access or do not meet the legislated requirements for the protection of the community, trustees and staff; and Therefore, in order to meet the principles of openness, transparency, and accessibility, meetings of the Local Planning Committee will be held electronically over the period August 26 to October 31, 2020, will be live streamed, and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.	
3.	ADOPTION OF MINUTES/COORDINATION	
3.1	Minutes of Meetings	
3.1.1	<u>Local Planning Committee Minutes of July 29, 2020</u>	3 - 14
3.2	Resolutions Without Meeting	
3.2.1	<u>LPC RWM-2020-01</u>	15 - 15
	For information	
3.3	Follow-up Action List	16 - 22

4. WORK PROGRAM ITEMS

4.1 Priority #1: Application Processing Services Update - Verbal Update

4.1.1 Model Fee Bylaw Revisions

23 - 31

4.2 Priority #2: Manage Trust Council Strategic Plan Action Items - Verbal Update

Strategic Plan item #5 - Eelgrass Mapping - David Marlor

Strategic Plan item #6 - Shoreline Review - David Marlor

Strategic Plan item #7 - Freshwater Sustainability Strategy - Narissa Chadwick and William Shulba

Strategic Plan item #8 - Groundwater Mapping - William Shulba

Strategic Plan item #16 - Using Floor Area Ratio for Affordable housing - David Marlor

4.3 Priority #3: Develop Business Cases for 2021/22 Strategic Plan Items - Verbal Update

5. BUSINESS

5.1 Local Planning Service Delivery - Discussion

(standing item)

6. NEW BUSINESS

7. LOCAL PLANNING COMMITTEE - WORK PROGRAM

32 - 34

8. NEXT MEETING

October 8, 2020 at 10:00 a.m.

9. ADJOURNMENT

2:00 PM - 2:00 PM

Local Planning Committee Minutes of a Regular Meeting

Date: July 29, 2020
Location: Electronic Meeting

Members Present: Laura Busheikin, Chair
David Maude, Vice Chair (July 29 only)
Timothy Peterson, Local Trustee
Laura Patrick, Executive Committee Representative
Jeanine Dodds, Local Trustee
Kees Langereis, Local Trustee
Kate-Louise Stamford, Local Trustee (July 29 only)
Jane Wolverton, Local Trustee
Peter Luckham, Ex Officio Member

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (August 4 only)
David Marlor, Director, Local Planning Services
Lisa Wilcox, Senior Intergovernmental Policy Advisor (July 29 only)
William Shulba, Senior Freshwater Specialist (July 29 only)
Sheree Rialp, Recorder

1. CALL TO ORDER

The meeting was called to order at 10:01 a.m. Chair Busheikin acknowledged the meeting was being held on Coast Salish traditional and treaty territory.

2. APPROVAL OF AGENDA

The following addition and reordering of items were presented for consideration:

- Item 2.2 – a motion to appoint an Acting Vice Chair;
- Item 8.1 – Local Planning Committee (LPC) Meeting Schedule was moved to follow after item 2.2; and
- Item 5.2 - Islands Trust Area Groundwater Recharge Mapping Project was moved to follow after item 4.3 - Trust Council Freshwater Sustainability Strategy.

By general consent the Committee approved the agenda as amended.

2.1 Agenda Context Notes

Received for information.

2.2 Appointment of Acting Vice Chair

As Vice Chair Maude was not present when the meeting was called to order, Chair Busheikin proposed to appoint Trustee Peterson as Acting Vice Chair.

LPC-2020-029

It was MOVED and SECONDED,
that Local Planning Committee appoint Timothy Peterson as Acting Vice Chair
for the July 29, 2020 meeting.

CARRIED

8. NEXT MEETING

8.1 LPC Meeting Schedule – Discussion

There was a discussion on having more frequently held meetings of shorter duration as
a more suitable option for electronic meetings.

LPC-2020-030

It was MOVED and SECONDED,
that the Local Planning Committee direct staff to revise the Committee meeting
schedule to a frequency of a meeting every four to six weeks.

CARRIED

By general consent the next meeting will be scheduled by Resolution Without
Meeting.

3. ADOPTION OF MINUTES/COORDINATION

3.1 Minutes of Meetings

3.1.1 Local Planning Committee Minutes of May 20, 2020

Note that this meeting recessed on May 20 and resumed on June 11.

By general consent the Local Planning Committee Minutes of May 20,
2020 were approved as presented.

3.2 Resolutions Without Meeting

None

3.3 Follow-Up Action List (FUAL)

Director Marlor reviewed the FUAL. He noted item 6 on the FUAL, Change of Name of
the Local Planning Committee, was on the meeting agenda. The rest of the items on the
FUAL have been completed.

4. WORK PROGRAM ITEMS

4.1 Draft Application Processing Services Policy, Model Fee Bylaw and Development Approval Information (DAI) Bylaw – RFD

Director Marlor gave a summary discussion on the revised draft of the request for decision (RFD). He noted that staff have been tracking the time on different applications, as Trust Council requested, so they can have useful data to work with by Council's next meeting in December.

Trustees discussed the following:

- the goal of cost recovery for regular applications;
- the goal or ideology regarding fees relating to environmental protection in Development Permit Areas; and
- defining fees for residential development involving a social component.
- cost recovery in urban settings;
- support for applications with a community benefit and amenity contributions;
- full costs impacting/hindering small residential construction projects as compared to large-scale property development;
- scope of control by local trust committees, Trust Council and Executive Council over model fee bylaws and variances; and
- accountability of land developers regarding environmental concerns and fair fee payments.

