



Regional Planning Committee Agenda

Date: March 17, 2021
Time: 10:00 am - 3:00 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 the Agenda
3. TOWN HALL AND DELEGATIONS
 - 3.1. Town Hall
 - 3.2. Delegations
None
4. ADOPTION OF MINUTES/COORDINATION
 - 4.1. Minutes of Meetings
 - 4.1.1. Regional Planning Committee minutes of February 10, 2021 3 - 7
 - 4.2. Resolutions Without Meeting
None
 - 4.3. Follow-up Action List 8 - 9
5. WORK PROGRAM ITEMS
 - 5.1. Application Processing Services - RFD 10 - 46
 - 5.2. Manage Trust Council Strategic Plan Action Items - Verbal Updates
 - 5.2.1. Strategic Plan item #6 - Shoreline Review
 - 5.2.2. Strategic Plan item #7 - Freshwater Sustainability Strategy
 - 5.2.3. Strategic Plan item #8 - Groundwater Mapping
 - 5.2.4. Strategic Plan item #16 - Using Floor Area Ratio for Affordable Housing

6. BUSINESS

6.1. Local Planning Service Delivery - Discussion

47 - 66

The three Regional Planning Managers will join the meeting to partake in the discussion as per the outline attached.

7. NEW BUSINESS

8. WORK PROGRAM

8.1. Regional Planning Committee Work Program

67 - 69

9. NEXT MEETING

Wednesday, May 12, 2021 from 10:00 a.m. to 3:00 p.m.

10. ADJOURNMENT

3:00 PM - 3:00 PM



Regional Planning Committee Minutes of a Regular Meeting

Date: February 10, 2021
Location: Electronic Meeting

Members Present: Laura Busheikin, Chair
Jeanine Dodds, Local Trustee
Kees Langereis, Local Trustee
Laura Patrick, Executive Committee Representative
Timothy Peterson, Local Trustee
Kate-Louise Stamford, Local Trustee
Jane Wolverton, Local Trustee
Peter Luckham, Ex Officio Member

Member Regrets: David Maude, Vice Chair

Staff Present: David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Areas Services
Julia Mobbs, Director, Administrative Services
Narissa Chadwick, Island Planner
William Shulba, Senior Freshwater Specialist
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Robert Barlow, Legislative Services Clerk/Recorder

Others Present: Peter Grove, Local Trustee
Deb Morrison, Local Trustee
Sue Ellen Fast, Local Trustee
Dan Rogers, Local Trustee

1. CALL TO ORDER

The meeting was called to order at 10:04 a.m. Chair Busheikin acknowledged that the meeting was being held on Coast Salish traditional and treaty territories.

2. APPROVAL OF AGENDA

2.1 New Items and Re-ordering of the Agenda

The following addition to the agenda was presented for consideration:

- 6.1 Local Planning Services Renewal – Status Report (Briefing to Executive Committee, dated February 3, 2021)

2.2 Approval of Agenda

By general consent the Regional Planning Committee approved the agenda as amended.

3. TOWN HALL AND DELEGATIONS

None

4. ADOPTION OF MINUTES/COORDINATION

4.1 Minutes of Meetings

4.1.1 Regional Planning Committee Minutes of December 22, 2020

By general consent the Regional Planning Committee minutes of December 22, 2020, were approved as presented.

4.2 Resolutions Without Meeting

None

4.3 Follow-Up Action List

Director Marlor spoke to the items on the FUAL that are in progress, three of which are on the meeting agenda:

- the revision to the model DAI Bylaw;
- the Groundwater Mapping report; and,
- the application processing audit.

He also noted that the report on the Trust Programs Committee affordable housing discussions will be presented at the next RPC meeting and that he will confirm that the training session on cannabis production issues and regulation has been added to the Trust Council continuous learning program.

5. WORK PROGRAM ITEMS

5.1 Application Processing Services Update

Director Marlor introduced the Cost of Local Trust Committee Application and Referral Processing – Updated Briefing.

Discussion included the need to:

- continue tracking staff time spent on processing applications after the Covid-19 pandemic is over;
- clarify the impact of the Covid-19 pandemic to the statistics that have been collected;
- include costs of site visits, overhead, administrative (non-planner) staff;
- review application fees from time to time;
- clarify the goal of the exercise.

Planner Chadwick introduced the Draft Model Fees Bylaw, indicating that the suggestions made by RPC at the December 22, 2020 meeting and suggestions from Young Anderson legal firm have been incorporated into the current version that was presented.

Discussion included need to:

- update fees annually to reflect Consumer Price Index (CPI) changes;
- clarify the Extraordinary Service Costs, particularly items 6.1, 6.2 and 6.6;
- clarify use of the word “surcharge”;
- correct the numbering in the Type of Temporary Use Permits section;
- clarify the Siting and User Permits description.

The Committee recessed at 11:31 a.m. and resumed at 11:41 a.m.

Discussion continued in regards to:

- the issue of increased application costs having a greater impact on some applicants who have less funds available than other applicants such as commercial developers;
- whether the model fees bylaw is ready to be presented at the March Trust Council;
- concept of “community benefit” and how to incorporate that idea in regards to cost recovery;
- using actual average operating cost changes as an alternative to utilizing annual CPI changes and whether overhead costs would be included;
- flexibility to allow Local Trust Committees to utilize the model fees bylaw to “fit” their particular community;
- method to encourage LTCs to adopt the model fees bylaw; and,
- a rationale and over-all objective of the project.

Committee recessed at 12:37 a.m. and resumed at 1:06 p.m.

RPC-2021-001

It was MOVED and SECONDED,

that Regional Planning Committee request staff to recommend revisions to the Application Processing Services and Development Approval Information Policy, for consideration at the next Regional Planning Committee meeting, that:

1. adds an objective of the policy in relation to cost recovery for application processing;
2. adds the definition of average costs to include over-head and weighted average of staff hourly costs;
3. adds a definition of Community Benefits that specifies the types of community benefits that may be considered by LTCs when adopting their fees bylaws; and
4. adds a policy stating how the annual fee increase will be calculated that considers using actual costs rather than the Consumer Price Index.

RPC-2021-002

It was MOVED and SECONDED,

that Regional Planning Committee amend the previous motion to add “5. adds to policy (1.3.1) ‘a review of Remote Access to Archaeological Data’”.

CARRIED

The question on the motion, as amended, was then called.

CARRIED

5.2 Manage Trust Council Strategic Plan Action Items

5.2.1 Shoreline Review (SP #6)

Director Marlor provided a verbal update, indicating that an Expression of Interest had been posted and a contract is being arranged to undertake this work.

5.2.2 Freshwater Sustainability (SP #7)

Planner Chadwick provided a verbal update, indicating that Islands Trust has secured funding of \$190,000, which includes \$10,000 for Indigenous Youth Engagement. Trustees Busheikin, Patrick, Peterson and Stamford expressed an interest to participate in an Advisory Roundtable to support the project.

5.2.3 Groundwater Sustainability Strategy (SP #8) - Briefing

Senior Freshwater Specialist Shulba presented the briefing that describes the project phases and provides next steps, including a staff report of the outcomes of the Strategy for fiscal year 2020/21; a project charter for the Strategy for fiscal year 2021/22; and updates of the implementation phase.

5.2.4 Floor Area Ratio (SP #16)

Director Marlor provided a verbal update, indicating that an Expression of Interest had been posted and a contract is being arranged to undertake this work.

Trustee Stamford left the meeting at 2:30 p.m. Committee recessed at 2:30 p.m. and resumed at 2:39 p.m.

As Chair Busheikin was experiencing connectivity issues and could only participate by telephone, Trustee Peterson was appointed as Acting Chair.

6. BUSINESS

6.1 Local Planning Service Delivery Renewal – Verbal Update and Executive Committee Briefing

Director Marlor provided a verbal update and reviewed the “Local Planning Services Renewal – Status Report” Briefing to Executive Committee, dated February 3, 2021, that describes the current actions that are in progress:

- planning teams transition,
- develop policies on LTC projects and resource allocation, and,
- develop OCP-LUB review strategy and criteria.

Discussion included:

- the information in Attachment 1 in relation to the estimated time duration for each project is the total time required, including the time already spent on a project;
- a set of principles would be helpful to prioritize projects;
- Director Marlor will work with Chair Busheikin to organize further discussions in this regard at the next RPC meeting.

7. NEW BUSINESS

None

8. WORK PLAN

Director Marlor presented the work plan and recommended to maintain the Top Priorities as is. He also provided an update on the Projects, all items of which are from the Strategic Plan.

9. NEXT MEETING

Wednesday, March 17, 2021, from 10:00 a.m. to 3:00 p.m.

10. ADJOURNMENT

By general consent the meeting adjourned at 3:10 p.m.

