

Regional Planning Committee

Agenda

Date: May 12, 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.	BUSINESS		
3.1.	Freshwater Sustainability Strategy	10:05 AM - 11:30 AM	3 - 4
	All trustees are invited to attend a presentation by Kirk Stinchcombe of Econics.		
4.	TOWN HALL		
5.	DELEGATIONS		
	None		
6.	ADOPTION OF MINUTES/COORDINATION		
6.1.	Minutes of Meetings		
6.1.1.	<u>Regional Planning Committee minutes of March 17, 2021</u>		5 - 10
6.2.	Resolutions Without Meeting		
	None		
6.3.	Follow-up Action List		11 - 12
7.	WORK PROGRAM ITEMS		
7.1.	Local Planning Service Delivery - Briefing	11:40 AM - 11:50 AM	13 - 18
7.2.	Trust Council Strategic Plan items - Briefing	11:50 AM - 12:00 PM	19 - 21

8. BUSINESS

- | | | | |
|-------------|--|---------------------|---------|
| 8.1. | 2020/21 Annual Report - Regional Planning Committee section | 12:30 PM - 12:35 PM | 22 - 22 |
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That the Regional Planning Committee approve the attached text [as amended, if required] for inclusion in the 2020/21 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.

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| 8.2. | Policy Statement Draft Amendment Recommendations - Briefing | 12:35 PM - 2:00 PM | 23 - 108 |
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| 8.3. | Application Processing Services Policy - RFD | 2:10 PM - 2:50 PM | 109 - 131 |
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9. NEW BUSINESS

10. WORK PROGRAM

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| 10.1. | Regional Planning Committee Work Program | 132 - 134 |
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11. NEXT MEETING

Wednesday, August 25, 2021, from 10:00 a.m. to 3:00 p.m.

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| 12. | ADJOURNMENT | 3:00 PM - 3:00 PM |
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Islands Trust Freshwater Sustainability Strategy Backgrounder

Islands Trust is developing a Freshwater Sustainability Strategy to protect and manage water resources across the Islands Trust Area. This strategy will advance Goal #4 from the Island Trust Council's Strategic Plan: *to protect the quality and quantity of water resources*.

The strategy will include principles and actions to guide Islands Trust in their activities and influence partner government non-governmental agencies. Actions may include adopting new regulatory tools, public education and communication, enhancing science or data gathering and monitoring, or advocating with other levels of government.

The process of developing the Freshwater Sustainability Strategy consists of:

- interviews with key stakeholders to gather ideas and understand constraints,
- a literature review to identify the policy context,
- two workshops with Islands Trust staff to identify goals and implementation considerations,
- a series of virtual workshops with a diverse stakeholder group between March and May, and
- a workshop with Trustees through the Regional Planning Committee in May.

The flow diagram on the next page graphically illustrates the project methodology.

This project is supported by [Econics](#) and [Compass Resource Management](#), two firms with specialization in water management and stakeholder engagement.

In parallel, Islands Trust is leading a First Nations freshwater sustainability engagement process. It will also move four “implementation projects” forward to demonstrate the type of work that may be coordinated under the strategy. All of this work is funded through a grant from the Province via the Watersheds BC initiative.

As noted above, to support the strategy, Islands Trust is hosting a series of virtual workshops with an ad hoc “Strategy Advisory Roundtable” committee. This group has met twice already and will meet one last time in mid-May. It is asked to advise on matters including:

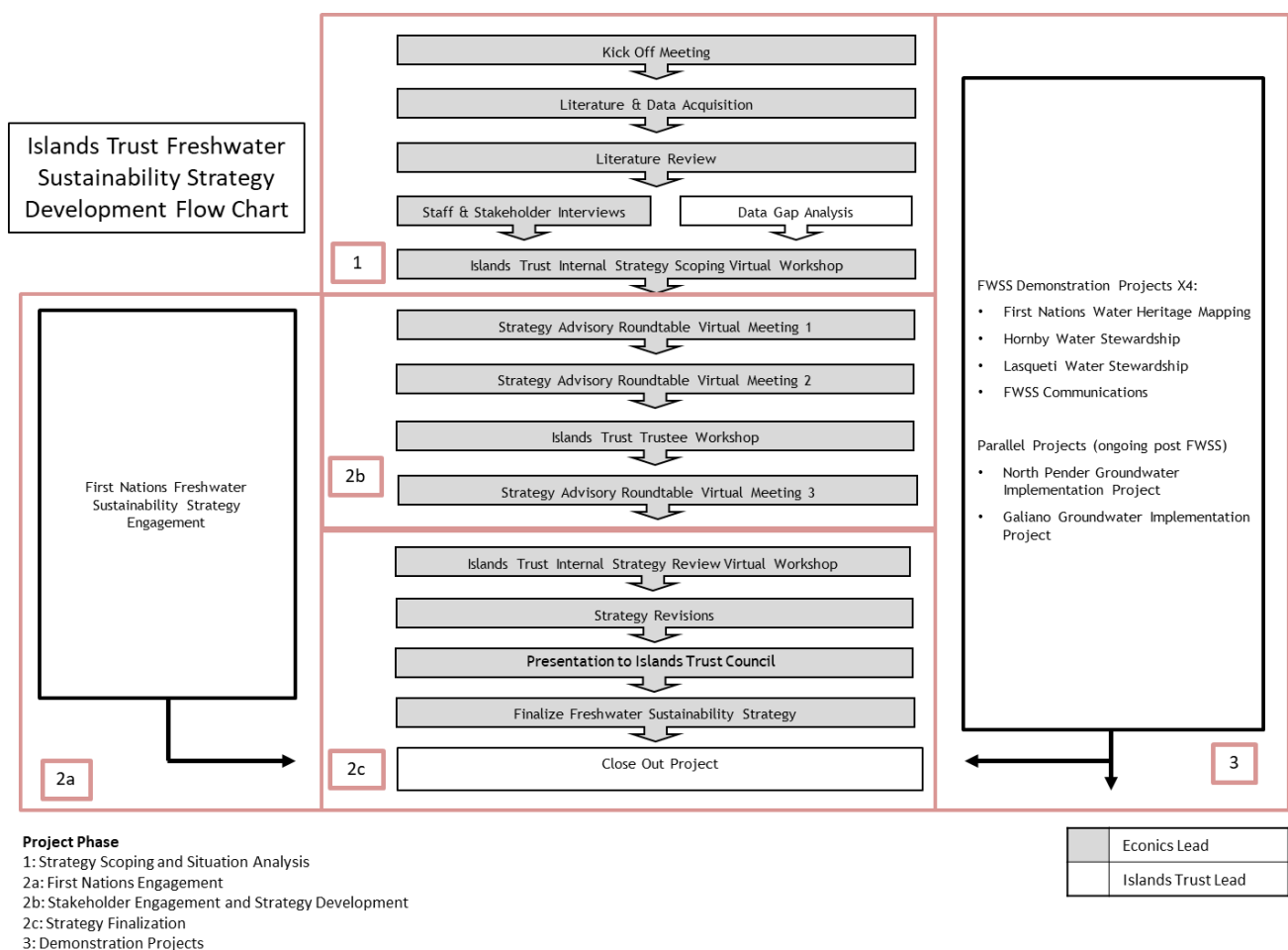
- identifying issues, key stressors and trends;
- input on goal and objectives;
- ideas on core elements and priority actions in the plan;
- providing other recommendations (e.g., partnerships, sequencing, effort allocation, etc.).

The intent is that this group will operate on an *ad hoc* basis, so will disband following completion of the process. However, continuation of some form of advisory body through the years ahead to support implementation will be one of many actions considered in the strategy development process. The Strategy Advisory Roundtable includes the following interests:

- Islands Trust Trustees (3 members)
- First Nations (3 members)
- Provincial Government (2 members)
- Regional Districts (3 members)
- Water Purveyors (2 members)
- Community Organizations (3 members)
- Development Sector (2 members)
- Islands Trust Staff and Project Team

The Trustees representing Islands Trust on the Roundtable are Trustee Laura Busheikin, Trustee Laura Patrick, and Trustee Kate-Louise Stamford.

A presentation and open discussion about progress to date, open to all Trustees, will be held with Regional Planning Committee on 12 May. The project team will ask participants to weigh in on the overarching goals of the strategy, the appropriate level of resourcing for the next decade, and how important they think this work is to Islands Trust Area residents.