Trustee Maude joined the meeting at 10:42 a.m.

LPC-2020-031

It was MOVED and SECONDED,

that Local Planning Committee amend the original motion on the revised draft of the Model Fee Bylaw to change bullets 1 and 2 from 80% to 100%.

DEFEATED

LPC-2020-032

It was MOVED and SECONDED,

that Local Planning Committee support the revised draft of the Model Fee Bylaw which reflects the following:

- Fees proposed in the Model Fee Bylaw represent 80% of the average cost of processing for most applications.
- Fees related to Development Permit Areas (DPAs) for environmental protection be lower than 80% of the average cost of processing to reflect interest in supporting compliance.
- The Executive Committee Fee Sponsorship Policy be used to address interests in reduced fees for projects with community/social benefit.
- Reduced fees for Temporary Use Permits for residential uses that increase the availability of affordable housing.

CARRIED

Trustee Langereis opposed

LPC-2020-033

It was MOVED and SECONDED,

that Local Planning Committee request staff to report back with options for changing bullet 2 of Recommendation in the Staff Report dated July 13, 2020, to reflect higher fees for applications where the development has already taken place or has been triggered by bylaw enforcement.

CARRIED

LPC-2020-034

It was MOVED and SECONDED,

that Local Planning Committee amend bullet 4 of the Request for Decision regarding the Model Fee Bylaw to read: "Fees may be reduced for Temporary Use Permits for residential uses that increase the availability of affordable housing, and for small-scale commercial uses that support or create employment or increase food security."

CARRIED

The meeting recessed at 11:27 a.m. and resumed at 11:37 a.m.

Director Marlor noted an omission in the Model Fee Bylaw under number 3 - Application Fees, in Table 3 - Subdivision Referrals, which should have the line "subdivision per lot fee... and then for every additional lot", and stated that this will be edited into the draft.

Further discussions around the Application Processing Services and DAI Policy and the Model Fee Bylaw included the following:

- subdivision fee rates and application procedures;
- application processing fees and refunds, specifically application costs for First Nations site visits, community information meetings or public hearings and staff reports; and
- inquiries on technical aspects of the Policy.

LPC-2020-035

It was MOVED and SECONDED,

that Local Planning Committee request staff to revise the Model DAI bylaw to ensure consistency, and with input from all three planning offices.

CARRIED

LPC-2020-036

It was MOVED and SECONDED,

that Local Planning Committee request staff to report back to the Local Planning Committee at the meeting of November 9, 2020, with a finalized Application Processing Services, Cost Recovery Agreements and Extraordinary Processing Services Policy incorporating the Model Fee Bylaw and Model DAI bylaw.

CARRIED

LPC-2020-037

It was MOVED and SECONDED,

that Local Planning Committee request the Executive Committee to allow time at Trust Council for discussion of general principles regarding the fees review project.

4.2 Interim Process for Archeological and Cultural Sites – Briefing

Senior Intergovernmental Policy Advisor (SIPA) Wilcox introduced the briefing. She outlined the interim processes that she and Director Marlor are working on, as well as interim measures to help educate island homeowners on potential and registered archeological sites that may impact their planning applications. She also touched on the intergovernmental process with other agencies, implementation of guidelines by the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) that makes the application reviews much more complex and measured, and the important role of Islands Trust in this process.

Trustees and staff discussed print communication to aid in informing island residents and planning applicants. Advisor Wilcox stated that information and education to constituents are already part of their communication plan, and suggested simple talking points for both staff and constituents.

LPC-2020-038

It was MOVED and SECONDED,

that Local Planning Committee request staff to prepare talking points on archeological and cultural sites for island trustees.

CARRIED**4.3 Trust Council Freshwater Sustainability Strategy – Verbal Update**

Senior Freshwater Specialist (SFS) Shulba gave an update on the Trust Council Freshwater Sustainability Strategy, noting the Request for Proposal (RFP) for the Consultant position has been posted and will be evaluated after the August 17th closing date.

Trustee Patrick commented on the need for the inclusion of Legal Jurisdictions and Responsibilities in the RFP Terms of Reference. SFS Shulba clarified it will be part of the project scope and Director Marlor advised that it could also be included as an addendum in BC Bid.

Trustee Patrick also inquired regarding policy formulation on rainwater harvesting, to which SFS Shulba affirmed that he expects it be a considerable part of the program.

5. BUSINESS**5.2 Islands Trust Area Groundwater Recharge Mapping Project – RFD**

SFS Shulba gave an overview of the RFD on the Groundwater Recharge Mapping Project, noting that changing rain patterns and climate change require determining new allocations and protecting existing groundwater resources. He also touched on sections of the Project Charter, and explained the phases in the Groundwater Sustainability Strategy.

SFS Shulba also gave a summary on the saltwater intrusion project (see item 5.6 - Saltwater Vulnerability following this item).

Discussion among staff and trustees included the following:

- project outcomes directly related to land use planning that benefit the local trust areas on a shorter term;
- updates to bylaw, OCP and policy statement;
- budget for groundwater strategy;
- rewording the Project Charter regarding prioritizing Denman, Hornby and Gabriola islands for the Provincial Water Allocation;
- ownership of the modelling data;
- focus on certain islands due to the anticipated economic recession; and
- the BC Water Science Series.