Laura Busheikin, Chair

Certified Correct:

Robert Barlow, Legislative Services Clerk/Recorder

Follow Up Action Report

Regional Planning Committee

29-Jul-2020

Activity	Responsibility	Dates	Status
1 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	Completed

08-Oct-2020

Activity	Responsibility	Dates	Status
1 Groundwater mapping - Southern Islands - staff be requested to prepare a report to describe the potential uses of this mapping.	William Shulba	Target: 10-Feb-2021	Completed

09-Nov-2020

Activity	Responsibility	Dates	Status
1 Director Marlor indicated that he will be providing to the Financial Planning Committee a briefing in regards to an audit of all the application processing that has occurred over the last four months and that he will provide the briefing to the Regional Planning Committee at the next scheduled meeting.	David Marlor	Target: 10-Feb-2021	Completed
2 that Regional Planning Committee request staff to report on the Trust Programs Committee affordable housing discussions on the next Regional Planning Committee agenda.	David Marlor	Target: 12-May-2021	In Progress

Follow Up Action Report

Regional Planning Committee

09-Nov-2020

Activity	Responsibility	Dates	Status
3 that Regional Planning Committee request that Trust Council add a training session on cannabis production issues and regulation to its continuous learning program.	David Marlor Lori Foster	Target: 09-Mar-2021	In Progress

10-Feb-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff to recommend revisions to the Application Processing Services and Development Approval Information Policy, for consideration at the next Regional Planning Committee meeting, that: 1. adds an objective of the policy in relation to cost recovery for application processing; 2. adds the definition of average costs to include over-head and weighted average of staff hourly costs; 3. adds a definition of Community Benefits that specifies the types of community benefits that may be considered by LTCs when adopting their fees bylaws; and 4. adds a policy stating how the annual fee increase will be calculated that considers using actual costs rather than CPI. 5. adds to policy (1.3.1) 'a review of Remote Access to Archaeological Data'	David Marlor Narrisa Chadwick	Target: 17-Mar-2021	Completed

REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** March 17, 2021

From: Narissa Chadwick, Island Planner **Date Prepared:** March 12, 2021

SUBJECT: Application Processing Services Policy

RECOMMENDATION:

1. That Regional Planning Committee endorse the Application Processing Services Policy with attached Model Fees Bylaw and Model Development Application Information Bylaw.
2. That Regional Planning Committee approve the attached Request for Decision and send it, along with the Application Processing Services Policy with attached Model Fees Bylaw and Model Development Application Information Bylaw to Trust Council for approval.

DIRECTOR OF PLANNING COMMENTS:

The new Application Processing Services Policy combines three existing fee policies into one, and provides an updated model fee structure and model Development Approval Information Bylaw.

1 PURPOSE:

1. Provide background related to the Application Processing Services Policy, the Model Fees Bylaw and the Model Development Application Information Bylaw as amended and identify how the interests expressed by the Regional Planning Committee (RPC) at the February 10th, 2021 RPC meeting have been addressed.
2. Present the revised draft Application Processing Services Policy, the Model Fees Bylaw, and the Model Development Approval Information Bylaw to the RPC for final endorsement before sending them to Trust Council for approval.

2 BACKGROUND:

At the February 12, 2020 meeting, the Local Planning Committee (LPC) endorsed in principle, as amended, the Application Processing Services Policy with attached Model Fees Bylaw and Model Development Application Information Bylaw.

Application Processing Services Policy

The Application Processing Services Policy (Attachment 1) combines the previous “Application Processing Services”, “Cost Recovery Agreements” and “Extraordinary Processing Services” policies.

There have been no major changes to this draft policy since May 20th, 2020. Minor amendments have been made to address suggestions made at the February 10, 2021 RPC meeting.

Some minor changes were also made following the February 10th, 2020 Trust Programs Committee (TPC) meeting. This includes:

- adding the review of archaeological data to 1.2 Initial Application and Processing Service;
- combining “Initial Application” and “Processing Service” into one section to provide clarity and avoid overlap;
- adding 4.1 Community Benefit and adding 4.5 indicating that “Where the model fees bylaw permits reduced fees for a community benefit, the local trust committee fees bylaw must specify the actual community benefit to which the fee applies, and should be supported by policies in the official community plan on what are considered amenities to the community”; and,
- revised definition of General Services Costs (3.1) “includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs”.

Attached to the Application Processing Services Policy are the Model Fees Bylaw and the Model Development Approval Information Bylaw.

Model Fees Bylaw

The purpose of the model fees bylaw is to encourage the alignment of application fees across the Trust Area.

The model fees proposed in the model fees bylaw are intended to reflect the total estimated costs of processing an application. The fees currently identified in the draft bylaw are based on an initial breakdown on costs (see Attachment 2).

To determine fees reflective of actual application processing costs, a substantial review of staff time and average direct external costs was undertaken. This review included consultation with planning staff including all three regional planning managers. These estimated costs may change based on the findings of current applications time tracking initiated as part of the Local Planning Services Review.

Exceptions to total estimated costs are made for Temporary Use Permit applications that provide community benefit and Development Variance Permit applications that provide environmental benefit. It should be noted that Executive Committee development application [fee sponsorship](#) is possible where an applicant is a non-profit agency or organization, or an institution supported by taxpayers seeking to provide community benefit, or others seeking to implement specific objectives for an Official Community Plan (OCP) with broad community benefits.

Changes made to the *Model Fees Bylaw* following the February 10th, 2021 RPC meeting include:

- Identifying the objective for model fees to reflect the cost recovery for application processing;
- Update to the “General Services Cost” definition;
- A definition of “Community Benefit” has been added;
- Addition of reduced fee for TUP (Community Benefit);
- Reduction of Siting and Use Permit amount; and,
- Change in annual fee increase from relying on Canadian Consumer Price Index (CCPI) to reflecting a percentage of estimated annual increase (2%)

Point for Discussion:

The RPC had requested that staff make a change to the Model Fees Bylaw that does not rely on annual Consumer Price Index (CPI) increases but rather reflects actual cost increases. In the absence of using CPI, staff suggest using a percentage annual increase based on estimated annual increase, as identifying an exact increase annually would be challenging. This percentage would be 2%.

Model Development Approval Information Bylaw

No major changes have been made to the Model Development Approval Information (DAI) Bylaw since the May 20, 2020 LPC meeting. Some minor changes have been made following the February 10th, 2021 RPC meeting.

While staff recommend the model DAI bylaw be sent to Trust Council for approval at this time, staff recognize that current projects such as the Freshwater Sustainability Strategy and Heritage Preservation Overlay may result in suggested changes to the model DAI bylaw over time.

3 IMPLICATIONS OF RECOMMENDATION:

ORGANIZATIONAL:

Once Trust Council has approved the policy, LTCs will be encouraged to update their fees bylaws.

FINANCIAL:

Model fees reflect an interest in increases for all LTCs.

POLICY:

The Application Processing Services Policy with the attached Model Development Approval Information Bylaw and Model Fees Bylaw will replace the existing Application Processing Services Policy, the Cost Recovery Agreements Policy and the Extraordinary Processing Services Policy.

IMPLEMENTATION/COMMUNICATIONS:

Following Trust Council approval of the Application Processing Services Policy with the attached Model Development Approval Information Bylaw and Model Fees Bylaw, staff will draft related communications for local trust committees and Planning and administrative staff.

4 RELEVANT POLICIES:

- Application Processing Services Policy
- Cost Recovery Agreements Policy
- Extraordinary Processing Services Policy

5 ATTACHMENTS:

1. Draft Application Processing Services Policy with attached Draft Model Fees Bylaw and Draft Model Development Approval Information Bylaw
2. Application Processing Costs
3. Request for Decision for Trust Council

RESPONSE OPTIONS

Recommendation:

1. That Regional Planning Committee endorse the Application Processing Services Policy with attached Model Fees Bylaw and Model Development Application Information Bylaw.

2. That Regional Planning Committee approve the attached Request for Decision and send it, along with the Application Processing Services Policy with attached Model Fees Bylaw and Model Development Application Information Bylaw to Trust Council for approval.

Alternatives:

1. That the RPC not endorse the recommendations and provide alternative direction to staff to follow up for the May 12, 2021 RPC meeting.

Prepared By: Narissa Chadwick, Island Planner

Reviewed By/Date: David Marlor, Director, Local Planning Services/March 12, 2021



Policy:	5.6.1
Approved By:	Trust Council
Approval Date:	June__ 2021 Repeals policies 5.6.1, 5.6.2 and 5.6.3
Amendment Dates:	-
Policy Holder:	Director of Local Planning Services

APPLICATION PROCESSING SERVICES POLICY

Purpose

This policy is intended:

- to identify the services provided by Islands Trust and the different levels of costs associated with these services;
- to provide direction for the preparation of Fees Bylaws and Schedules by Local Trust Committees (LTCs);
- to provide the principles by which cost recovery for extraordinary services beyond the standard fee can be negotiated and agreed to by an applicant and a LTC;
- to provide direction related to development approval information required to be submitted as part of the application process; and
- to recover from applicants 100 per cent of the average cost of processing the development applications, while permitting consideration of lower cost recovery for environmental protection and community benefit.