Freshwater Sustainability Strategy Project Flow Diagram



Regional Planning Committee Minutes of a Regular Meeting

Date: March 17, 2021
Location: Electronic Meeting

Members Present: Laura Busheikin, Chair
David Maude, Vice 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

Members Absent: Peter Luckham, Ex Officio Member

Staff Present: Russ Hotsenpiller, CAO
David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Areas Services
Stefan Cermak, Regional Planning Manager, Salt Spring Island Office
Heather Kauer, Regional Planning Manager, Northern Office
Robert Kojima, Regional Planning Manager, Southern Office
Narissa Chadwick, Island Planner
William Shulba, Senior Freshwater Specialist
Robert Barlow, Legislative Services Clerk/Recorder

1. CALL TO ORDER

The meeting was called to order at 10:00 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

None

2.2 Approval of Agenda

By general consent the Regional Planning Committee approved the agenda.

3. TOWN HALL AND DELEGATIONS

3.1 Town Hall

None

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

By general consent the Regional Planning Committee minutes of February 10, 2021, 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:

- a report on the Trust Programs Committee affordable housing discussions will occur at the May 12, 2021 RPC meeting;
- a training session on cannabis production issues and regulation will be added to the June Trust Council continuous learning program.

5. WORK PROGRAM ITEMS

5.1 Application Processing Services

Planner Chadwick introduced the Application Processing Services Policy Request For Decision, indicating that the interests expressed by the RPC at the February 10, 2021 meeting have been addressed and incorporated into the present versions of the policy and the two model bylaws.

Discussion included:

- whether other local government agencies use a flat rate for automatic increase in place of the Canadian Consumer Price Index. It was noted that the suggested 2% annual increase can be adjusted by an LTC.
- the Community Benefit is only in relation to Temporary Use Permits.
- suggestions for minor editing to support clarity.
- some LTCs do not have a definition of Community Benefit in their respective OCPs and therefore LTCs will need to amend their OCPs to include such a definition.
- the 20% Fee for After-the-Fact applications is not punitive, but rather simply cost-recovery of extra work required.

- how to include First Nations traditional knowledge keepers in the list of acceptable Qualified Environmental Professionals.
- whether the fee for Renewal of Temporary Use Permits (with or without Community Benefit) reflects actual cost of application processing.

RPC-2021-003

It was MOVED and SECONDED,

that Regional Planning Committee request staff to bring back suggestions for a tiered and/or per lot approach to subdivision review fees.

CARRIED

Committee recessed at 11:55 and reconvened at 12:27 p.m.

RPC-2021-004

It was MOVED and SECONDED,

that Regional Planning Committee request staff to make the following amendments to the Model Fees Bylaw:

- add referral of a license to the “Whereas” section;
- remove "and benefit" from the definition of community benefit;
- add “subject to section 4” in Section 3.1, and reference back to 3.1 in Section 4;
- change to Table 2, item 12 - spell out 95 square metres;
- change to Table 2, item 13 - reduce from \$1150 to \$700;
- change to Table 2, item 14 - reduce from \$500 to \$350;
- change to Table 2, item 15 - correct amount to read \$250 for Siting and Use Permit in Section 3;
- set withholding amount of \$100 for all types of applications in section 5.3;
- delete 6.1.1 and rewrite 6.1;
- include “Fees in Section 3.1 increase by 2% on April 1” in Section 7.1.

CARRIED

Discussion continued:

- Need to clarify the intention or goal of the review of application processing services;
- A significant portion of planner time is spent providing information and assistance to the public and applicants which has no fee required for those services and therefore there can be no cost recovery.

5.2 Manage Trust Council Strategic Plan Action Items

5.2.1 Shoreline Review (SP #6)

Director Marlor provided a verbal update, indicating that the consultant has sent a draft report to DLPS and that a final report will likely be provided at the next RPC meeting.

5.2.2 Freshwater Sustainability (SP #7)

Planner Chadwick provided a verbal update, indicating that one roundtable has occurred and a cultural knowledge keeper advisory group has been formed. She also indicated that a learning session for Trustees and Staff will be organized in regards to First Nations cultural knowledge.

5.2.3 Groundwater Sustainability Strategy (SP #8) - Briefing

Senior Freshwater Specialist Shulba provided a verbal update, indicating that Phase 1 on Denman, Hornby and Gabriola is almost complete and other aspects of the Strategy are moving ahead.

5.2.4 Floor Area Ratio (SP #16)

Director Marlor provided a verbal update, indicating that the consultant, which is the same one for the Shoreline Review, has sent a draft report to DLPS and that a final report likely be provided at the next RPC meeting.

6. BUSINESS

6.1 Local Planning Service Delivery Renewal Discussion

Director Marlor introduced the item and Regional Planning Manager Kauer provided a presentation to provide an opportunity for the Committee to discuss ideas in regards to potential policy amendments to support the Local Planning Services Renewal.

Session 1: Criteria to use when recommending which projects for the regional planning team should proceed.

Discussion included:

- the importance of the pre-planning stage (clear definition of the problem including the consequences of not clearly defining the problem);
- the distribution of staff time needs to be equitable;
- a model bylaw is an attempt by the Trust Council to support LTCs to incorporate Trust Council goals;
- the regional planning team is addressing the Regional Planning Committee projects and major Local Trust Committee projects.

Session 2: Number of projects that each local trust committee can expect to have at a time.

Discussion included:

- a minor project can become a major project once work is started on it;
- the use of the word “project” may be misunderstood by citizens; use of the term “long-range planning” is an option;
- sometimes a major project is put on hold, so having a second major project is desirable as it allows staff to pivot quickly;
- having more than one major project can be overwhelming for citizens;

- the Projects list is simply a holding place for all potential projects and not a list of “all things that will be done in a year or in a term”.

Session 3: Process for approval of projects, and role of the local trust committees, Regional Planning Committee, Financial Planning Committee and Executive Committee.

Discussion included:

- How this process relates to the strategic plan process needs to be clear.

Committee recessed at 2:33 p.m. and reconvened at 2:39 p.m.

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)

Discussion included:

- currently projects are initiated at any time in the term;
- setting projects at the start of a term may be challenging for a newly elected trustee who may not be familiar with Islands Trust and/or their role;
- need to provide certainty or likelihood that top priorities would be accomplished rather than over-selling and under-delivering;
- possibility of one list of all Islands Trust projects which includes indication of individual LTCs;
- some projects that are worked on don't appear on LTC projects lists. For example, groundwater mapping.

Director Marlor will return with a discussion paper that outlines some policy suggestions to the next meeting.

7. NEW BUSINESS

None

8. WORK PLAN

The Committee reviewed the current Work Plan and made no changes to it.

9. NEXT MEETING

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

10. ADJOURNMENT

By general consent the meeting adjourned at 3:09 p.m.

DRAFT

Laura Busheikin, Chair

Certified Correct:

Robert Barlow, Legislative Services Clerk/Recorder

DRAFT

Follow Up Action Report

Regional Planning Committee

09-Nov-2020

Activity	Responsibility	Dates	Status
1 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
2 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: 08-Jun-2021	Completed

17-Mar-2021

Activity	Responsibility	Dates	Status
1 that Regional Planning Committee request staff to bring back suggestions for a tiered and/or per lot approach to subdivision review fees.	David Marlor Narrisa Chadwick	Target: 12-May-2021	Completed

Follow Up Action Report

Regional Planning Committee

17-Mar-2021

Activity	Responsibility	Dates	Status
2 that Regional Planning Committee request staff to make the following amendments to the Model Fees Bylaw: - add referral of a license to the "Whereas" section; - remove "and benefit" from the definition of community benefit; - add "subject to section 4" in Section 3.1, and reference back to 3.1 in Section 4; - change to Table 2, item 12 - spell out 95 square metres; - change to Table 2, item 13 - reduce from \$1150 to \$700; - change to Table 2, item 14 - reduce from \$500 to \$350; - change to Table 2, item 15 - correct amount to read \$250 for Siting and Use Permit in Section 3; - set withholding amount of \$100 for all types of applications in section 5.3; - delete 6.1.1 and rewrite 6.1; - Include "Fees in Section 3.1 increase by 2% on April 1" in Section 7.1.	David Marlor Narrisa Chadwick	Target: 12-May-2021	Completed

BRIEFING

To: Regional Planning Committee **For the Meeting of:** May 12, 2021

From: David Marlor, Director, Local Planning Services **Date Prepared:** May 7, 2021

SUBJECT: Update on Regional Planning Team Work Program

PURPOSE:

To provide an update on the status of projects generally, and projects currently assigned to the Regional Planning Team planners.