LPC-2020-039

It was MOVED and SECONDED,

that Local Planning Committee amend the Islands Trust Area Groundwater Recharge Mapping Project Charter dated July 29, 2020, to remove bullet 6 under Objectives and bullet 6 under In Scope concerning the Water Science Series.

CARRIED

LPC-2020-40

It was MOVED and SECONDED,

that Local Planning Committee endorse the Islands Trust Area Groundwater Recharge Mapping Project Charter dated July 29, 2020, as amended.

CARRIED

5.6 Saltwater Vulnerability – Verbal Update

SFS Shulba included this update in item 5.2 - Islands Trust Area Groundwater Recharge Mapping Project. He stated that he is in the project team headed by the Ministry of Environment & Climate Change Strategy, and several concerns he presented to the team have been addressed.

Chair Busheikin noted the meeting was running late. Discussion followed on recessing the meeting and resuming the following week.

LPC-2020-041

It was MOVED and SECONDED,

that Local Planning Committee recess the meeting and reconvene on Tuesday, August 4 at 10:00 a.m.

CARRIED

The meeting was recessed at 1:14 p.m. and resumed on August 4, 2020 at 10:01 a.m.

Chair Busheikin acknowledged the meeting was being held on Coast Salish traditional and treaty territory.

By general consent item 5.4 was moved to be the first agenda item of the day.

5. BUSINESS

5.4 Local Planning Service Delivery – Briefing

Director Marlor introduced the briefing, noting his addition of Trust Council Policy 2.3.2 (Local Planning Committee Terms of Reference) under the heading Purpose. He also suggested keeping the Local Planning Service Delivery agenda item as a standing item at every Local Planning Committee meeting.

Chief Administrative Officer (CAO) Hotsenpiller enumerated the challenges that need to be addressed by Islands Trust management:

- reallocation of resources for work planning projects that are too large or numerous;
- consistency in service delivery to the different regions, along with encouraging staff retention by widening their experience in different types of work within the trust areas;
- increased scrutiny regarding cost efficiency and allocation following a budget increase; and
- a more organized approach in responding to inquiries regarding planning and applications that come up during business meetings.

CAO Hotsenpiller also indicated that management team then drew up the following solutions:

- the LPS Review;
- formulating a uniform service delivery for all Islands Trust offices; and
- providing information/communication to Trust Council and trustees regarding the planning aspect of Islands Trust.

Feedback from Trustees has been mainly supportive, especially in the actions taken by Islands Trust management to address service delivery consistency and communication to Trustees. Trustees also mentioned the need for more transparency from Islands Trust staff and management, while reminding trustees of their responsibility in keeping themselves updated by asking the pertinent questions and listening in on Local Planning Committee meetings.

Trustee Wolverton and Trustee Luckham joined the meeting at 10:22 a.m.

Director Marlor explained the Planners Allocation pie graph, pointing out the dilemma of trying to prioritize the workload and manage expectations in one aspect of the planning work without compromising other aspects of the work.

CAO Hotsenpiller noted that the whole review is concentrated on project planning work, adding that the way the work is conducted is just as important as how much work is

accomplished or successfully allocated. He suggested concentrating project planning work to a few planners instead of distributing projects to numerous planners, as well as a reduction of the current planning work to 57% and reallocate the difference to project planning.

Trustees and staff also discussed possible ways to streamline application procedures, such as:

- restricting large application submissions;
- loosening bylaws;
- making use of the Advisory Planning Commission;
- reducing errors in major project applications;
- changing or cutting application procedures that will save time; and,
- considering First Nations timelines on projects.

LPC-2020-042

It was MOVED and SECONDED,

that Local Planning Committee include the agenda item “Local Planning Service Delivery – Briefing and Discussion” as a standing item at every meeting.

CARRIED

Director Marlor noted that communication to the public and processing rezoning applications are apparently common themes during the discussions, and suggested working with the Chair to determine themes to guide the discussions for next meeting.

CAO Hotsenpiller left the meeting at 11:00 a.m.

4. WORK PROGRAM ITEMS

4.4 Project Charters

4.4.1 Eelgrass Mapping – RFD

Director Marlor summarized the background in the Eelgrass Mapping Project Charter RFD, noting the current lack of funds for this fiscal year and the plan to submit a Request for Proposal when the Project Charter is approved. He also noted the risk that the project may not be accomplished by this year due to a shortened timeline.

The Committee discussed In Scope bullets on interpretation of air photos, ground truthing, and removing mention of kelp beds in the Charter.

LPC-2020-043

It was MOVED and SECONDED,

that Local Planning Committee endorse the Eelgrass Mapping Project Charter dated July 29, 2020 as amended.

CARRIED

LPC-2020-044

It was MOVED and SECONDED,
that Local Planning Committee invite Islands Trust Conservancy Acting Manager Kate Emmings to a future Local Planning Committee meeting to discuss opportunities for eelgrass and kelp bed restoration and conservation.

CARRIED

4.4.2 Affordable Housing Floor Area Ratio – RFD

Director Marlor provided an overview of the Housing Floor Area Ratio Model Bylaw Project Charter RFD, stating the plan to hire a consultant to fulfill the In Scope objectives of the Charter.