A. Definitions

1. Application Processing Services include:

1.1 Bylaw Amendments to an official community plan, zoning bylaw, subdivision bylaw or other land use bylaws;

1.2 Development Application Requests for:

- 1.2.1 Development Permits,
- 1.2.2 Development Variance Permits,
- 1.2.3 Temporary Use Permits,
- 1.2.4 Soil Removal and Deposit Permits,
- 1.2.5 Heritage Alteration Permits,
- 1.2.6 Board of Variance orders,
- 1.2.7 Liquor Licensing Permits,
- 1.2.8 Cannabis Licensing Permits,
- 1.2.9 Siting & Use Permits,
- 1.2.10 Land Use Contracts;

1.3 Agency Referral Responses and Comments on applications referred from other agencies.

2. Service Levels include:

- 2.1 Information Service that involves providing information to applicants and the general public at no cost, as a public service, and funded by property taxation revenues.
- 2.2 Standard Application Processing Service that involves providing a specific service to applicants as a direct response to an application, whether directly to Islands Trust or through a referral from another agency, and primarily funded by established fees paid by an applicant.
- 2.3 Extraordinary Processing Service is a service provided to the applicant that is beyond the standard processing service, with funding provided by the applicant as a deposit with the application fee or through a cost recovery agreement.

3. Costs:

- 3.1 General Service Costs includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.
- 3.2 Estimated Direct Costs include advertisements, delivery of notices, hall rentals, minute taking at public hearings and community information meetings, and staff travel to attend public hearings and community information meetings.
- 3.3 Extraordinary Processing Costs include costs beyond the standard processing service such as additional community information meetings, review of technical reports provided by specialists hired by the applicant, and specific legal services such as the preparation and registration of legal documents and the acquisition of legal advice.

4. Community Benefit:

- 4.1 Community benefit is the provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit or amenity.

B. Policy

1. Standard Application Processing Services

Applicants are responsible for paying different rates based on the level of service. The details involved in each level of a standard application processing service are identified below.

1.1 Information Service – No Fee Required

Information services are considered a public service and include:

- 1.1.1 ***providing information*** on application process requirements including a meeting with staff;
- 1.1.2 ***providing assistance*** to complete an application;

1.1.3 **determination** of applicable fees;

1.1.4 **identification** of readily identifiable issues to be addressed.

1.2 Application and Processing Service – Application Fee Required

For rezoning applications, temporary use permit applications, development variances, development permits, liquor and cannabis retail license applications, and strata conversion applications, the application fee covers the following services:

1.2.1 comprehensive staff assessment including site visit where required;

1.2.2 staff reports;

1.2.3 discussion between planners and applicant throughout process;

1.2.4 review of archaeological data;

1.2.5 staff referral to other agencies, advisory planning commissions, and analysis of their comments;

1.2.6 bylaw or resolution drafting, including review for compatibility with Trust Object and policies and the relevant Official Community Plan;

1.2.7 staff report with recommendation for local trust committee (LTC) approval consideration;

1.2.8 processing bylaws through Executive Committee for approval consideration, if necessary;

1.2.9 forwarding to Minister of Municipal Affairs and Housing for approval consideration, if necessary;

1.2.10 adoption of all bylaws or issuing of permits as required.

1.3 Public Hearing – Application Fee Required

Services related to a Public Hearing that will be provided to an applicant who has paid an application fee include:

1.3.1 conducting one public hearing with staff present (includes staff time, staff travel costs and estimated direct costs such as meeting place rental, newspaper notice of public hearing, minute taker fee, and delivery of notices when needed).

1.4 Community Information Meeting – Application Fee Required

Services related to a Community Information Meeting that will be provided to an applicant who has paid an application fee include:

- 1.4.1 conducting one community information meeting with staff present (includes staff time, staff travel costs, and estimated direct costs such as meeting place rental and delivery of notices when needed).

2. Extraordinary Processing Services

Extraordinary Processing Services are services provided to the applicant that are beyond the standard processing services identified in 1.1- 1.4. Applicants are responsible for paying fees for extraordinary processing services.

2.1 Role of LTC in Determining Necessity for Extraordinary Services

- 2.1.1 Local trust committees (LTCs) can determine the necessary requirements for processing applications. These requirements may necessitate extraordinary processing services, where the actual or estimated processing service level costs are in excess of the costs of a standard application fee for a similar process because:
 - 2.1.1.1 of additional requirements such as additional public consultation, complex covenant requirements or extensive staff time; or,
 - 2.1.1.2 the processing requirements include services obtained from professions outside Islands Trust such as special technical assistance and/or specific legal services; or,
 - 2.1.1.3 the processing requirements include First Nations site visit(s).
- 2.1.2 The Regional Planning Manager is responsible for assisting LTCs in identifying and costing extraordinary processing service requirements and advising the LTCs of the options available to handle these requirements.
- 2.1.3 The Regional Planning Manager is responsible for ensuring that complex service requirements include terms of reference which outline detailed criteria and parameters for the extraordinary services that are required.

2.2 Provision of Extraordinary Processing Services

- 2.2.1 Extraordinary processing services can be provided by Islands Trust via a cost recovery agreement, with costs to be paid by the applicant, in addition to the applicable standard fee.
- 2.2.2 A resolution of the LTC following the recommendation of the Regional Planning Manager is required to proceed.
- 2.2.3 When extraordinary processing service requirements have been identified, the applicant should be advised by staff that the application cannot be processed until additional funds are provided by the applicant and a cost recovery agreement with the Islands Trust is signed and a security deposit has been received.

3. Extraordinary Services Cost Recovery Agreements

3.1 Extraordinary Services Cost Recovery – Principles

- 3.1.1 Cost Recovery Agreements reflect a service level which includes the extraordinary services needed to undertake the approval process for a complex application.
- 3.1.2 Cost Recovery Agreements will endeavour to recover all costs of processing that exceed the standard costs of processing services.
- 3.1.3 The existence of a Cost Recovery Agreement will not fetter a LTC's discretion with respect to an application before the committee.
- 3.1.4 Authority for negotiating Cost Recovery Agreements is provided within the respective LTC Fees Bylaws.
- 3.1.5 Cost Recovery Agreements will proceed only by resolution of the LTC after consultation with the Regional Planning Manager, except in situations where an applicant is seeking to discuss an issue directly with Islands Trust legal advisors, in which case the Director of Local Planning Services may approve the Cost Recovery Agreement.
- 3.1.6 The Cost Recovery Agreement letter will be submitted, together with the recommendation of the Regional Planning Manager and the LTC resolution, for approval by the Director of Local Planning Services (or designate) prior to final agreement with the applicant.

3.2 Services Requiring Extraordinary Services Cost Recovery Agreement

The services identified below are considered to be beyond the scope of standard processing services. These services require payment, in addition to standard application fees established in the Fees Bylaw, of additional fees based on a cost recovery agreement between the Islands Trust and an applicant:

- 3.2.1 staff time required for covenant development;
- 3.2.2 staff time to attend more public consultation meetings than that already covered by the standard application fee, including community information meetings, advisory planning commission meetings, and public hearings;
- 3.2.3 technical assessments or studies as required by the local trust committee;
- 3.2.4 retaining special technical assistance required by the local trust committee;
- 3.2.5 additional legal counsel services required for the application not covered under the estimated direct costs of the Fees Bylaw;
- 3.2.6 process agreement negotiation;

- 3.2.7 First Nations site visits;
- 3.2.8 other resources and/or services required by the local trust committee to process the application not covered by the Fees Bylaw.

4. Funding Basis and Fee Adjustments

- 4.1 Application processing services are funded primarily through fees, as per a LTC's Fees Bylaw. Local trust committees should adopt a Fees Bylaw consistent with the model Fees Bylaw in Attachment 1.
- 4.2 Standard fees in Fees Bylaws are to be based on average processing costs, as per Section 462 of the *Local Government Act*, Section 31(2)(b) of the *Islands Trust Act*, Section 41 of the *Liquor Control and Licensing Act*, and Section 35 of the *Cannabis Control and Licensing Act*. Standard fees are calculated as the product of staff labour costs multiplied by processing time (including Planner and administrative support). Standard application fees include estimated direct costs.
- 4.3 A local trust committee may enact variances of up to 20% below what is indicated in the Trust Council's Model Fees Bylaw when adopting a LTC Fees Bylaw. The following criteria must be considered when evaluating a fee variance:
 - 4.3.1 the level of community/environmental benefit offered by the type of application;
 - 4.3.2 variances in direct costs (e.g. hall rental); and,
 - 4.3.3 an amendment to an approved application occurring within 6 months of the approval date.
- 4.4 Variance to a Fees Bylaw must be adopted by bylaw amendment. All LTC Fees Bylaws and Fees Bylaw amendments must be approved by the Executive Committee before adoption by a LTC.
- 4.5 Where the model fees bylaw permits reduced fees for temporary use permits that have a community benefit and are small scale, the local trust committee fees bylaw must specify the actual community benefit to which the fee applies, and should be supported by policies in the official community plan on what are considered amenities to the community.
- 4.6 Applications for development that begin without a permit or bylaw authorisation are subject to a 20 per cent surcharge to recover the additional cost in processing these types of applications.