BACKGROUND:

The Regional Planning Team (RPT), made of up three Island Planners, was formed on November 1, 2020. Initially, the work items were identified as those in-stream, those that needed to be carried over by the relevant planners, and major projects, such as official community plan reviews, that had been waiting to be started. Therefore, the current work of the RPT planners is made up of these projects, a mix of minor, manor and regional projects.

Trust Council Policy Amendments

Through the Regional Planning Committee staff will be recommending amendments to Trust Council's policy to provide guidance for the prioritization of projects that would be worked on by the Regional Planning Team. The intent is for major projects that meet Trust Council's criteria (yet to be determined) would be prioritized for work by the Regional Planning Team. Some resources are available for local trust committees to continue to undertake minor projects regarding more local issues. Definition of minor and major projects would be included in the recommended Trust Council policy. The intent is to have a draft of policy amendments for the August Regional Planning Committee meeting.

Regional Planning Committee Projects Status

The three members of the Regional Planning Team, along with the Director of Local Planning Services are currently working on 24 projects. Table 1 (next page) shows the status of the projects and the expected end date. Table 2 shows all 46 local and regional active projects, including local trust committee projects.

For both tables, the main information to take away is that there are a lot of projects underway. The colour coding indicates progress of the project; many of those showing red are new and are just beginning, or have not yet significantly started. The green coloured indicate those complete or nearing completion. The start date and expected finish dates are included to assist. For example, the Gambier OCP is 30% complete with an expected completion date of September 2023. The colour coding represents the progress of the file, not whether it is behind or ahead of schedule.

Table 1: March 6, 2021 – Status of all projects being undertaken by the Regional Planning Team.

RPC or LTC	Active Project	Project Manager	Start Date	Est. Complet	% Complet	Project Type	2021 Q3	2021 Q4	2022 Q1	2022 Q2	2022 Q3	2022 Q4
RPC	Floor Area Ratio Report	DM	1-Apr-20	30-Aug-21	75%	Other						
RPC	Bonus Density for Affordable Housing model bylaw	DM	1-Apr-21	30-Mar-22	0%	Model Bylaw						
RPC	CDF Model DPA Bylaw	DM	1-Apr-21	30-Mar-22	0%	Model Bylaw						
RPC	Eelgrass Mapping	DM	1-Apr-21	30-Mar-22	0%	Other						
RPC	LPS Renewal	DM		30-Sep-22	60%	Other						
RPC	Shoreline Tool Options Report	DM	1-Apr-20	30-Aug-21	75%	Other						
SSI	Proof of Water at time of Subdivision	JY	26-May-20	15-Dec-20	20%	LUB						
SSI	Coastal Douglas-fir Protection	JY	28-Jul-20	15-Dec-22	15%	OCP						
SSI	SSIWPA	JY	On-going			Other						
SSI	Weston Lake Water Availability and Climate Change Assessment	JY	19-Jan-21	1-Nov-21	10%	Other						
SSI	Watershed Stewardship and Protection Strategic Plan	JY	19-Jan-21	31-Mar-21	5%	Other						
RPT	OCP Template Development	JY	2-Jan-21	31-Dec-21	15%	Other						
GM	RAR: GM, Bowyer and Anvil	ME	22-May-14	31-Aug-21	60%	OCP/LUB						
GM	Comprehensive OCP	ME	18-Jun-15	30-Sep-23	30%	OCP						
TH	RAPR	ME	20-Aug-19	30-Sep-21	80%	OCP/LUB						
GL	Groundwater Sustainability	NC	1-Feb-21	31-Dec-22	10%	OCP/LUB						
MA	LUB Bylaw Technical Amendments	NC	21-Oct-19	30-Mar-21	100%	LUB						
MA	Housing Policy - Tiny Homes	NC	24-Jun-19	31-Dec-21	50%	OCP/LUB						
MA	LUB and OCP Minor Amendments	NC	29-Mar-21	30-Sep-22	2%	OCP/LUB						
GL	Groundwater Sustainability/Implementation	NC	21-Mar-21	30-Sep-22	5%	OCP/LUB						
NP	Groundwater Sustainability / Implementation	NC	4-Jul-19	30-Dec-22	2%	Other						
RPC	Model Fees / DAI	NC	1-Apr-20	30-Aug-21	80%	Model Bylaw						
RPC	Freshwater Strategy Development	NC	20-May-20	20-Dec-21	50%	Other						
SP	RVs/Seasonal Housing	NC	1-May-20	30-Apr-21	90%	OCP/LUB						

Table 2: March 6 - Status of all projects currently underway, including local trust committee projects.

RPC or LTC	Active Project	Project Manager	Start Date	Est. Complete	% Complete	Project Type	2021 Q3	2021 Q4	2022 Q1	2022 Q2	2022 Q3	2022 Q4
GL	Affordable Housing Strategy STVR	BSm	3-Jun-19	31-Mar-21	80%	OCP/LUB						
GL	LUB Technical Amendments	BSm	1-Jun-20	30-Sep-21	75%	LUB						
SA	National Parks Reserve Lands Rezoning	BSm	14-Feb-20	30-May-21	80%	LUB						
SA	First Nations Relationship Building	BSm	10-Jul-19	30-Nov-20	80%	Other						
RPC	Floor Area Ratio Report	DM	1-Apr-20	30-Aug-21	75%	Other						
RPC	Bonus Density for Affordable Housing model bylaw	DM	1-Apr-21	30-Mar-22	0%	Model Bylaw						
RPC	CDF Model DPA Bylaw	DM	1-Apr-21	30-Mar-22	0%	Model Bylaw						
RPC	Eelgrass Mapping	DM	1-Apr-21	30-Mar-22	0%	Other						
RPC	LPS Renewal	DM		30-Sep-22	60%	Other						
RPC	Shoreline Tool Options Report	DM	1-Apr-20	30-Aug-21	75%	Other						
GB	Cannabis Production bylaw	HK	16-May-19	30-Sep-21	75%	LUB						
LA	Comprehensive OCP Review	HK	23-Jul-18	30-Sep-22	60%	OCP						
GM	Keats Shoreline Project	JD	31-Jan-19	30-May-22	50%	OCP/LUB						
SSI	Proof of Water at time of Subdivision	JY	26-May-20	15-Dec-20	20%	LUB						
SSI	Coastal Douglas-fir Protection	JY	28-Jul-20	15-Dec-22	15%	OCP						
SSI	SSIWPA	JY	On-going			Other						

RPC or LTC	Active Project	Project Manager	Start Date	Est. Complete	% Complete	Project Type	2021 Q3	2021 Q4	2022 Q1	2022 Q2	2022 Q3	2022 Q4
SSI	Weston Lake Water Availability and Climate Change Assessment	JY	19-Jan-21	1-Nov-21	10%	Other						
SSI	Watershed Stewardship and Protection Strategic Plan	JY	19-Jan-21	31-Mar-21	5%	Other						
RPT	OCP Template Development	JY	2-Jan-21	31-Dec-21	15%	Other						
NP	STVR Review	KS	30-Jan-20	30-May-21	80%	OCP/LUB						
NP	LUB Review (OCP Implementation)	KS	30-Jan-20	30-Dec-21	50%	LUB						
SP	STVR Review	KS	16-Dec-19	30-May-21	85%	OCP/LUB						
SSI	Ganges Village Plan	LG	10-Nov-20	30-Sep-23	5%	OCP						
SSI	Housing Action Program	LG	22-Jan-21	30-Sep-24	0%	OCP/LUB						
RPC	Heritage Overlay Mapping	LW	1-Apr-21	30-Mar-22	0%	Other						
GM	RAR: GM, Bowyer and Anvil	ME	22-May-14	31-Aug-21	60%	OCP/LUB						
GM	Comprehensive OCP	ME	18-Jun-15	30-Sep-23	30%	OCP						
TH	RAPR	ME	20-Aug-19	30-Sep-21	80%	OCP/LUB						
GL	Groundwater Sustainability	NC	1-Feb-21	31-Dec-22	10%	OCP/LUB						
MA	LUB Bylaw Technical Amendments	NC	21-Oct-19	30-Mar-21	100%	LUB						
MA	Housing Policy - Tiny Homes	NC	24-Jun-19	31-Dec-21	50%	OCP/LUB						
MA	LUB and OCP Minor Amendments	NC	29-Mar-21	30-Sep-22	2%	OCP/LUB						