Trustees inquired on minimizing potential upzoning of rental housing using the area floor ratio model, housing flexibility versus impact on land, and density in relation to development variance permits.

Trustee Luckham suggested the consultant review OCP material that was presented at a South Pender meeting on this issue.

Chair Busheikin requested to be included in meetings between Director Marlor and Planner Narissa Chadwick.

LPC-2020-045

It was MOVED and SECONDED,
that Local Planning Committee amend the Housing Floor Area Ratio Model Bylaw Project Charter dated July 29, 2020 to change the last bullet under Objectives to: “Protect natural values and provide more flexibility for different forms of housing on residential properties”.

CARRIED

LPC-2020-046

It was MOVED and SECONDED,
that Local Planning Committee amend the Housing Floor Area Ratio Model Bylaw Project Charter dated July 29, 2020 to include in the 3rd item of the Workplan Overview: “participation of LPC Chair”.

CARRIED

LPC-2020-047

It was MOVED and SECONDED,
that Local Planning Committee endorse the Housing Floor Area Ratio model Bylaw Project Charter dated July 29, 2020 as amended.

CARRIED

The meeting was recessed at 11:28 a.m. and resumed at 11:40 a.m.

5. BUSINESS

5.1 Local Planning Committee Budget and Work Program for FY 2021/22 – RFD

Director Marlor gave an overview of the Budget and Work Program, stating that if Local Planning Committee authorizes the recommendations, staff could then prepare the business cases for review at the next meeting, where the final dollar amounts can then be adjusted. He also noted that fiscal year 2023 will have an election midway through the year.

The Committee discussed budget items for SP8 (groundwater aquifers) and SP9 (freshwater sustainability), and using the aquifer mapping to help develop and model land use regulations.

Chair Busheikin reminded Trustees that the meeting is not the venue for making major decisions on the RFD and Strategic Plan regarding content; the item is presented to the Local Planning Committee for approval to submit to the Financial Planning Committee to provide an idea of the projects that the LPC wish to pursue.

LPC-2020-048

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 2 - to create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area.

CARRIED

LPC-2020-049

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$50,000 for Strategic Plan Item No. 5 - to continue to map the extent of eelgrass and kelp beds throughout the Trust Area.

CARRIED

LPC-2020-050

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$50,000 for Strategic Plan Item No. 8 - to finish mapping and develop water budgets for groundwater aquifers in the Trust Area.

CARRIED

LPC-2020-051

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 9 -

to develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.

CARRIED

LPC-2020-052

It was MOVED and SECONDED,

that Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$10,000 for Strategic Plan Item No. 16 - to implement the high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council: Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.

CARRIED

LPC-2020-053

It was MOVED and SECONDED,

that Local Planning Committee request staff to prepare business cases for undertaking 2018-2022 Strategic Plan items 2, 5, 8, 9 and 16 to refine the scope and budgets.

CARRIED

Trustee Dodds joined the meeting at 11:57 a.m.

5.3 Shoreline Review – RFD

Director Marlor gave a brief outline of the Shoreline Review and Model Bylaw, noting the intent to hire a consultant. He also clarified the Project Charter's In Scope items that indicate, among other things, that 42 Official Community Plans and Land Use Bylaws will need to be reviewed, as well as consideration of First Nations interests. When the Local Planning Committee approves the consultant's final product, it becomes incorporated into the standard Official Community Plan and Land Use Bylaw templates.

Prominent among the feedback from Trustees are the budget implications from decisions made by the Senior Intergovernmental Policy Advisor regarding the level of consultation with First Nations, and suggestions to study shoreline bylaws in different jurisdictions, including Lasqueti Island and San Juan County in the U.S.

LPC-2020-054

It was MOVED and SECONDED,

that Local Planning Committee amend the Shoreline Review and Model Bylaw Project Charter to add under In Scope: "Review other jurisdictions, including San Juan County."

CARRIED

Opposed by Trustee Dodds

LPC-2020-055

It was MOVED and SECONDED,

that Local Planning Committee endorse the Shoreline Review and Model Bylaw Project Charter dated July 29, 2020, as amended.

CARRIED

5.5 Change of Name of Local Planning Committee – Discussion/Decision

LPC-2020-056

It was MOVED and SECONDED,

that Local Planning Committee ask staff to draft a Request for Decision to Trust Council from the Local Planning Committee requesting that the name be changed from “Local Planning Committee” to “Regional Planning Committee”, and policies be updated accordingly; and that Local Planning Committee authorise the Chair to approve the Request for Decision on behalf of the Local Planning Committee.

CARRIED

6. NEW BUSINESS
None

7. LOCAL PLANNING COMMITTEE – WORK PROGRAM

LPC-2020-057

It was MOVED and SECONDED,

that Local Planning Committee amend the Local Planning Committee Work Program Top Priorities Report to change priority 2 to “Manage Trust Council Strategic Plan Items”, and change priority 3 to “Develop Business Cases for 2021/22 Strategic Plan Items”.

CARRIED

LPC-2020-058

it was MOVED and SECONDED,

that Local Planning Committee remove priority 4 from the Local Planning Committee Work Program Top Priorities Report.

CARRIED

9. ADJOURNMENT

By general consent the meeting was adjourned at 12:28 p.m.