5. Application Fee Sponsorship

- 5.1 If eligible, as identified in [Trust Council Policy 4.1.13 Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications](#), the applicant may apply for development application fee sponsorship.

6. Development Approval Information

- 6.1 The Development Approval Information (DAI) Bylaw provides a mechanism to ensure that the LTC receives appropriate reports and documentation (such as reports from engineers, biologists, hydrogeologists, and geotechnical specialists) from applicants to support rezoning, temporary use permit, and development permit applications.
- 6.2 DAI bylaws reduce operational costs by ensuring that applications are complete and the information provided is appropriate.
- 6.3 Local trust committees should adopt a development approval information bylaw consistent with the Model Development Approval Information Bylaw in Attachment 2.

C. Legislated References

Local Government Act, S.462

Local Government Act, S.486

Liquor Control and Licensing Act, S.41

Cannabis Control and Licensing Act, S.35

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

- 1. Model Fees Bylaw
- 2. Model Development Approval Information Bylaw

APPLICATION PROCESSING SERVICES POLICY

ATTACHMENT 1

[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. Model fees reflect the cost recovery for application processing.

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections; 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 for a license under that Act, **[DENMAN AND HORNBY ONLY and Section 31(2)(b) of the Islands Trust Act provides that a local trust committee may impose a fees to recover the cost of processing siting and use permits]** ;

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:

Citation

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

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;

2.1.4 an applicant for subdivision review under the *Land Title Act* or the *Strata Property Act*;

2.1.5 an applicant for the conversion of a previously occupied building to strata lots under the *Strata Property Act*;

2.1.6 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

2.1.7 an applicant to a board of variance established under Part 14 of the *Local Government Act*.

“Application Processing Fee” means the total amount payable to the Islands Trust in respect of any application under this bylaw.

“Community Benefit” refers to an application that results in provision of an amenity that is of value to the community, and identified in the Official Community Plan as a community benefit or amenity.

[NOTE: This is in relation to temporary use permits for a use under a specified size that provides a community benefit. The local trust committee would define community benefit here based on its official community plan definition of community benefit or community amenity]

“General Service Cost” includes average hourly cost of each staff position involved in processing the applications multiplied by the average number of hours taken to complete processing of that type of application, and includes administrative overhead costs.

“Estimated Direct Costs” for bylaw amendments listed in Table 1 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including:

1. newspaper advertising for one community meeting,
2. notifications, postal and delivery costs of statutory notifications for one public hearing,
3. rental of premises for one community meeting meetings and/or one public hearing,
4. contract minute-taker costs recording or preparation of minutes of one community meeting and/or one public hearing and
5. staff travel expenses for one site visit, one community meeting and one public hearing.

“Estimated Direct Costs” for temporary use permits listed in Table 2 means the Islands Trust’s estimate of its actual average cost of disbursements associated with the processing of an application, including

1. one newspaper advertisement, notifications, postal and delivery costs of statutory notifications for one community meeting,
2. rental of premises for one community meeting meeting,
3. contract minute-taker costs recording or preparation of minutes of one community meeting, and

4. staff travel expenses for one site visit, one community meeting.

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

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 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: Fee
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 not requiring an OCP amendment)	\$4,600

TABLE 2 – Permits	
Column 1: Development Permit in Respect of:	Column 2: Fee
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 Permit	
11. Temporary Use Permit (residential/commercial/industrial)	\$2150
12. Temporary Use Permit for residential uses and commercial uses under 95m ² that provide community benefit..	\$1000
13. Temporary Use Permit Renewal	\$1150
14. Temporary Use Permit Renewal (Community Benefit)	\$500
Other Permits	
15. Siting and Use Permit	\$2500
16. Heritage Alteration Permit	\$1,700
Combination Applications	
17. Development Permit in respect of a protection area 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: Fee
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: Fee
1. Board of Variance	\$2,200
2. Land Use Contract amendment	\$2,000
3. Liquor & Cannabis Regulation Branch – Retail License Application and Process	\$1,500

4. Liquor & Cannabis Regulation Branch – Temporary License Change	\$500
5. Strata Conversions	\$1,500

4. Fee for After-the-Fact Application

- 4.1 An application for a permit or bylaw amendment to authorize work or an activity already undertaken, or in operation as of the date the application is made, 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 applicant may withdraw their application at any time through written notice to the Planning Assistant and/or the Planner responsible for processing the application.
- 5.3 If an applicant withdraws an application before staff undertakes any planning work on the application, the Islands Trust must refund to the applicant the Application Fee, less: (a) \$100 in the case of any application for a bylaw amendment under Table 1 of this bylaw, or (b) \$50 in the case of any other application.
- 5.4 For an application in Table 1, or a Temporary Use Permit in Table 2, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been designated to the planner; 50% refund if the first staff report has been submitted to the LTC; 25% refund once public notice of a public hearing or permit has been sent out, no refund will be provided after a Public Hearing or after consideration of the Permit by the local trust committee.
- 5.5 For applications in Table 2 (except for Temporary use Permit applications), Table 3 and Table 4, the applicant will be eligible for: 75% refund if the application is withdrawn once the file has been designated to the planner; no refund will be provided if the first staff report has been submitted to the LTC.

6. Extraordinary Service Costs (ESC)

- 6.1 Extraordinary Services Costs will be paid:
- 6.1.1 By the Applicant as an amount paid to Islands Trust in addition to the application processing fee; or
- 6.1.2 By the Applicant through a cost recovery agreement entered into with 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 the Applicant with 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 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 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 consideration of issuance of any permit or hold the consideration of adoption of any bylaw in abeyance until the amount has been paid.
- 6.7 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 2% on April 1st of each year following the date of adoption of the bylaw.
- 7.2 The (Insert LTC Name) will maintain a record of annual 2% increases and make that record available for public inspection.

- 8.1 Pursuant to Islands Trust Policy 4.1.13, Guidelines for Executive Committee Sponsored or Local Trust Committee Initiated Development Applications, an applicant may apply to the Executive Committee of Islands Trust for development application fee sponsorship.

- 9.1 In the event a portion of this bylaw is set aside by a court of competent jurisdiction, the invalid portion shall be severed and the remainder of the bylaw remains in force and in effect.

APPLICATION PROCESSING SERVICES POLICY

ATTACHMENT 2

Model Development Approval Information Bylaw

ISLANDS TRUST COUNCIL

BYLAW NO. ____

A Bylaw to Establish Procedures and Policies for Requiring Development Approval Information for the
_____ Island Local Trust Area

WHEREAS the _____ Island Local Trust Committee, pursuant to ss. 484 and 485 of the *Local Government Act*, has specified in an official community plan areas and circumstances for which development approval information may be required;

NOW THEREFORE the Islands Trust Council, pursuant to sections 486 of the *Local Government Act* and s. 29(3.1) of the *Islands Trust Act*, enacts as follows:

PART 1 TITLE

1. This bylaw may be cited for all purposes as "_____ Island Local Trust Committee Development Approval Information Bylaw No. _____, 20__".

PART 2 PURPOSE

2. The purpose of this bylaw is to allow the Local Trust Committee to obtain information on the anticipated impact of proposed activities or development on the community.

PART 3

DEFINITIONS

3. In this Bylaw, the following definitions shall apply:

“Agriculture Impact Assessment” means an assessment and identification of potential impacts on agricultural activities or water supplies on adjacent land that is zoned for agriculture or located within the Agricultural Land Reserve (ALR), and includes a summary of the methodology used to assess pre-development conditions, potential post-development impacts as well as recommended mitigation measures.

“Business Day” means a day that is not Saturday or Sunday or a public holiday in the province of British Columbia.

“Conservation Assessment” means an evaluation to identify environmentally valuable features on or near the proposed development based on current best practices, such as, but not limited to, the “Resources Information Standards Committee Standards for Describing Terrestrial Ecosystems in the Field” and “Best Management Practices for Raptor Conservation during Urban and Rural Land Development in British Columbia.”

“Development Application” means an application for:

- (a) an amendment to a zoning bylaw;
- (b) a development permit; or
- (c) a temporary use permit,

“DAI Report” means a report that contains the information and assessments required for a decision on the approval of a *Development Application*.

“Impact Mitigation Measures” means recommended measures to limit, mitigate and manage the impacts of the proposed development on terrestrial, aquatic, and marine habitats, as well as geomorphic, hydrological and coastal processes, and includes a description of mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.

“Lighting Assessment” means an assessment and identification of lighting impacts due to spillage and includes a summary of the methodology for assessing pre-development light levels and for estimating post-development light impacts and recommended mitigation measures.

“Monitoring Requirements” means any recommended *monitoring requirements*, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.

“Noise Assessment” means an assessment and identification of noise generated by the proposed development, and includes a summary of the methodology used to measure predevelopment noise levels and to estimate post-development noise levels impacts and recommended mitigation measures.