RPC or LTC	Active Project	Project Manager	Start Date	Est. Complete	% Complete	Project Type	2021 Q3	2021 Q4	2022 Q1	2022 Q2	2022 Q3	2022 Q4
GL	Groundwater Sustainability/Implementation	NC	21-Mar-21	30-Sep-22	5%	OCP/LUB						
NP	Groundwater Sustainability / Implementation	NC	4-Jul-19	30-Dec-22	2%	Other						
RPC	Model Fees / DAI	NC	1-Apr-20	30-Aug-21	80%	Model Bylaw						
RPC	Freshwater Strategy Development	NC	20-May-20	20-Dec-21	50%	Other						
SP	RVs/Seasonal Housing	NC	1-May-20	30-Apr-21	90%	OCP/LUB						
HO	Minimum Average Lot Area OCP / LUB Update	RM	29-Jan-21	30-Sep-22	50%	OCP/LUB						
GB	Housing Options Impacts Review Project-Phase 2	SZ	18-Jan-18	30-Sep-22	50%	OCP/LUB						
GB	Transportation Plan grant	SZ	30-Jul-20	30-Jan-22	10%	OCP						
HO	Watershed Protection and Groundwater	WS	1-Oct-20	30-May-21	-	Other						
LA	Freshwater sustainability	WS	18-Oct-19			Other						
MA	Groundwater Sustainability	WS	4-Jul-19	30-Jun-21	100%	Other						
RPC	Groundwater Sustainability Strategy (GB, DE, HO)	WS		30-May-21	75%	Other						
SA	Groundwater Sustainability	WS/BSm	4-Jul-19	30-Jun-21	100%	Other						
SP	Groundwater Sustainability	WS/KS	4-Jul-19	30-Jun-21	100%	Other						

Summary

There are currently 20 Official Community Plans (OCP), 20 Land use Bylaws (LUB), three other planning bylaws (zoning, subdivision) in the Islands Trust Area administered by Local Planning Services, for a total of 43 planning bylaws to be maintained and updated. While most local trust committees have one OCP and one LUB, five local trust committee have more than one of each. To complete a major review of all of these documents could take 14 to 20 years; as such, we need to consider ways to reduce the number, improve and tighten timelines for review, reduce the need for major reviews, and consider alternative approaches to maintaining and updating OCPs and LUBs.

There are currently 106 administrative bylaws between the 13 local trust committees. While most of these bylaws are similar, there are some differences between them. These bylaws also require maintenance and updating by Local Planning Services staff.

Ideally, where possible, efficiencies could be gained by reducing the number of bylaws to a minimum, and where there must be individual bylaws, that those bylaws follow a standard bylaw format and language. Development of this standardized format and language is part of the recommended policy amendments that will be brought to the Regional Planning Committee at a later meeting.

Between the 13 local trust committees, there are currently 144 projects on the top priorities and projects lists (the projects list is a hold space for projects that local trust committees have identified that they would like to undertake when resources become available). Some of these projects could be eligible for work by the Regional Planning Team; the development of Trust Council's criteria for prioritization is critical in ensuring that the Regional Planning Team functions to further the object of the Islands Trust through proactive planning.

ATTACHMENT(S):

1. None

FOLLOW-UP:

Staff will forward this report to Trust Council for information, and continue to provide regular updates on the status of the Regional Planning Team projects to the Regional Planning Committee. Staff will bring draft Trust Council policy amendment to support criteria for prioritization of Regional Planning Team projects, and consideration of OCP/LUB amendment processes, including standardized format and language for OCPs and LUBs.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Heather Kauer/May 6, 2021

BRIEFING

To: Regional Planning Committee **For the Meeting of:** May 12, 2021

From: David Marlor, Director, Local Planning Services **Date Prepared:** May 6, 2021

SUBJECT: Status of Strategic Plan Items Assigned to the Regional Planning Committee

PURPOSE: To provide an update to the Regional Planning Committee on the status of Strategic Plan items assigned to the Regional Planning Committee.

BACKGROUND:

The following is a status report of the 2020-21 Fiscal Year Regional Planning Committee Strategic Plan items:

Strategic Plan Item:	Budget:	Status:
(7) Develop a regional freshwater management strategy that addresses responsibilities under the Water Sustainability Act, identifies water resources throughout the Trust Area, integrates water resource management into land use decision-making, and accounts for the impacts of climate change on island water resources.	\$50,000 (inc. grant)	Underway. Completion expected in September 2021.
(6) 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.	\$10,000	Report with recommendations completed. Budget did not permit draft bylaws to be created. Recommendations on next steps to August 2021 RPC meeting.
(8) Map and develop water budgets for groundwater potential mapping in the Trust Area	\$50,000	FY19/20 mapping and water budgets completed Galiano, North Pender, South Pender, Mayne and Saturna FY20/21 mapping completed on Denman, Hornby and Gabriola
(16iii) Develop model bylaws that use floor area ratio as a density metric for consideration of implementation in local trust area land use bylaws.	\$10,000	Report with recommendations completed. Budget did not permit draft bylaws to be created. Recommendations on next steps to August 2021 RPC meeting.

The following is a status report of the 2021-22 Fiscal Year Regional Planning Committee Strategic Plan items:

Strategic Plan Item:	Budget:	Status:
(2) Create a model development permit for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas fir zones throughout the Trust Area.	\$5,000	Not started. Planned to be done by in-housing planning staff. Work should begin Fall 2021 or Winter 2022.
(5) Map the extent of eelgrass and kelp beds throughout the Trust Area	\$50,000	RFP will go out shortly on BC bid. Request is for breakdown of costs by local trust area. Award will be to bidder that meets project requirements, and actual local trust areas to be undertaken will depend on budget.
(7) Develop a regional freshwater management strategy that addresses responsibilities under the Water Sustainability Act, identifies water resources throughout the Trust Area, integrates water resource management into land use decision-making, and accounts for the impacts of climate change on island water resources.	\$90,000 (inc. grant)	Underway. Completion expected in September 2021.
(8) Map and develop water budgets for groundwater aquifers in the Trust Area	\$50,000	Recharge Potential Mapping work to begin on Bowen, Gambier, Lasqueti and Salt Spring. Completion expected by March 31, 2022.
(9) Develop a model land use regulation regarding freshwater sustainability including groundwater, rainwater catchment and greywater recycling.	\$5,000	Not started. Planned to be done by in-housing planning staff. Work should begin Fall 2021 or Winter 2022.
(16iv). Develop model density bonus bylaws for consideration of implementation in local trust area land use bylaws.	\$10,000	Not started. Planned to be done by consultant. Work should begin Fall 2021 or Winter 2022.
(19.1) Develop heritage preservation overlay mapping for the Trust Area and model heritage regulatory bylaws for protection of potential heritage and cultural sites.	\$55,000	RFP out on BC Bid for the development and review of methodology. Closes end of May and contract will be awarded shortly after that.

ATTACHMENT:

1. None

FOLLOW-UP:

Staff will bring project charters for items 2, 9, and 16iv to the August meeting of the Regional Planning Committee for endorsement. Other items will be updated at the August 2021 Regional Planning Committee meeting.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: William Shulba, Senior Freshwater Specialist/ 3 May 2021
Narissa Chadwick, Island Planner/

Regional Planning Committee

Role

The Regional Planning Committee (RPC) provides policy and planning advice to Trust Council by identifying and reporting emerging issues related to the committee's areas of responsibility: development management, community planning, and sustainable community. The committee also develops guidelines, policies, and models for use by staff and local trust committees. The Regional Planning Committee was formerly the Local Planning Committee and changed its name in September, 2020 to more accurately reflect the role of the Committee.

Members

Members serving since the start of the 2018–2022 term are:

Laura Busheikin, Denman Island (Chair)

David Maude, Mayne Island (Vice-Chair)

Jeanine Dodds, Mayne Island

Kees Langereis, Gabriola Island

Timothy Peterson, Lasqueti Island

Kate-Louise Stamford, Gambier Island

Jane Wolverton, Galiano Island

Laura Patrick, Salt Spring Island (Executive Committee Representative)

Peter Luckham, Thetis Island, Chair Trust Council (Ex Officio Member)

2020/21 Highlights

In the 2020/21 fiscal year, the Regional Planning Committee (RPC) reviewed a draft Applications Processing Services Policy, a draft model fees bylaw, and a draft model development approval information bylaw in order to develop recommendations for amendments. The process involves a review of current fees and estimates of fees based on cost recovery. It also includes developing of communication materials to explain the work undertaken for land use applications, and the difference in processing such applications in the Islands Trust Area versus other local governments.