Laura Busheikin, Chair

Certified Correct:

Sheree Rialp, Recorder

**LOCAL PLANNING COMMITTEE
RESOLUTION WITHOUT MEETING**

RESOLUTION WITHOUT MEETING NO. RWM-2020-01

The following matter is considered urgent and necessary in order to schedule two special electronic meetings; 1. September 3, and 2. October 8, 2020, starting at 10:00 AM, to give the Local Planning Committee additional meetings, as requested, to address on-going business.

It was Moved by Trustee Patrick and Seconded by Trustee Langereis:

That Local Planning Committee schedule two special electronic meetings; 1. September 3, and 2. October 8, 2020, starting at 10:00 AM, to give the Local Planning Committee additional meetings, as requested, to address on-going business.

<u>TRUSTEES CONTACTED</u>	<u>August 5, 2020</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
Laura Busheikin		August 5, 2020	In Favour
Jeanine Dodds		August 5, 2020	In Favour
Kees Langereis		August 5, 2020	In Favour
David Maude		August 5, 2020	In Favour
Laura Patrick		August 5, 2020	In Favour
Timothy Peterson		August 5, 2020	In Favour
Kate-Louis Stamford		August 5, 2020	In Favour
Jane Wolverton		August 5, 2020	In Favour

TRUSTEES VOTE NOT AVAILABLE

FINAL VOTE COUNT	8	<u>IN FAVOUR</u>
	0	<u>OPPOSED</u>

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON August 5, 2020

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

Follow Up Action Report

Local Planning Committee

20-May-2020

Activity	Responsibility	Dates	Status
1 That Local Planning Committee change the name of the "Freshwater Management Strategy" to the "Trust Council Freshwater Sustainability Strategy (FWSS)".	David Marlor Narrisa Chadwick	Target: 29-Jul-2020	Completed

29-Jul-2020

Activity	Responsibility	Dates	Status
1 That the Local Planning Committee direct staff to revise the Committee meeting schedule to a frequency of a meeting every four to six weeks.	David Marlor	Target: 05-Aug-2020	Completed
2 That the Local Planning Committee support the revised draft of the Model Fee Bylaw which reflects the following: - Fees proposed in the Model Fee Bylaw represent 80% of the average cost of processing for most applications. - Fees related to Development Permit Areas (DPAs) for environmental protection be lower than 80% of the average cost of processing to reflect interest in supporting compliance. - That the Executive Committee Fee Sponsorship Policy be used to address interests in reduced fees for projects with community/social benefit. - Reduced fees for Temporary Use Permits for residential uses that increase the availability of affordable housing.	David Marlor Narrisa Chadwick	Target: 03-Sep-2020	In Progress

Follow Up Action Report

Local Planning Committee

29-Jul-2020

Activity	Responsibility	Dates	Status
3 That the Local Planning Committee request staff to report back with options for changing bullet 2 of Recommendation in the Staff Report dated July 13, 2020 (Draft Application Processing Services Policy, Model Fee Bylaw and Development Approval Information (DAI) Bylaw) to reflect higher fees for applications where the development has already taken place or triggered by bylaw enforcement.	David Marlor Narrisa Chadwick	Target: 03-Sep-2020	In Progress
4 That the Local Planning Committee amend bullet 4 of the Request for Decision regarding the Model Fee Bylaw to read: "Fees may be reduced for Temporary Use Permits for residential uses that increase the availability of affordable housing, for small-scale commercial uses that support or create employment or increase food security."	David Marlor Narrisa Chadwick	Target: 03-Sep-2020	In Progress
5 Fix omission in the Model Fee Bylaw under number 3 - Application Fees, in Table 3 - Subdivision Referrals, which should have the line "subdivision per lot fee... and then for every additional lot.	David Marlor Narrisa Chadwick	Target: 03-Sep-2020	In Progress
6 That the Local Planning Committee request staff to revise the Model DAI bylaw to ensure consistency, and with input from all three planning offices.	David Marlor Narrisa Chadwick	Target: 29-Jul-2020	In Progress



Follow Up Action Report

Local Planning Committee

29-Jul-2020

Activity	Responsibility	Dates	Status
7 That the Local Planning Committee request staff to report back to the Local Planning Committee at the meeting of November 9, 2020, with a finalized Application Processing Services, Cost Recovery Agreements and Extraordinary Processing Services Policy incorporating the Model Fee Bylaw and Model DAI bylaw.	David Marlor	Target: 09-Nov-2020	In Progress
8 That the Local Planning Committee request the Executive Committee to allow time at Trust Council for discussion of general principles regarding the fees review project.	David Marlor	Target: 03-Sep-2020	Completed
9 That the Local Planning Committee request staff to prepare talking points on archeological and cultural sites for island trustees.	Lisa Wilcox	Target: 08-Oct-2020	In Progress
10 That the Local Planning Committee amend the Islands Trust Area Groundwater Recharge Mapping Project Charter dated July 29, 2020 to remove bullet 6 under Objectives and bullet 6 under In Scope concerning the Water Science Series.	William Shulba	Target: 03-Sep-2020	In Progress
11 That the Local Planning Committee endorse the Islands Trust Area Groundwater Recharge Mapping Project Charter dated July 29, 2020 as amended.	William Shulba	Target: 03-Sep-2020	In Progress