“Preliminary Water Supply Study” means a preliminary water supply study prepared by a professional (civil) engineer to assess whether sufficient groundwater supply is available to support all water demand types for the proposed development in accordance with the requirements of the regional health authority. Where the total water demand for a proposed development exceeds groundwater supply, as set out in the provincial *Design Guidelines for Rural Residential Community Water Systems*, the preliminary water supply study shall:

- (a) identify all proposed water sources;
- (b) identify how each type of water demand will be serviced;
- (c) estimate the total number of occupants the available water sources will support based on the sustainable yield of any on-site wells and use of supplementary water sources (e.g., greywater, rainwater); and
- (d) estimate how many dwelling units the proposed water supply system would service based on occupancy rates consistent with regional health authority rates.

“Professionally certified” means a professional certification by a Qualified Environmental Professional that they are qualified to carry out the assessment and that appropriate assessment methods have been followed in the preparation of a professional opinion in an evaluation and impact assessment report.

“Restoration Assessment” means an assessment with recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to or as a result of development or that would be impacted by the proposed development.

“Site Background Analysis” means a *site background analysis* that is based on applicable databases such as, but not limited to, the Species and Ecosystems Explorer Tool and the Sensitive Ecosystem Inventory from the Ministry of Environment, and the Wildlife Tree Stewardship Atlas from the Community Mapping Network, and includes a description of the context of the site, including the use of adjacent lands and proximity to protected areas and a check for water licenses, and the results from a site assessment for observed species and ecosystems at risk, and a site assessment for the presence of raptor and heron nests and the presence of fish-bearing watercourses.

“Site Impact Assessment” means an assessment of the nature and extent of the impact of the existing or proposed development, in particular, anticipated impacts on identified site conditions, including but not limited to:

- marine habitat;
- aquatic habitat;
- terrestrial habitat;
- site hydrology;
- marine sediment transport;
- aquatic sediment transport; and,
- public access to and along the foreshore, and includes impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area, and the identification of potential impacts on adjacent sites and proximate sensitive areas.

“Site Inventory” means a *site inventory* providing information on the following:

- existing plant communities;
- marine habitats;
- aquatic habitats;
- terrestrial habitat;
- current on-site and adjacent land uses;
- slope stability;
- erosional processes;
- hydrology;
- topography;
- aquatic sediment transport; and,
- marine sediment transport.

The *site inventory* may require the involvement of several suitably qualified professionals.

“Site Plan” means *site plan* prepared and signed by a BC land surveyor or other professional as approved by the officer, at an appropriate scale, delineating the proposed development and associated features, including:

- topographic features showing natural slope contours at appropriate contour intervals;
- significant natural features;
- the development permit area boundary;
- current and proposed buildings, structures, signage, and all supporting infrastructure;
- roads, driveways, vehicular and bicycle parking areas, and loading areas; and,
- proposed site grading and post development contours.

“Vegetation Assessment” means an assessment and identification of vegetative screening for adjoining lands, including agricultural land, parking lots, loading docks and service infrastructure; potential impacts to viewsheds of neighbouring properties, harbours and/or uplands, and includes a

summary of the methodology used to assess pre-development conditions and for identifying post-development impacts and recommended mitigation measures.

“Watercourse Assessment” means an identification and assessment of any proposed changes to existing natural and human made watercourses, as well as potential drainage hazards to the surface and groundwater that may affect the subject site and neighbouring properties, and includes a summary of the methodology and the level of field work, statements demonstrating that pre-development and post-development flows remain constant, inclusion of any off-site drainage hazards mitigation, and identification of maintenance requirements.

PART 4 APPLICATION

4. This Bylaw applies to all *Development Applications*, subject to the exceptions listed in this Bylaw.
5. Any application for an activity or development that is a reviewable project under the *Environmental Assessment Act* is exempted from this Bylaw.

PART 5 PROCEDURE

6. An official assigned from time to time to provide planning services to the _____ Island Local Trust Committee is the official for the purposes of this bylaw.
7. Where a *DAI Report* is required, the information for the *DAI Report* shall be provided to the official by the applicant and at the applicant’s cost.
8. The applicant shall provide the *DAI Report* to the official in the format specified by the official. The official may determine that all or part of the *DAI Report* shall be provided in digital form.
9. The official may, on a case-by-case basis and at their sole discretion, amend, alter or delete specific requirements for a particular *DAI Report*. Any amendments to the requirements for a particular *DAI Report* must be communicated by the official to the applicant in writing.
10. Within 30 *Business Days* of receipt of a complete application, the official shall determine to what extent development approval information will be required in accordance with this bylaw and shall communicate the requirement to the applicant in writing.

11. An applicant may only request that the Local Trust Committee reconsider a decision of an official under this bylaw within 30 *Business Days* of the date on which the official's decision is communicated to the applicant.
12. A request for reconsideration must be delivered in writing to the Legislative Clerk and must set out the grounds on which the applicant requests a reconsideration of a decision and what, if any, requirement the applicant considers the Local Trust Committee ought to substitute.
13. The Legislative Clerk must place the request for reconsideration on the agenda of the next meeting of the Local Trust Committee following the date on which the request for reconsideration was delivered, provided the request is received at least 10 *Business Days* prior to that meeting.
14. The Legislative Clerk must reasonably notify the applicant and any other person who the Legislative Clerk reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
15. At the meeting, the Local Trust Committee may either confirm the requirement or decision of the official or substitute its own requirement or decision.

PART 6 DEVELOPMENT PERMIT APPLICATION REQUIREMENTS

16. For *Development permit applications* that require implementation of a water supply system, the official may require a *Preliminary Water Supply Study*.
17. For *development permit applications* in respect of **Development Permit Area __ – _____**, as designated in the Official Community Plan and in accordance with sections 488 of the Local Government Act, the *DAI Report* shall contain the following information:
 - a. Description of the proposed development including illustrations drawn to appropriate scale that show building siting, massing, scale and modulation
 - b. *Site Plan*
 - c.
18. For *development permit applications* in respect of **Development Permit Area __ – Riparian Areas**, as designated in the Official Community Plan and in accordance with section 488 (1)(a) of the *Local Government Act* for protection of the natural environment, the *DAI Report* shall contain the following information:
 - a. Description of the proposed development detailing construction methodology, cut and fill, blasting, road driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the watercourse, sewage disposal system installation, landscaping, or other land alteration during or after the development phase, as well as identification of alternative development options;

- b. *Site Plan* that contains the following additional information:
 - the development area boundary,
 - the locations of the top of bank and high water marks,
 - Streamside Protection and Enhancement Areas (SPEA) widths,
 - site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development;
- c. *Site Inventory* that includes additional information about the biological function of the riparian zone, including species of fish that frequent the waterbody, stream magnitude and values of connected downstream habitat;
- d. For any impacted streams, as defined under the *Riparian Areas Protection Regulation*, an assessment of the nature and extent of the impact of the proposed development that includes the following information:
 - the results of a riparian assessment using a detailed or simple assessment as indicated in the *Riparian Areas Protection Regulation*,
 - establishing the SPEA width for the subject parcel,
 - a description of all measures that will be taken to maintain and protect the SPEA from development, including, where appropriate:
 - assessment and treatment of danger trees,
 - windthrow,
 - slope stability,
 - tree protection during construction,
 - encroachment,
 - sediment and erosion control,
 - appropriate stormwater management techniques as a development-related measure.
- e. *Monitoring Requirements* that contain the following additional information:
 - actions to ensure that all SPEA protective measures are implemented appropriately;
 - a monitoring schedule to ensure compliance can be assessed and to allow for modifications to occur, as appropriate, to ensure adequate protection of the SPEA; and,
 - a process for resolving any non-compliance.
- f. *Restoration Assessment*;
 - 1. For any impacted streams, as defined under the *Riparian Areas Protection Regulations* *professionally certified* opinion that, if the development is implemented as proposed: there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area; or, the measures identified in the *DAI Report* are adequate to protect fish life processes in the affected area from the development.
 - 2. If the streamside protection and enhancement areas identified in the *DAI Report* are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.

19. Where a particular type of information is required for a *DAI Report*, as identified in sections 16 through 18 of this Bylaw, that information must be prepared by a consulting professional with qualifications listed in the table below, or as otherwise approved in writing by the official.