The RPC undertook work assigned to it under Trust Council's Strategic Plan, including commissioning reports on shoreline policies and regulations in the Trust Area and developing of options for using floor area ratio to increase housing affordability. Further strategic plan work that began, but was not completed in this Fiscal year, was developing a freshwater sustainability strategy and the continuation of a multi-year groundwater mapping project.

To:	Regional Planning Committee	For the Meeting of:	May 12, 2021
From:	Trust Area Services	Date Prepared:	May 4, 2021
SUBJECT:	First Draft of New Policy Statement Bylaw		

PURPOSE: To present Regional Planning Committee with a first draft of a new Islands Trust Policy Statement Bylaw for early review and consideration.

BACKGROUND:

First Draft of a new Policy Statement Amendment Bylaw:

Staff has prepared a first draft of a new Policy Statement bylaw for committee review and consideration. This first draft is expected to go through a series of revisions, based on committee feedback, prior to First Reading. At this stage, Regional Planning Committee is invited to ask questions and comment on whether it feels the proposed first draft fulfills Trust Council's direction to update the Policy Statement.

Attachment 1 is the first draft (Version 1.0) of the new Policy Statement bylaw. Amendments have been grouped into four categories and colour coded in relation to the project scope:

Sections highlighted in blue: primarily reconciliation-related amendments

Sections highlighted in green: primarily climate change-related amendments

Sections highlighted in pink: primarily housing-related amendments

Sections highlighted in yellow: general edits for clarity, accuracy, or brevity

Attachment 2 is the current Policy Statement (2003 consolidated version) with annotations to indicate which sections/policies have been moved or removed in the new document, along with the rationale.

Attachment 3 contains the slides presented to the May 3 Trust Programs Committee (TPC) Meeting.

May 2021 Committee Consultations Prior to First Reading:

- **May 3 Special TPC Meeting:**
Staff introduced the first draft of the new Policy Statement bylaw to TPC, provided an introductory presentation, and received early questions and comments
- **May 5 Executive Committee (EC) Meeting:**
Staff provided the first draft to EC and received early questions and comments
- **May 12 Regional Planning Committee (RPC) Meeting:**
Staff will provide the first draft to RPC and receive early questions and comments
- **May 14 Regular TPC Meeting:**
Second Review Session with TPC
- **May 25 Islands Trust Conservancy (ITC) Board Meeting:**
Staff will provide the first draft to the ITC Board and receive early questions and comments
- **May 26 Executive Committee Meeting:**
Second Review Session with EC and review of briefing materials for June Trust Council meeting

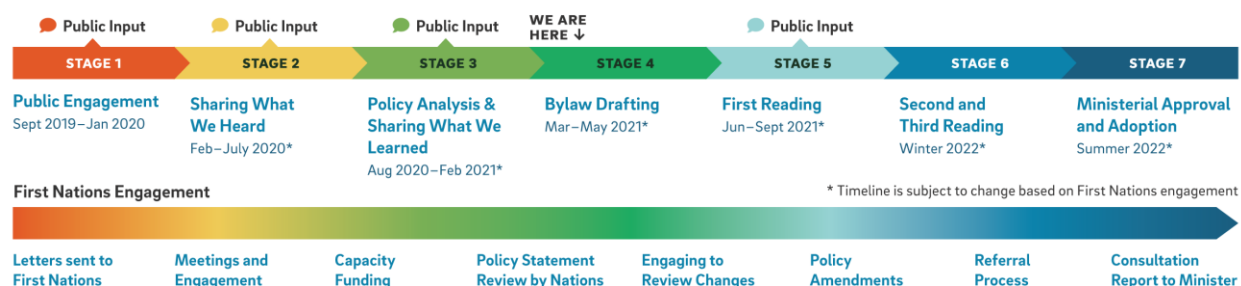
Policy Statement Amendment Project Background:

Trust Council has assigned the Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement, including:

- General update: Introduction, Part 1, Part 2 and 'Schedule 1 – Definitions';
- Update of the whole document through the lens of Reconciliation;
- Update of the whole document through the lens of Climate Change;
- Update regarding Affordable Housing to ensure that the document:
 - gives affordable housing a greater profile for its role in sustainable communities;
 - includes a reference to affordable housing in its policy direction to Local Trust Committees and Island Municipalities;
 - includes a clear and well thought-out definition of 'affordability';
 - includes a clearly articulated vision, goals and objectives for affordable housing.

The first three stages of the Policy Statement Amendment Project were focused on First Nations engagement and relationship building, two phases of public engagement, regular meetings of three TPC working groups, a number of special TPC meetings, Trust Council discussions on interpretations of the Trust Object, individual trustee feedback, and ongoing staff research and analysis. A summary of input received through First Nations and public engagement processes, input from trustees, TPC and its working groups, and staff analysis, was included in the March 2021 Trust Council agenda package and will be further updated prior to First Reading.

The project is now completing Stage Four of its timeline, dedicated to analyzing, synthesizing, and integrating all of the input received to date into a new Policy Statement bylaw. The project timeline aspires to reach Fourth Reading by the end of the 2018-2022 term.



ATTACHMENT(S):

1. DRAFT New Policy Statement Bylaw No. 183 (Version 1.0)
2. Annotated Current Policy Statement Bylaw No. 17 (2003 Version)
3. May 3 Presentation to Trust Programs Committee Slides

FOLLOW-UP: Staff will provide a Policy Statement update briefing to Trust Council at its June 2021 meeting, at which time Regional Planning Committee members will be able to review the second draft. It is now expected that First Reading will occur during a Special Trust Council meeting after the June Trust Council meeting, on a date yet to be determined.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services (updated May 4)

Reviewed By/Date: Lisa Wilcox, Senior Intergovernmental Policy Advisor / Apr 27, 2021
Clare Frater, Director, Trust Area Services / Apr 27, 2021
David Marlor, Director, Local Planning Services / Apr 27, 2021
Russ Hotsenpiller, CAO / Apr 27, 2021



Islands Trust

Amended Draft Version 1.0

Islands Trust Council **DRAFT** Bylaw No. 183:
ISLANDS TRUST POLICY STATEMENT BYLAW, 2021

ISLANDS TRUST POLICY STATEMENT

DRAFT 1.0 - April 27, 2021

Sections highlighted in blue: primarily reconciliation related amendments

Sections highlighted in green: primarily climate change related amendments

Sections highlighted in pink: primarily housing related amendments

Sections highlighted in yellow: general edits for clarity, accuracy, or brevity

References highlighted in (blue parentheses) at the end of each policy refer to the corresponding policy in the 2003 consolidated version of the Policy Statement or indicate (new) policies.

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PART 1 - INTRODUCTION

1.1 ACKNOWLEDGMENT (new)

Islands Trust Council acknowledges that the Islands Trust Area is located within the treaty and territorial lands and waters of the BOKEĆEN, K'ómoks, Lək'wəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səlilwətaʔt, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, STÁUTW, Stz'uminus, łaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁEŁP, WSIKEM, Xeláltxw, Xwémalhkww/ʔop qaymıxʷ, and xʷməθkʷəy̓əm (collectively referred to hereinafter as 'First Nations').

Islands Trust Council acknowledges that the lands and waters encompassing the Trust Area are subject to the treaty and territorial rights of First Nations. The Trust Area has been home to Indigenous Peoples since time immemorial and the close relationship of First Nations to these lands and waters continues to this day. Islands Trust Council honours the rich history and cultural heritage of the region and has committed to reconciliation and meaningful engagement with First Nations in the Trust Area.

1.2 ESTABLISHMENT OF THE ISLANDS TRUST

To understand the Islands Trust governance model, it is helpful to understand its origins. In the 1960s, as the urban centres of Vancouver, Nanaimo, and Victoria were experiencing rapid population growth, the Gulf Islands in British Columbia began facing unprecedented pressure for residential development. Without any meaningful form of local government for non-incorporated island communities at the time, Gulf Island residents began expressing widespread concern that the area's highly-valued and fragile environment could be irreversibly damaged by unrestrained development. In 1969, the provincial government responded by instituting a temporary freeze on the subdivision of land until island communities could adopt plans and regulations to control growth.