04-Aug-2020

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Local Planning Committee

04-Aug-2020

Activity	Responsibility	Dates	Status
1 That the Local Planning Committee include the agenda item "Local Planning Service Delivery - Briefing and Discussion" as a standing item at every meeting.	David Marlor	Target: 03-Sep-2020	Completed
2 That the Local Planning Committee invite Islands Trust Conservancy Acting Manager Kate Emmings to a future Local Planning Committee meeting to discuss opportunities for eelgrass and kelp bed restoration and conservation.	Kate Emmings Robert Barlow	Target: 08-Oct-2020	In Progress
3 That the Local Planning Committee endorse the Eelgrass Mapping Project Charter dated July 29, 2020 as amended. Staff to engage consultant.	David Marlor	Target: 03-Sep-2020	In Progress
4 That the Local Planning Committee amend the Housing Floor Area Ratio Model Bylaw Project Charter dated July 29, 2020 to change the last bullet under Objectives to: "Protect natural values and provide more flexibility for different forms of housing on residential properties".	David Marlor	Target: 04-Aug-2020	Completed
5 That the Local Planning Committee amend the Housing Floor Area Ratio Model Bylaw Project Charter dated July 29, 2020 to include in the 3rd item of the Workplan Overview: "participation of LPC Chair".	David Marlor	Target: 03-Sep-2020	Completed
6 That the Local Planning Committee endorse the Housing Floor Area Ratio model Bylaw Project Charter dated July 29, 2020 as amended. Staff to engage consultant.	David Marlor	Target: 03-Sep-2020	Completed



Follow Up Action Report

Local Planning Committee

04-Aug-2020

Activity	Responsibility	Dates	Status
7 That the Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 2 - to create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area.	David Marlor	Target: 14-Oct-2020	In Progress
8 That the Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$50,000 for Strategic Plan Item No. 5 - to continue to map the extent of eelgrass and kelp beds throughout the Trust Area.	David Marlor	Target: 14-Oct-2020	In Progress
9 That the Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$50,000 for Strategic Plan Item No. 8 - to finish mapping and develop water budgets for groundwater aquifers in the Trust Area.	David Marlor	Target: 14-Oct-2020	In Progress
10 That the Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$5,000 for Strategic Plan Item No. 9 - to develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.	David Marlor	Target: 14-Oct-2020	In Progress

Follow Up Action Report

Local Planning Committee

04-Aug-2020

Activity	Responsibility	Dates	Status
11 That the Local Planning Committee request that the Financial Planning Committee include in the Fiscal Year 2021/22 Budget \$10,000 for Strategic Plan Item No. 16 - to implement the high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council: Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.	David Marlor	Target: 14-Oct-2020	In Progress
12 That the Local Planning Committee request staff to prepare business cases for undertaking 2018-2022 Strategic Plan items 2, 5, 8, 9 and 16 to refine the scope and budgets.	David Marlor Narrisa Chadwick William Shulba	Target: 09-Nov-2020	In Progress
13 That the Local Planning Committee amend the Shoreline Review and Model Bylaw Project Charter to add under In Scope: "Review other jurisdictions, including San Juan County."	David Marlor	Target: 03-Sep-2020	Completed
14 That the Local Planning Committee endorse the Shoreline Review and Model Bylaw Project Charter dated July 29, 2020 as amended. Staff to engage consultant.	David Marlor	Target: 03-Sep-2020	In Progress

Follow Up Action Report

Local Planning Committee

04-Aug-2020

Activity	Responsibility	Dates	Status
15 That the Local Planning Committee ask staff to draft a Request for Decision to Trust Council from the Local Planning Committee requesting that the name be changed from "Local Planning Committee" to "Regional Planning Committee", and policies be updated accordingly; and, That the Local Planning Committee authorise the Chair to approve the Request for Decision on behalf of the Local Planning Committee.	David Marlor	Target: 26-Aug-2020	Completed
16 That the Local Planning Committee amend the LPC Work Program Top Priorities Report to change priority 2 to "Manage Trust Council Strategic Plan Items", and change priority 3 to "Develop Business Cases for 2021/22 Strategic Plan Items".	David Marlor	Target: 03-Sep-2020	Completed
17 That the Local Planning Committee remove priority 4 from the Local Planning Committee Work Program Top Priorities Report.	David Marlor	Target: 03-Sep-2020	Completed

BRIEFING

To:	Local Planning Committee	For the Meeting of:	September 3, 2020
From:	Narissa Chadwick	Date Prepared:	August 28, 2020
SUBJECT:	Model Fee Bylaw Revisions		

PURPOSE:

To identify changes made to the proposed Model Fee Bylaw.

BACKGROUND:

At the July 27th, 2020 LPC meeting, a number of changes to the Model Fee Bylaw were requested. The changes made include:

1. Change in Table 2 to reflect interest in lower Temporary Use Permit (TUP) fees for “commercial uses under Xm² that support or create employment or increase food security”. Each LTC will need to decide on maximum size of commercial space.
2. To address higher fees for after-the-fact applications adding:
 4. Fee for After-the-Fact Application
 - 4.1 For applications received as a result of bylaw enforcement actions or after construction or use has begun, the fees listed in Table 2, as well as Board of Variance applications, will be subject to a 20% surcharge.
3. Change in numbering to reflect addition of “Fee for After-the-Fact Application”.
4. To clarify refunded amounts, change in section 5.5 (originally 4.5) to “If an application in Table 1 is started but not completed, fees associated with the parts of the process that have not been executed will be refunded in accordance with Appendix 1”.
5. Change in Appendix 1 to “refund schedule” identifying amounts associated with rezonings only. Staff determined that rezonings would be the only applications that would have the potential to require portions of the fee to be refunded.
6. Increase in deposit amount for extraordinary service costs from 100% to 150%, as it is easier to refund to the applicant money not spent than to ask the applicant to pay additional funds once the process has begun.