TYPE OF INFORMATION	CONSULTING PROFESSIONAL
Agriculture	- Agrolgist (Registered with BC Institute of Agrolgists)
Anthropological Study	- Post-graduate degree in anthropology
Archaeological Assessment	- Registered Professional Consulting Archaeologist (BC Association of Professional Archaeologists)
Conservation Assessment	- Registered Professional Biologist (College of Applied Biology)
Environmental Assessment	- Registered Professional Biologist (College of Applied Biology)
Geological Hazard	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC)
Groundwater Assessment	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC) Registered Well pump installer (B.C. Registry of Well Pump Installers) Registered Well Installer (B.C. Registry of Well Installers)
Heritage Assessment	- Registered Planning Professional (Planning Institute of BC) - Registered Architect or Architectural Technician (Architectural Institute of BC) - Full Member BC Association of Heritage Professionals
Landscape Plan	- Registered Landscape Architect (BC Society of Landscape Architects)
Land Use	- Register Professional Planner (Planning Institute of BC)
Legal Survey	- Land Surveyor (Registered with the Association of British Columbia Land Surveyors)
Raptor Nest	- Registered Professional Biologist (College of Applied Biology)
Riparian Areas	- Qualified Environmental Professional (Biologist, Agrolgist, Forester, Geoscientist, Engineer, or Technologist registered with an appropriate BC professional association)
Sensitive Ecosystem	- Registered Professional Biologist (College of Applied Biology)

Sewage disposal system Systems	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Shoreline and Marine	- Geotechnical/hydrological and marine considerations: - Geotechnical Engineer (Registered with Engineers and Geoscientists BC) - Professional Geoscientist (Registered with Engineers and Geoscientists BC) - Biological/environmental considerations: - Registered Professional Biologist (College of Applied Biology)
Shoreline Stabilization	- Geotechnical Engineer (Registered with Engineers and Geoscientists BC)
Site Background Analysis	- Registered Professional Biologist (College of Applied Biology)
Site Plan	- Land Surveyor (Registered with the Association of British Columbia Land Surveyors) - Professional Civil Engineer (Registered with Engineers and Geoscientists BC) - Registered Architect or Architectural Technician (Architectural Institute of BC)
Spill Containment	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Stormwater Drainage	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC)
Traffic Impact Assessment	- Professional Civil Engineer (Registered with Engineers and Geoscientists BC) - Transportation Planner (Post-graduate degree in urban planning or a related discipline)
Tree & Native Vegetation Protection	- Registered Professional Biologist (College of Applied Biology) - Registered Professional Forester (Association of BC Forest Professionals)

20. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the requirements of this Bylaw, either in scope, level of detail, accuracy or in any other respect, or does not address any particular information requirements that are identified in or arise from any applicable guidelines in the Official Community Plan, the official may require the applicant to provide, at the applicant's expense, further information reasonably required to comply with the bylaw.

PART 7 TERMS OF REFERENCE

21. For a *Development Application* involving amendments to a bylaw of the _____ Island Local Trust Committee enacted under s.479 of the *Local Government Act*, or a temporary use permit, the official may require an applicant to provide Terms of Reference for the preparation of the *DAI Report*.
22. Where Terms of Reference are required, the applicant shall provide to the official, Terms of Reference that consider the following information:
- a. information requirements identified in or that arise from any applicable guidelines in the Official Community Plan;
 - b. information requirements specified in this bylaw;
 - c. that the information in the *DAI Report* will be prepared by a person having professional expertise and relevant experience in the matters included in the Terms of Reference;
 - d. the identity, qualifications and experience of the person or persons who the applicant proposes to engage to prepare the *DAI Report*;
 - e. the date by which the *DAI Report* is to be provided to the official; and,
 - f. the form and the number of copies in which the *DAI Report* will be provided.
23. Where Terms of Reference are required, the applicant shall provide to the official, Terms of Reference that identify the scope of the information that is to be prepared in the *DAI Report*, to the extent that the proposed activity or development can be reasonably expected to have an appreciable impact on any of the following matters:
- a. the natural environment of the area affected, including sensitive ecosystems and the habitat of rare or threatened species, including surrounding terrestrial, marine or freshwater habitats impacted by the development activity;
 - b. hazards, including geological, flood, stormwater, and wildfire hazards;
 - c. greenhouse gas emissions, climate change impacts, anticipated energy usage, and carbon emissions;
 - d. freshwater resources, including groundwater;
 - e. local infrastructure, including highways, ferry, water supply and sewage systems, fire protection systems, solid waste disposal and recycling facilities, utilities, local parking facilities and any other affected public infrastructure;
 - f. local public or community facilities;
 - g. local commercial services;
 - h. supply and demand for local commercial space;
 - i. local and off-island employment opportunities;
 - j. affordable and seniors housing needs;
 - k. agricultural reserve lands and agricultural and forestry uses in the vicinity of the development;
 - l. cultural heritage resources including resources of historical, cultural, archaeological, paleontological or architectural significance whether on land or underwater; and
 - m. aesthetic values including the visual appearance of the development from adjacent properties, public lands, or the sea, and the effect of any artificial lighting proposed.
24. For every matter within the scope of section 23 of this Bylaw that is included in the Terms of Reference, the applicant shall, all in accordance with generally accepted impact assessment methodology:

- a. identify relevant baseline information for existing conditions and document the nature of the resource or other matter on which the proposed activity or development may have an impact;
 - b. identify and describe the potential and likely impacts of the activity or development, including any cumulative effects when combined with other projects proposed or under development;
 - c. evaluate the impacts in terms of their significance and the extent to which and how they might be mitigated;
 - d. make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are minimized or avoided; and
 - e. make recommendations as to measures that may restore or enhance natural functions or features that have been damaged or degraded prior to development or that would be impacted by the proposed development.
25. The applicant may include in the Terms of Reference any additional matter that the applicant considers information that ought to be provided to the Local Trust Committee to permit a full understanding of the impact of the proposed activity or development on the island community affected.
26. The official may require that the Terms of Reference or a *DAI Report* provide additional information on the relationship between the proposed activity or development, and
- a. the object of the Islands Trust set out in the *Islands Trust Act*;
 - b. the Islands Trust Policy Statement;
 - c. the Regional Conservation Plan; and,
 - d. in the case of a proposed amendment to a bylaw enacted under s. 479 of the *Local Government Act*, the official community plan of the Local Trust Committee.
27. Within 20 *Business Days* of receipt of the Terms of Reference, the official must indicate in writing to the applicant that:
- a. the Terms of Reference submitted by the applicant are acceptable; or,
 - b. the Terms of Reference submitted by the applicant are acceptable if additional matters specified by the official and within the scope of section 23 of this bylaw are included; or,
 - c. the Terms of Reference submitted by the applicant are acceptable if a person other than one who has been proposed by the applicant in the Terms of Reference, whose selection has been approved in writing by the official, prepares the impact information; or,
 - d. the Terms of Reference are unacceptable and may be replaced by the applicant.
28. For the purposes of section 27(b), when accepting Terms of Reference, the official may advise the applicant of other projects proposed or under development in the area that may be affected by the applicant's proposed activity or development.
29. If the official does not provide information pursuant to section 27 within 20 *Business Days*, the official is deemed to have accepted the proposed Terms of Reference.
30. Upon receipt of notice accepting the Terms of Reference, or where the Terms of Reference have been deemed to be accepted, the applicant must prepare, at its sole expense, the impact information in

accordance with the accepted Terms of Reference and must provide it to the official within the time specified in the Terms of Reference.

31. If Terms of Reference approved under section 27 specifies professional expertise in the preparation of impact information, prior to authorizing the preparation of the information by any person, the applicant must deliver to the official information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information, unless that information was included in the approved Terms of Reference.
32. Within 10 *Business Days* of receipt of the information pursuant to section 31, the official must advise the applicant whether the proposed person is acceptable, and if the person is not acceptable, the official must advise the applicant in writing of the reason and may propose one or more alternative acceptable persons. If such advice is not provided by the end of the tenth day, the official is deemed to have accepted the proposed person.
33. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the Terms of Reference, either in scope, level of detail, accuracy or in any other respect, the official may request the applicant to provide, at the applicant's expense, further information reasonably required to comply with the Terms of Reference.

PART 8 INDEPENDENT REVIEW

34. If the official considers that the impact information provided by the applicant, or any portion of it, requires an independent review prior to being considered by the Local Trust Committee, the official may require the applicant to provide such a review of the information including the methodology used in its preparation.
35. The official may specify that the independent review be conducted by a member of the relevant professional association and may specify terms of reference for the review.
36. The applicant must arrange for the independent review to be conducted and submitted in writing to the official, at the applicant's expense, and within the time specified by the official.

PART 9 PROPRIETARY RIGHTS IN INFORMATION

37. The information that is provided to the official pursuant to this bylaw is required by the Local Trust Committee in the exercise of its powers under the *Local Government Act* and the *Islands Trust Act*. Every report or other document provided to the official pursuant to this bylaw must accordingly

contain an express grant of permission to the Islands Trust to use and reproduce the information contained in the report or other document for non-commercial purposes.

READ A FIRST TIME this day of , 20xx.

READ A SECOND TIME this day of , 20xx.

READ A THIRD TIME this day of , 20xx.

ADOPTED this day of , 20xx.

Secretary

Chair

Attachment 2: Application Processing Costs

Attachment 2 provides the estimates of the average costs of processing, inspection, advertising and administration of applications.