In 1972, an all-party provincial Select Standing Committee on Municipal Affairs was established to investigate the unique problems facing the Trust Area. In its 1973 report to the Legislative Assembly of British Columbia, the Committee concluded that development pressures arising from the area's proximity to major urban centres were damaging the very features that made the region so attractive to residents and visitors. The Committee recommended the formation of an 'Islands Trust' to assume the primary responsibility for coordinated governance of the region.

In response to the Committee's recommendations, the Government of British Columbia enacted the *Islands Trust Act* in 1974. The Act established the Islands Trust as a special-purpose government with a conservation-oriented responsibility to preserve and protect the Islands Trust Area for the benefit of residents of the Trust Area and of British Columbia more broadly.

In the years following the establishment of Islands Trust, pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by sixty per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the *Islands Trust Act* during this period, giving the Islands Trust community planning and land-use authority comparable to that of a regional district under the *Local Government Act*. Aware of the urgent need for plans to guide decisions on growth management and land-use, Trust Area communities developed Official Community Plans. Nonetheless, pressure for residential development continued, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Islands Trust Area, this time focusing on public opinion of Islands Trust and its role. The results showed overwhelming public support for both Islands Trust and the Islands Trust Object, and suggested ways in which the Trust and its legislation could be strengthened. In response, an amended *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the amended Act, Islands Trust retained its original authority and its dual responsibility to residents of both the Trust Area and British Columbians more broadly. The new legislation also amended the structure of Islands Trust and greatly broadened its functions and responsibilities. One of the most notable changes was the assignment of a regional-level planning function to Islands Trust Council.

1.3 PRESENT CONTEXT

The Trust Area continues to experience pressure from population growth and tourism, along with new and urgent demands to mitigate and adapt to the multifaceted impacts of climate change across the region. Increasingly unpredictable and volatile weather patterns are significantly compromising the well-being of ecosystems and the communities that live interdependently with them. Biodiversity loss is at an all time high in the fragile and sensitive ecosystems of the Trust Area, with hundreds of terrestrial and aquatic species at risk that are increasingly vulnerable to the cumulative effects of development and an ever-growing marine shipping industry. A lack of safe, secure, and affordable housing on many islands, and throughout the Province, is of major concern to the long-term sustainability and resilience of Trust Area communities. In addition, a broad recognition of the treaty and territorial rights and title of First Nations in the Trust Area is inspiring new governance approaches rooted in Trust Council's commitment to reconciliation. In this complex policy landscape, the Policy Statement plays a vital role in articulating Trust Council's general policy approach, centred firmly in the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area, not only for this generation but also for many generations to come.

1.4 THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* sets out the special-purpose mandate for the Islands Trust, referenced in the legislation as its "object":

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

The following sections provide a fuller explanation of the key phrases in the Islands Trust Object.

"... to preserve and protect the Trust Area..."

The area of jurisdiction of the Islands Trust is established by Schedule A of the *Islands Trust Act*. Islands Trust Council strives to ensure the long-term integrity of the 'unique amenities and environment' of the Trust Area. This entails first identifying the 'unique amenities and environment' and then instituting measures for their preservation and protection. The mandate to "preserve" requires policy approaches that place priority on preserving the integrity of the environment and Indigenous cultural heritage in the Trust Area. The mandate to "protect" calls for policy approaches that promote sustainability and resilience.

“...and its unique amenities and environment...”

The Trust Area is valued and unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location. These include elements such as the Trust Area’s: 450+ islands and surrounding waters in the Salish Sea; a mild climate; extensive coastline; sheltered waters; sensitive, rare, and biodiverse ecosystems that are home to hundreds of terrestrial and aquatic species-at-risk; almost continuous tree cover and large undeveloped areas; abundant recreational opportunities; scenic natural beauty and tranquil rural atmospheres; a clean and healthy environment; compact marine-oriented settlements; and the combination of self-sufficiency and interdependence that island living entails. There is also a duty to preserve and protect the rich and unique Indigenous cultural heritage and archaeological significance in the region including, but not limited to cultural sites, ancestral remains, artifacts, petroglyphs, pictographs, place names, culturally significant species, medicinal plants, and traditional harvesting areas.

“... for the benefit of the residents of the Trust Area and of British Columbia generally ...”

The Islands Trust is responsible to the present and future residents of the Trust Area and British Columbia, as well as to First Nations who have resided in the area since time immemorial. All residents and visitors to the Trust Area derive benefit from the protection of the region, its extraordinary natural beauty and biodiversity, rich Indigenous cultural heritage, and tranquil rural island atmosphere. Further benefits include the preservation and protection of one of the most ecologically sensitive and biodiverse regions in the country, the safeguarding of natural carbon sinks to sequester greenhouse gas emissions, and opportunities for nature connection in close proximity to major urban centres.

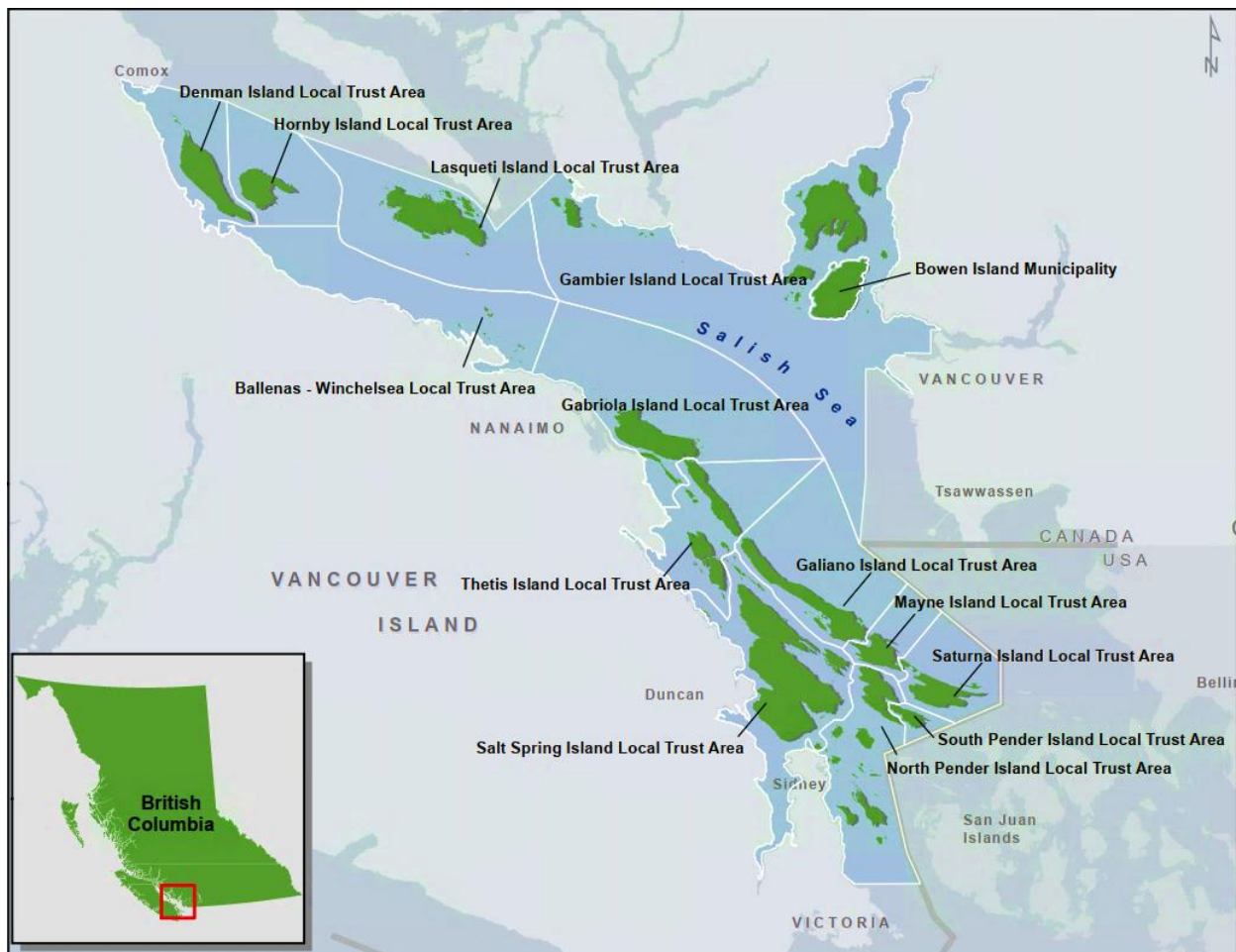
“... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of the Province ...”