ATTACHMENT(S):

1. Model Fee Bylaw
2. Refund Schedule

FOLLOW-UP:

- Staff to make additional changes as directed by the LPC.
 - Staff to facilitate legal review of model fee bylaw.
 - Staff to report back to LPC with final draft following legal review.
-

Prepared By: Narissa Chadwick, Island Planner

Reviewed By/Date: David Marlor, Director, Local Planning Services /August 28, 2020

[INSERT LTC NAME] LOCAL TRUST COMMITTEE

BYLAW NO. [XX]

A bylaw to prescribe fees for amending bylaws, issuing permits, examining applications for subdivision, and examining other referrals and applications

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; and Section 41 of the *Liquor Control and Licensing Act* and Section 35 of the *Cannabis Control and Licensing Act* provides that a local government may, by bylaw, impose fees on an applicant for a license under that Act;

NOW THEREFORE the [Insert LTC Name] Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the [Insert LTC Name] Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation

- 1.1 This bylaw may be cited as the "[Insert LTC Name] Local Trust Committee Fees Bylaw, No. [XX]".

2. Interpretation

- 2.1 In this bylaw:

"Applicant" means:

- 2.1.1 the person authorized under the _____ Island Local Trust Committee Procedures Bylaw No. _____, _____ to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;
- 2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.3 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;
- 2.1.4 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;
- 2.1.5 an applicant for a soil deposit permit or soil removal permit issued pursuant to a bylaw enacted under Part 14 of the *Local Government Act*; or
- 2.1.6 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

"Application Processing Fee" means the monetary amount payable to the "Islands Trust".

“General Service Cost” means the average cost of staff time for processing, inspection, advertising and administration of an application.

“Estimated Direct Costs” means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including newspaper advertising, notifications, postal and delivery costs of statutory notifications, rental of premises for meetings or hearings, contract minute-taker costs recording or preparation of minutes of meetings or public hearings and staff travel expenses.

“Islands Trust” means the Director of Local Planning Services or their authorized representative.

3. Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to the Islands Trust the corresponding application processing fee in the amount shown in Column 2. The application fee includes general service costs and estimated direct costs.

TABLE 1 – Bylaw Amendments (OCP and Zoning Bylaw)	
Column 1: Type of Application	Column 2
1. Major (e.g. change to density or land use designation)	\$7,800
2. Minor (e.g. policy change without changing density or land use designation)	\$4,600

TABLE 2 – Permits	
Column 1: Development Permit in Respect of	Column 2
1. Protection of Natural Environment, Ecosystems and Biological Diversity	\$1,000
2. Protection of Development from Hazardous Conditions	\$1,000
3. Protection of Farming	\$1,000
4. Objectives for Form and Character	\$1,700
5. Objectives to Promote Energy Conservation	\$1,000
6. Objectives to Promote Water Conservation	\$1,000
7. Objectives to Promote the Reduction of Greenhouse Gas Emissions	\$1,000
8. Development Permit Amendment	\$1,000
Type of Development Variance Permit	

9. Development variance permit (commercial, industrial or institutional development)	\$1900
10. Development variance permit (residential development)	\$1900
Type of Temporary Use Permits	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit for residential uses that increase the availability 13. of affordable housing, for commercial uses under Xm2 that support or 14. create employment or increase food security.	\$1000
Temporary use permit renewal	\$1150
Other Permits	
15. Siting and Use Permit	\$1,250
16. Heritage Alternation Permit	\$1,700
Combination Applications	
17. Development Permit in respect of a protection areas or water and energy conservation in combination with a companion application for a Development Variance Permit	\$2,500
18. Development Permit in respect of form and character in combination with a companion application for a Development Variance Permit	\$3,000

TABLE 3 – Subdivision Referrals	
Column 1	Column 2
1. Application for Subdivision Review – base fee	\$1,000
2. Application for Subdivision Review – parcel line adjustments only, creating no additional parcels	\$500

TABLE 4 – Other Applications	
Column 1: Type of Application	Column 2
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail Licence Application and Process	\$1,500
4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500

5. Strata Conversions	\$1,500
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4. Fee for After-the-Fact Application

- 4.1 For applications received as a result of bylaw enforcement actions or after construction or use has begun, the fees listed in Table 2, as well as Board of Variance applications, will be subject to a 20% surcharge.

5. Collection and Refund of Application Processing Fee Amounts

- 5.1 The total application processing fee must be received before the processing of the application can begin.
- 5.2 An application administration fee of \$100.00, a portion of the fee referred to in Table 1, is not refundable in any event.
- 5.3 An application administration fee of \$50.00, a portion of the fee referred to in Table 2, Table 3, and Table 4, is not refundable in any event.
- 5.4 If an application is withdrawn before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee less the non-refundable administration fee portion.
- 5.5 If an application in Table 1 is started but not completed, fees associated with the parts of the process that have not been executed will be refunded in accordance with Appendix 1.