Bylaw Amendments (includes rezoning, minor amendments)

Application Processing Fee Estimates	
Service	Average Cost
Application administration, initial review and communication with planner	\$500
Site visit	\$250
Staff Report X 5 (\$500 per staff report)	\$2500 (minor=1x\$500)
Drafting of bylaw (includes review for compatibility with IT Policy Statement and relevant OCP policies)	\$250
Bylaw referrals	\$250
Statutory notification	\$250
Two newspaper notices	\$400
Community Information meetings (2, one in conjunction with Public Hearing)	\$1000 (minor= \$0)
Public Hearing	\$1500
Post Public Hearing (PH) Application Processing Fee Estimates (for applications requiring PH)	
Referral to Executive Committee, First Nations and other agencies	\$200
Referral to Minister of Municipal Affairs	\$200
Bylaw adoption	\$200
Total	\$7500 (minor =\$4,500)

Temporary Use Permit/ Development Variance Permit

Item	Estimated Cost
Application Processing Fee Estimates	
Application Initiation	\$500 (renewal \$250)
Site visit	\$250 (renewal \$0)
Staff Report	\$500 (renewal \$250)
Draft Permit	\$250 (renewal \$0)
Statutory notification	\$250
Newspaper Notice (TUP only)	\$200
Issuance of permit	\$200
Total (TUP)	\$2150 (renewal \$1,150)
Total (DVP)	\$1900

Development Permit

In order to encourage the application for development permits associated with environmental benefit, some parts of the general service costs can be waived as indicated.

Item	Estimated Cost
Application Processing Fee Estimates	
Application Initiation	\$500 (environmental benefit \$0)
Site visit	\$250
Staff Report	\$500
Draft Permit	\$250
Issuance of Permit	\$200 (environmental benefit \$0)
Total	\$1700
Total (environmental benefit)	\$1000

Costs Associated with Community Information Meetings and Public Hearings

Costs Associated with Community Information Meeting

Item	Estimated Deposit Values
Newspaper notice (per publication)	\$200
Hall Rental	\$100
Minute Taker	\$200
Staff Travel Costs to attend meeting that is not part of a regular Local Trust Committee meeting.	\$500
Total	\$1000

Costs Associated with Public Hearing

Item	Estimated Deposit Value
Newspaper notice in Gulf Islands Driftwood X 2	\$1000
Notice in local publications	\$200
Hall rental	\$100
Minute taker	\$200
Total	\$1500

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** June 8, 2021
From: Regional Planning Committee **Date Prepared:** March 12, 2021
SUBJECT: Application Processing Services Policy, Model Fees Bylaw and Model DAI bylaw

RECOMMENDATION:

That Trust Council repeal Policy 5.6.1 “Application Process Services”, Policy 5.6.2 “Cost Recovery Agreements”, and Policy 5.6.3 “Extraordinary Processing Services Guidelines” and replace them with Policy 5.6.1 “Application Processing Services”.

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 “Application Processing Services”.

That Trust Council request all local trust committees that do not have a Development Approval Information Bylaw to consider adoption of a Development Application Processing Bylaw based on the model Development Approval Information Bylaw attached to Policy 5.6.1 “Application Processing Services”.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

1 PURPOSE: To adopt new policy and model bylaws for development application fees and development approval information bylaws.

2 BACKGROUND:

The last time Trust Council recommended changes to local trust committee fees bylaws was 2007. Since then, some fees have been adjusted but a review of the fees has not been undertaken. The Regional Planning Committee has been working on revising and consolidating three council policies that guide local trust committee development application fees.

On August 22, 2019, the Regional Planning Committee (then Local Planning Committee) adopted a Project Charter for a review of local trust committee application fees. The two objectives of the project are:

1. Ensure fees charged for each development application is appropriate given cost to process and need to preserve and protect the environment.
2. Include appropriate fees to cover costs of First Nation site visits for applications in keeping with Trust Council declaration of reconciliation.

In scope for this project are:

1. Staff report including a review of existing fees charged by local trust committees for each development application, high level review of average actual costs for each type of application, review of options for charging fees and recommendation of a model fee structure.
2. Review of costs of various components of application processing, and options to recover those costs.
3. Consideration of fees for site visits by First Nations.
4. Consideration of community benefits in the model fee bylaw
5. Development of speaking notes to accompany the model fee bylaws
6. Presentation to the LPC of the findings and recommendations, and facilitation of discussion and feedback
7. Final report with fee policy amendment recommendations to go to Trust Council, including a model fee bylaw.

Out of scope for this project are:

1. Bowen Island Municipality fee bylaws.
2. Review of fees in other jurisdictions.
3. Agricultural Land Reserve Fees.
4. Drafting of local trust committee amendment fee bylaws.

During the review, Staff identified some inconsistencies between the three Trust Council policies that guided application servicing covered by fees, cost recovery and extraordinary cost charges. To address this, Staff has developed a single policy to replace all three existing policies, which are:

- Policy 5.6.1 “Application Process Services”,
- Policy 5.6.2 “Cost recovery Agreements”, and
- Policy 5.6.3 “Extraordinary Processing Services Guidelines”

Local Trust Committees are authorized to charge fees for different types of applications as follows:

- **Section 462 of the *Local Government Act*** provides that a local government may, by bylaw, impose fees related to applications and inspections to recover the average costs of processing official community plan amendments, land use bylaw amendments, subdivisions bylaw amendments, heritage conservation bylaw amendments, issuance of a development permit, development variance permit, temporary use permit, heritage alteration permit, land use contract amendments, heritage revitalisation agreement amendments, board of variance orders, and inspection of works and services related to applications and permits, and subdivision applications;
- **Section 31(2)(b) of the *Islands Trust Act*** provides that a local trust committee may impose fees to recover the cost of processing siting and use permits;
- **Section 41 of the *Liquor Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing liquor and liquor licensing referrals; and
- **Section 35 of the *Cannabis Control and Licensing Act*** provides that a local government may, by bylaw, impose fees to recover the cost of processing a referral for a license under that Act.

Section 462 of the *Local Government Act* also states that local governments must not impose a fee, charge a tax or require works or services to be provided unless authorized by this Act or any other Act. For this reason, fees are not charged for processing of building permit and Crown land referrals, as there is no authorization in any Act for local trust committees to recover these costs.

Summary of Amendments:

The Trust Council application processing services policy has been amended to:

1. clarify more specifically the activities covered by the application fee to remove ambiguity;

2. remove the need for planners to determine the work required at the start of the process, which has been identified as practically impossible to implement;
3. establish an objective of 80 per cent of the average processing cost for cost recovery;
4. add more clarity around when cost recovery agreements are required, and what are considered extraordinary cost charges;
5. add a model fees bylaw to the policy as an attachment; and
6. add a model Development Approval Information bylaw to the policy as an attachment.

A new model fees bylaw has been developed that:

1. has updated fees that better reflect the actual average cost of processing the various types of applications, designed to include the staff costs and the fixed costs, such as meeting expenses and advertising;
2. adds consideration for recovery of costs associated with First Nation site visits if required;
3. adds more robust fee refund policy to improve fairness;
4. adds an annual automatic increase of fees of two percent to reflect the estimated actual costs increases due to inflation and collective agreement increases for staff;
5. retains ability of local trust committees to reduce fees by up to 20 percent, intended to allow flexibility recognizing local factors affecting cost of application processing;
6. adds flexibility to allow for reduced fees for community benefits as defined by the local trust committee in its official community plan; and
7. adds a 20 per cent higher fee for applications where development began without a permit or permission to reflect the higher cost of processing such an application.

A new model Development Approval Information (DAI) bylaw has been developed that provides recommended language for local trust committee DAI bylaws based on the most recent adopted bylaw.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

A one-time requirement to prepare and place new draft fees bylaws on local trust committee agendas for consideration. On-going requirement annually to update a table to show the automatically increased fee amount, and such a table would be posted to the website.

FINANCIAL:

Improved cost recovery of fees from application should increase revenue, depending on degree of applications related to “reduced fees” such as affordable housing applications and community benefit temporary use permits.

POLICY:

Three policies would be repealed and replaced with the new policy.

IMPLEMENTATION/COMMUNICATIONS:

Staff would draft fees bylaws for each local trust committee based on the fees bylaw for consideration by the local trust committee.

FIRST NATIONS:

There is no impact on First Nations of the adoption of the new policy and model bylaws. However, if adopted by the local trust committees, the fees bylaws would recognize importance of First Nation site visits and engagement in application processing.

OTHER:

There are no other implications of the recommendations.

4 RELEVANT POLICY(S):

- Policy 5.6.1 “Application Processing Services”,
- Policy 5.6.2 “Cost Recovery Agreements”, and
- Policy 5.6.3 “Extraordinary Processing Services Guidelines”

5 ATTACHMENT:

1. Policy 5.6.1 “Application Processing Services”

RESPONSE OPTIONS

Recommendations:

That Trust Council repeal Policy 5.6.1 “Application Process Services”, Policy 5.6.2 “Cost Recovery Agreements”, and Policy 5.6.3 “Extraordinary Processing Services Guidelines” and replace them with Policy 5.6.1 “Application Processing Services”.

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 “Application Processing Services”.

That Trust Council request all local trust committees that do not have a Development Approval Information Bylaw to consider adoption of a Development Application Processing Bylaw based on the model Development Approval Information Bylaw attached to Policy 5.6.1 “Application Processing Services”.

Alternative:

Trust Council may decide not to adopt a new policy for Local Trust Committee fees bylaws. This would leave the existing bylaws in place. Without a model fees bylaw, local trust committees would have no guidance for a fees bylaw and could make amendments as they see fit. This could lead to a variety of fees and interpretations of what those fees cover.