Islands Trust Council seeks to fulfill its mandate in cooperation with others and works collaboratively to ensure that the preserve and protect mandate is recognized by all jurisdictional bodies. Trust Council further recognizes that meaningful engagement and cooperation with First Nations is critical to the preservation and protection of the region, to Trust Council’s reconciliation commitments, and to implementation of the provincial *Declaration on the Rights of Indigenous Peoples Act*. To fulfill its mandate, Islands Trust must be an educator, coordinator, collaborator, and initiator, guiding individuals, organizations and other government agencies to uphold and support the Islands Trust Object. While Islands Trust can provide the necessary leadership, responsibility for the preservation and protection of the Trust Area rests with many. Many provincial agencies, regional districts, improvement districts, and municipalities also have responsibilities and interests in the Trust Area. Strategic coordination with government agencies, non-governmental organizations, communities, property owners, residents, and visitors, is needed to effectively govern the region.

1.5 LOCATION OF THE ISLANDS TRUST AREA

The “Trust Area” is a unique and special place -- an archipelago of 13 major islands and more than 450 smaller islands and surrounding waters in the Salish Sea, situated between the mainland of British Columbia and southern Vancouver Island. Located within the sensitive Coastal Douglas-fir and Coastal Western Hemlock biogeoclimatic zones, the Trust Area is home to an exceptional variety of rare and culturally significant species, including over 100 federally-listed and over 300 provincially-listed species at risk. The region is home to more than 26,000 residents and is the homeland of more than 28,000 Coast Salish Peoples.

(new map)



PART 2: PURPOSE AND IMPLEMENTATION OF THE POLICY STATEMENT

2.1 PURPOSE OF THE ISLANDS TRUST POLICY STATEMENT

Section 15 of the *Islands Trust Act* stipulates that Trust Council must, by bylaw, adopt a Trust Policy Statement that applies to the Trust Area. The purpose of the Policy Statement is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area.

The Policy Statement is a visionary statement. It aims to establish a vision for the future of the Trust Area that reflects the values and interests of residents, First Nations, and British Columbians, for this generation and for generations to come. It provides a framework for Trust Council to assume a leadership role in regional place protection planning for the Trust Area as a whole, which includes a combination of conservation-oriented land-use planning, engagement with First Nations, inter-agency coordination and advocacy, as well as public engagement and education.

As the Trust's overarching policy document, the Policy Statement guides the formulation of regional strategic plans, official community plans and regulatory bylaws, protocol agreements and other cooperative arrangements with First Nations, inter-agency coordination and advocacy strategies, as well as public engagement and education initiatives.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

2.2 ROLES AND RESPONSIBILITIES

Islands Trust Council cannot effectively implement the Policy Statement without the support of First Nations and a wide range of partners. The original 1974 vision was that the Trust would be a "fully representative co-coordinating body", whose task it was to bring together each group, agency, or government partner to act in the best interests of the islands and residents, with due regard for the broader and Province-wide interest. Assistance, cooperation, and collaboration are required from local trust committees, island municipalities, Islands Trust Conservancy, First Nations and their associations and organizations, the provincial government, other government agencies, non-governmental organizations, communities, property owners, residents and visitors. In the spirit of the *Islands Trust Act*, it is expected that all corporate entities of the Trust will coordinate and advocate to other agencies on matters involving potential conflict between the legislated Islands Trust Object and the legislated mandates of other agencies.

Role of the Minister of Municipal Affairs

The Minister of Municipal Affairs of the Government of British Columbia (or the designated provincial minister responsible for municipal affairs) approves the Policy Statement bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust Council approves a bylaw that has been submitted to them. The Minister and Ministry staff can also facilitate communication between the Islands Trust and other government agencies on policy matters.

Role of Islands Trust Council

The *Islands Trust Act* assigns to Islands Trust Council the responsibility for development, adoption, amendment, and implementation of the Policy Statement. Recognizing the varying roles and responsibilities of other parties to help fulfill the Islands Trust Object, Trust Council has included three types of policies in the Policy Statement:

a) Commitments of Trust Council

These policies reflect Trust Council's high-level regional commitments, positions, priorities, and approaches related to the Islands Trust Object and its implementation. They help clarify Trust Council's regional governance approach and offer interpretive context to guide decision-making at all levels.

b) Directive Policies for Local Trust Committees and Island Municipalities

These policies direct local trust committees and island municipalities to include certain types of policies and approaches in their official community plans and bylaws, unless explicit reasons are given to justify not doing so. Directive policies generally commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws..." These policies strive for a harmonized regional approach while also leaving flexibility for more detailed, locally-appropriate implementation tools and strategies.

c) Coordination Policies for Trust Council

These policies reflect Trust Council's role in coordinating, advocating, and engaging with a host of other parties (including government agencies, non-governmental organizations, property owners, residents and visitors) regarding decisions or actions they can undertake in support of the Policy Statement and the Islands Trust Object. In some cases, these can form the basis of protocol agreements between the Trust and other agencies. Sections 8 and 9 of the *Islands Trust Act* stipulate that Trust Council may enter into coordination agreements and make recommendations to other parties for the purpose of carrying out the Islands Trust Object.

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. Trust Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.

Role of Executive Committee

The Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" the Policy Statement. If there is no official community plan in place for an island municipality, Executive Committee is required to review all bylaws of the municipality and no bylaw that is contrary to the Policy Statement can be approved. Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Trust Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws, but generally does not stipulate the specific policies, planning tools, or regulations to be used because the social and environmental characteristics of islands vary. Official community plans must contain policies relating to Trust Council's directives or must explicitly state the reasons and justifications for not doing so. Each local trust committee works with its island community to develop policies and regulations to fulfill the Islands Trust Object and Policy Statement in ways that are suitable to local needs and conditions.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires an island municipality to address a particular matter, the official community plan must contain policies that implement Trust Council's directive unless the island municipality sets out explicitly in the plan the reasons and justifications for local policies that do not do so.

Role of Islands Trust Conservancy

The *Islands Trust Act* assigns the Islands Trust Object to the Islands Trust Conservancy Board, as well as to Trust Council, local trust committees and island municipalities. Although the Islands Trust Conservancy Board does not take direction from Trust Council, it plays an essential role in helping to support the Policy Statement objectives and the fulfillment of regional place protection planning in the Trust Area through science-based conservation planning, engagement with First Nations, identification and protection of core conservation areas, as well as education and communication initiatives. To support the Islands Trust Object, the Islands Trust Conservancy also plays a key role in accepting voluntary donations of property and covenants and purchasing lands.

Role of First Nations

First Nations play an integral role in governance and cooperative decision-making in the Trust Area. Trust Council acknowledges the treaty and territorial rights and title of First Nations in the Trust Area and is committed to aligning Islands Trust policies and processes with the *Declaration on the Rights of Indigenous Peoples Act*. Trust Council is further committed to ensuring that it seeks meaningful engagement with First Nations now and into the future. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans provide frameworks for effective communication, information sharing, and cooperative decision-making.

Role of Other Government and Non-Governmental Organizations

Other government agencies and non-governmental organizations play an important role in contributing to the preservation and protection of the unique amenities and environment of the Trust Area through cooperative actions based on the Policy Statement and the Islands Trust Object. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans support the sustainability of the Trust Area and fulfillment of the Islands Trust Object.

Role of Property Owners, Residents, Visitors and Communities

The assistance and cooperation of property owners, residents, visitors, and communities is vital to the preservation and protection of the unique amenities and environment of the Trust Area and to the implementation of the Policy Statement in each local planning area. Individuals have many opportunities to participate in local planning decisions and to work with other members of their communities to support the Islands Trust Object. The Trust can also empower communities and individuals with education and tools to help support the preserve and protect mandate and specific policies contained in the Policy Statement.

2.3 IMPLEMENTATION AND AMENDMENTS

The Policy Statement bylaw may be amended by Trust Council with the approval of the **minister responsible for municipal affairs**. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by Executive Committee and brought forward for the consideration of Trust Council. Trust Council may, from time to time, initiate a review of the entire Policy Statement.