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid:
- 6.1.1 By the applicant as an amount paid to the Islands Trust in addition to the application processing fee; or
- 6.1.2 By the applicant through a cost recovery agreement entered into with the Islands Trust, in addition to the application processing fee.
- 6.2 Where legal work is required for the preparation of covenants, registration of covenant at Land Title Offices, registration of notice of a permit or housing agreement at the Land Title Office or for other purposes related to the application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.3 Where site visits involving First Nations are required for the processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.4 Where there may be need for additional community information meeting or public hearing not covered by the application processing fee, staff will provide an estimate of costs. The Applicant will pay a deposit of 150% of this estimate
- 6.5 Where other additional costs beyond the general service costs and estimated direct costs not specified above that are required for processing of an application, staff will provide the Applicant with an estimate of the costs. The Applicant will pay a deposit of 150% of this estimate.
- 6.6 If the amount paid by the Islands Trust in respect of Extraordinary Service Costs is less than the deposit provided to the Islands Trust, the Islands Trust shall provide the Applicant with the amount and the application shall pay the amount upon receipt. The local trust committee may withhold the

6.7 The Islands Trust must refund the unused portion of any Extraordinary Service Costs deposit to the applicant if it is unused for any reason.

7.1 Application fees will increase by 2% on April 1st of each year following the date of adoption of the bylaw.

8. Application Fee Sponsorship

9. Severability

10. Repeal

10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A THIRD TIME this st day of , 20

ADOPTED this th day of , 20

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ATTACHMENTS

1. Appendix 1: Refund Schedule

Refund Schedule

Rezoning/ Land Use Bylaw Amendment

Item	Estimated Cost (amount to be withheld)
Standard Processing Fee Estimates	
Application Initiation	\$500
First Staff Report	\$500
Site visit	\$250
Subsequent Staff Reports	\$2000
Draft bylaw	\$250
Circulation of bylaw	\$500
Community Information meeting 1	\$1000
Public Hearing	\$2200
Post Public Hearing (PH) Standard Processing Fee Estimates (for applications requiring PH)	
Processing Bylaw through Executive	\$200
Preparation for Minister of Municipal Affairs	\$200
Bylaw adoption	\$200
Total	\$7,800
Total for Community Benefit/Non-profit (CIM and PH fees waived)	\$4,600

Top Priorities Report

Local Planning Committee

1. Application Processing Services Update

CURRENT: Final Draft and RFD to LPC for October, 2020

PLANNED: RFD to December 2020 Trust Council on revised policy and model fees

Responsible

Narrisa Chadwick

Dates

Rec'd: 22-Aug-2019

Target: 20-May-2020

2. Manage Trust Council Strategic Plan Action Items

Strategic Plan item #5 - Eelgrass Mapping - David Marlor

Strategic Plan item #6 - Shoreline Review - David Marlor

Strategic Plan item #7 - Freshwater Sustainability Strategy - Narissa Chadwick and William Shulba

Strategic Plan item #8 - Groundwater Mapping - William Shulba

Strategic Plan item #16 - Using Floor Area Ratio for Affordable housing - David Marlor

Responsible

David Marlor

Narrisa Chadwick

William Shulba

Dates

Rec'd: 29-Jul-2020

Target: 20-May-2020

3. Develop Business Cases for 2021/22 Strategic Plan Items

Responsible

David Marlor

Dates

Rec'd: 04-Aug-2020

Target: 09-Nov-2020

Projects Report

Local Planning Committee

1. *Shoreline Marine Planning*

Responsible

Date Received

Trust Council - 2015-2018 Strategic Plan Item

09-Nov-2017

Conduct a working group session to brainstorm possible directions.

2. *Preserve, protect and advocate for forest and terrestrial ecosystems*

Responsible

Date Received

1. Map contiguous tracts of the Coastal Douglas-fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems (underway by contractor for completion March 31, 2020) (2018-2022 Strategic Plan item 1).

12-Feb-2020

2. Create a model development permit area for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas-fir zones throughout the Trust Area (2018-2022 Strategic Plan item 2).

3. *Preserve and protect marine ecosystems*

Responsible

Date Received

1. Map the extent of eelgrass and kelp beds throughout the Trust Area (2018-2022 Strategic Plan item 5).

12-Feb-2020

2. Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore (2018-2022 Strategic Plan item 6).

4. *Protect quality and quantity of fresh water resources of the Trust Area*

Responsible

Date Received

Projects Report

Local Planning Committee

1. Map and develop water budgets for groundwater aquifers in the Trust Area (2018-2022 Strategic Plan item 8)
2. Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling (2018-2022 Strategic Plan item 9).

12-Feb-2020

5. *Strengthen housing affordability throughout the Islands Trust Area*

Responsible

Date Received

Implement the high priority actions outlined in the Affordable Housing in the Trust Area: Strategic Actions for Islands Trust previously referred by Trust Council:

12-Feb-2020

1. Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 16).
2. Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws (2018-2022 Strategic Plan item 16).
3. Develop model bylaws to address the use of building stratas as a tool for affordable housing (2018-2022 Strategic Plan item 16).

6. *Mitigate and adapt to climate change impacts*

Responsible

Date Received

1. Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater. (2018-2022 Strategic Plan item 11).

12-Feb-2020