Trust Council may ask for changes in the policy, or attached model bylaws. Minor changes could be accommodated, but if a change is substantive, staff recommend that Trust Council request a report on the implications of such a change, either by reporting back to Trust Council, or referring the policy and model bylaws back to the Regional Planning Committee for further consideration.

Prepared By: David Marlор, Director, Local Planning Services

Reviewed By/Date:



March 17, 2021
Regional Planning Committee

LPS Renewal Policy Development Discussion

Purpose: To provide an opportunity for Regional Planning committee to workshop ideas around potential policy amendments to support the Local Planning Services Renewal.

Resources: David Marlor, Director, Local Planning Services
Heather Kauer, Regional Planning Manager
Robert Kojima, Regional Planning Manager
Stefan Cermak, Regional Planning Manager

OUTLINE

Planned start time is 11:15 a.m.

Each session will begin with a short PowerPoint presentation to illustrate the question and provide some background.

DURATION	TOPIC	FACILITATOR
5 minutes	Introduction	David
40 minutes	Session 1: Criteria to use when recommending which projects for the regional planning team should proceed.	David/RPMs
40 minutes	Session 2: Number of projects that each local trust committee can expect to have at a time	David/RPMs
LUNCH BREAK (1 hour)		
40 minutes	Session 3: Process for approval of projects, and role of the local trust committees,	David/RPMs

DURATION	TOPIC	FACILITATOR
	Regional Planning Committee, Financial Planning Committee and Executive Committee.	
40 minutes	Session 4: Consideration of development of major and extraordinary projects for the term at the beginning of the term for each LTC (as opposed to doing it annually)	David/RPMs

Notes:

Session 1: At present each local trust committee identifies its projects using a list of projects and a list of top three priorities. Staff allocation is then provided based on the ability of the planning staff assigned to that local trust committee. With a move towards a regional planning team, this approach could be problematic when trying to allocate resources. The intent of this session is to start to identify possible policy amendments that could provide guidance to staff when making recommendations for project prioritization for work undertaken by the Regional Planning Committee.

Session 2: Allocating planners to the Regional Planning Team reduces the planners available to undertake smaller projects directly with local trust committees. Presumably, local trust committees with a project being undertaken by the Regional Planning Team will keep that project as a top priority. Does it make sense to keep top three priorities, or is there a better way to track and work on LTC projects? For example, should LTCs be limited by number of projects, or some other means? Should LTCs be limited to one project at a time?

Session 3: While the Regional Planning Team will be undertaking work of the Regional Planning Committee (strategic plan items), is there also a role for the Regional Planning committee when approving projects that will ultimately be worked on by the Regional Planning Team. Our current process is that the LTC identifies a project and requests funds to support it (the planners allocated geographically). As planners for projects are no longer allocated geographically, is there a better way to allocate the funding with a role for RPC and/or EC?

Session 4: Currently, LTCs identify their projects at the beginning of the fiscal year, and ask for budgets to support them. The focus of this session is on the concept of planning the entire term of projects for all LTCs at the beginning of term – sort of a master strategic plan for LTC projects. What are the benefits of doing this? And what are the draw-backs? What are things we can do (in policy) to mitigate the draw-backs?

LPS RENEWAL POLICY DISCUSSION

January, 2021 Project Snapshot



	Trust-Wide (LTCs, TC, and all TC Committees)	RPC + LTCs (Planning)
# of Top Priority projects	64	44
# of Projects on “Project” Lists	117	102
# of FUAL items	308	182

PROJECTS ON RPC PROJECT LISTS



- Beneficiary: Trust-wide / Multiple LTCs
- Data Collection
- Development of:
 - Model bylaws
 - Toolkits
 - Guides

PROJECTS ON LTC PROJECT LISTS



- Beneficiary: LTA area only
- Majority: OCP and / or LUB amendments
- Other:
 - Administrative Bylaws
 - Advocacy
 - Education
 - Bylaw Enforcement reporting

Scope	Project Examples	Process	Team	Cost
Minor	- Adoption of model bylaws; - Housekeeping bylaw amendments; - 1 Topic bylaw amendment: STVRs, Cisterns, Cell towers	- Minimum consultation / engagement - 1 month referral period - 1 CIM - 1 Public Hearing - No legal review	Local Planning Team	Up to \$5,000
Major	- Major Review of OCPs / LUBs - Category Review: e.g. Housing, Shoreline - Model Bylaws - Toolkits	- More than one CIM or PH; - Community Meetings - FN meetings - Surveys - Community Working Groups - Legal review	Regional Planning Team	\$5,000 to \$10,000
Extraordinary	- Comprehensive Review of OCPs / LUBs; - Neighbourhood plans - Expanded Public Engagement	- Engagement TBD by consultant - Document drafting done by staff or consultant - Legislative processing by staff - Legal review	RPT + Consultant	\$10,000 plus

TEAM ASSIGNMENTS

Regional Planning Team

- RPC projects
- Extraordinary Project contract management
- Major OCP / LUB Updates
 - Comprehensive
 - Targeted Category Review
- Neighbourhood Plans
- Model Bylaws
- Toolkits

Local Planning Teams

- Minor and Housekeeping OCP / LUB Updates
 - Targeted Topic Review
 - Minor Text Amendments
- RPT project support
- Adoption of Model Bylaws
- Administrative Bylaws
- Data and analysis staff reports

THREE PLANNING FUNCTION GROUPS



- Regional Planning Team (3) – Major and Extraordinary LTC and RPC
- Island Planners (5) – LTC Meeting Management; Major Applications; Minor Projects; office hours and site visits
- Current Planners (6) – Enquiries; Permits, Referrals, and other minor applications

Current Roles / Process



1. **Trust Council - Budget**
 - a. Line item – total LTC Projects (assumes \$3,000 - \$4,000 per LTC);
 - b. Line items - projects over \$5,000 (business case)
 - c. No TC criteria for prioritizing types of projects
2. **Each LTC / RPC:**
 - a. 3 Top Priority Projects of varying scope, budget, timeline, and purpose
 - b. Projects can be cancelled and replaced at any time
 - c. No consideration of overlap required
3. **FPC:** considers budget requests and makes recommendations to TC
4. **RPM:** determines staff capacity to implement LTC projects
5. **LPS Director:**
 1. Manages on-going LTC budget requests
 2. Determines staff capacity to implement RPC projects

SESSION 1

Criteria to use when recommending which projects for the regional planning team should proceed.

CRITERIA FOR PROCEEDING

Options:



Islands Trust

1. Status Quo: Projects identified by one or more LTCs as a priority
2. Projects that implement the strategic plan;
3. Projects that benefit multiple LTCs;
4. Projects that adopt model bylaws prioritized over locally identified bylaw updates;
5. Projects that consolidate multiple OCPs and LUBs within a Trust Area;
6. OCPs / LUB major updates prioritized according to:
 1. Need as determined by gap analysis
 2. Adoption date (oldest to newest)

SESSION 2

Number of projects that each local trust committee can expect to have at a time.

Number of projects per LTC



Factors:

1. Maximum project capacity of staff
 - a. RPT Planners: 3-5 (Major)
 - b. Local Planners: 1-3 (Minor)
2. Scope, timeline, and budget of each project

Options:

1. Status quo: 3 Top Priorities (variable scope); staffed as able
2. 1-2 projects that include:
 - a. Minor projects staffed by local teams
 - b. Major and Extraordinary Projects staffed by the Regional Planning Team

SESSION 3

Process for approval of projects, and role of the local trust committees, Regional Planning Committee, Financial Planning Committee and Executive Committee.

Project Budgeting Process – Trust Council



Options:

1. Advance the strategic plan
2. Budget by region or population
3. Minor / Major / Extraordinary
 - a. Budget line-item for all minor projects
 - b. Individual line-items for major and extraordinary projects
4. $RPC > LTC$

Trust-Wide LPS Projects – RPC



Options:

1. Consider which Major and Extraordinary LTC projects advance
2. Annual or Term Project Workplan
3. Projects with Trust-wide benefit
4. Projects that build on past years' work

LTA Project Prioritization – LTCs



Options:

1. Send Major and Extraordinary project requests to RPC
2. Minor projects of local interest
3. Adoption of Model Bylaws
4. Advance work with momentum
5. Housekeeping

SESSION 4

Consideration of development of major and extraordinary projects for the term at the beginning of the term for each LTC (as opposed to doing it annually)

Timing



Options:

1. Status quo: projects initiated at any time in the term
2. Annually by LTC or RPC
3. Term by LTC or RPC

Top Priorities Report

Regional Planning Committee

1. Application Processing Services Update

CURRENT: Consideration of Trust Council feedback by RPC

PLANNED: Final policy and fees bylaw to RPC in /span>, and to Trust Council in June, 2021

Responsible

David Marlor
Narrisa Chadwick

Dates

Rec'd: 22-Aug-2019
Target: 17-Feb-2021

2. Manage Trust Council Strategic Plan Action Items

Strategic Plan item #6 - Shoreline Review - David Marlor

Strategic Plan item #7 - Freshwater Sustainability Strategy - Narrisa 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: 17-Feb-2021



Projects Report

Regional 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

Regional 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