Trust Council's Policies 1.2.1 (Policy Statement Amendment Policy) and 1.3.1 (Policy Statement Implementation Policy) guide the use and amendment of the Policy Statement. These are separate policies approved by Trust Council and do not require a legislative approval process.

PART 3: REGIONAL GOVERNANCE (new)

GOAL: To foster regional governance approaches that uphold the Islands Trust Object and honour regional commitments to reconciliation and climate action.

CONTEXT:

Establishing Priorities and Limitations: Advancing the Islands Trust Object is the preeminent duty of Trust Council, its committees, and all locally elected trustees in the Trust Area. This unique statutory mandate, unlike any other governance system in the country, specifically names the unique amenities and environment of the Trust Area as being worthy of priority attention. (See Section 1.4 for a detailed description of the Islands Trust Object.) When enacting policies locally across the region, potential for conflict exists. In order to maintain focus on the special-purpose mandate of Islands Trust now and into the future, regional priorities, values, principles, and approaches should be guided by area-based mapping of significant ecosystems and cultural heritage, along with evidence-based understandings of each island's carrying capacity.

Reconciliation: Trust Council has adopted a Reconciliation Declaration acknowledging that First Nations have resided in the lands and waters that encompass the Trust Area since time immemorial and honouring the rich history and cultural heritage of this special region. Trust Council acknowledges that it has a duty to seek meaningful engagement with First Nations in the Trust Area. Trust Council further strives to be guided by the specific reconciliation principles and recommendations of the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, the Truth and Reconciliation Calls to Action, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction.

Climate Action: The global climate and biodiversity crises are necessitating reimagined and dynamic approaches to regional governance in the Trust Area. Trust Council has adopted a Climate Emergency Declaration committing to urgent and equitable climate action across the region. Ecosystems, communities, and the built environment will continue to face the increasingly adverse impacts of a changing climate, including rising sea levels, warmer and more acidic oceans, extreme weather events, and temperature changes. It will be necessary to identify, monitor, mitigate, and adapt to the ripple effects of these impacts on the integrity of the environment and the sustainability and resilience of Trust Area communities. In this context, Trust Council will benefit from being guided by the best available science and Indigenous ways of knowing. Uncertainties around the rate and scale of climate change impacts are also requiring more precautionary and adaptive management approaches across the region. Precautionary approaches emphasize caution, pausing, and review before leaping into innovations which may cause harm due to scientific uncertainty. Adaptive approaches are structured, iterative processes of decision-making intended to reduce uncertainty over time through periodic monitoring and evaluation, and evidence-based policy adjustments.

3.1 Regional Governance Policies

Commitments of Trust Council

- 3.1.1 Trust Council holds that its primary responsibility is to provide leadership for the preservation, protection, stewardship, and restoration of the unique amenities and environment of the Trust Area. (Guiding Principle #1)
- 3.1.2 Trust Council commits to place priority on preserving and protecting the integrity of the environment and Indigenous cultural heritage in all decision-making. (Guiding Principle #2)
- 3.1.3 Trust Council holds that, to achieve the Islands Trust Object, the rate and scale of growth and development in the Trust Area must be carefully managed and may require limitation. (Guiding Principle #4)
- 3.1.4 Trust Council holds that decision-making should be guided by an evidence-based understanding of the carrying capacity of each island, or group of islands, informed by the best available science and area-based mapping tools, and respectful of Indigenous ways of knowing. (Guiding Principle #3)
- 3.1.5 Trust Council commits to seek meaningful engagement with First Nations in the Trust Area, recognizing First Nations' treaty and territorial lands and waters, and will be guided by the specific reconciliation principles and recommendations of the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, the Truth and Reconciliation Calls to Action, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction. (new)
- 3.1.6 Trust Council commits to coordinate and advocate to other government agencies and non-governmental organizations to uphold the Islands Trust Object. (new)
- 3.1.7 Trust Council commits to seek open, consultative public participation, acknowledging its importance to effective decision-making in the Trust Area. (Guiding Principle #5)
- 3.1.8 Trust Council commits to implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council commits to report to Council on progress in achieving the goals of the Policy Statement. (Guiding Principle #6)

Directive Policies for Local Trust Committees and Island Municipalities

- 3.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, place priority on the integrity of the environment and Indigenous cultural heritage in all decision-making and, where necessary, limit the rate and scale of growth and development. (new)
- 3.1.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, seek evidence-based understandings of the carrying capacity of their planning areas, informed by the best available science, area-based mapping tools, and respectful of Indigenous ways of knowing. (new)
- 3.1.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, seek meaningful engagement with First Nations and strive to align decision-making with the principles of the *Declaration on the Rights of Indigenous Peoples Act* that fall within their jurisdiction. (new)

PART 4: ECOSYSTEM PRESERVATION AND PROTECTION

GOAL: To Preserve, Protect, **Restore,** and **Sustainably Steward** Trust Area Ecosystems

CONTEXT:

Environmental Integrity: Ecosystems are the interconnected combinations of living and non-living components present in a particular location. They are made up of living elements such as plants, animals, and people, and non-living elements such as topography, water, and climate. Ecosystems are dynamic and their characteristics can change over time. An ecosystem has environmental integrity when its dominant characteristics, natural composition, structure, function, and processes occur within their natural ranges of variation and can withstand and recover from most disruptions imposed by human activity or environmental dynamics such as climate change.

Climate and Biodiversity Crises: Trust Council acknowledges that ecosystems in the Trust Area today are subject to escalating pressures from the built environment and human use and from the global climate and biodiversity crises. Climate change impacts such as increasing storm surge flooding, windstorms, droughts, wildfires, invasive species, and ocean acidification are threatening ecosystems in the Trust Area like never before. Biodiversity - understood as the diversity within species, between species, and of ecosystems - is declining at an alarming rate. The Trust Area holds the highest density of species of concern in the country, making the region locally, nationally and globally significant. It also plays an important role in provincial and national efforts to reduce greenhouse gas emissions by capturing and storing carbon in natural areas such as forests, soils, mycelium, wetlands, and eelgrass meadows.

Restoration and Adaptive Management: With the climate and biodiversity crises in mind, it has never been more critical to preserve and protect ecosystems in the Trust Area. In addition, there is now an imperative to restore these fragile ecosystems and assist in their recovery due to the cumulative impacts of development and human use of natural resources amidst growing climate change impacts. Restoration can happen in many ways, such as active reforestation or by removing pressures so that nature can recover and adapt on its own. The specific impacts of the climate and biodiversity crises and their policy implications may be difficult to predict in exact detail, timing, and scope. Within this context, Trust Council commits to undertake adaptive management processes across the Trust Area which include regular monitoring, evaluation, and modification of policies and plans, as needed. The establishment and protection of networks of protected areas and unfragmented forest reserves that are large enough to contain and sustain native Trust Area species will also be critical. On small islands, well-connected natural corridors are essential supports for the preservation of biodiverse, healthy ecosystems.

Precautionary and Sustainable Stewardship: With responsible, precautionary stewardship and sustainable, regenerative use, ecosystems will be more healthy and resilient and better able to support human well-being in a variety of ways. These include, but are not limited to, the provision of clean drinking water, carbon capture and storage, and the safeguarding of local and Indigenous food security and harvesting. Sustainability, in this context, is defined as the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs. Stewardship, in this context, refers to the responsible use and protection of natural systems, through conservation and sustainable use. In the long term, Trust Council acknowledges that it is far less costly to steward natural systems sustainably than to have to replace or rehabilitate them once they are depleted.

4.1 Environmental Integrity Policies

Commitments of Trust Council

- 4.1.1 Trust Council holds that proactive land use planning is essential to the preservation and protection of Trust Area ecosystems. (3.1.1 first bullet)
- 4.1.2 Trust Council holds that protection must be given to the natural processes, habitats, and species of the Trust Area, including those of old forests, Coastal Douglas-fir forests, Coastal Western Hemlock forests, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, kelp forests, eelgrass meadows, glass sponge reefs, and spawning areas. (3.1.1 second bullet)
- 4.1.3 Trust Council commits to establishing a network of protected areas throughout the Trust Area, acknowledging that unfragmented connectivity is necessary to preserve ecosystems in their natural state and in sufficient size and distribution to sustain their environmental integrity. (3.1.2)
- 4.1.4 Trust Council shall strive to identify and monitor the cumulative effects of existing and proposed development to avoid detrimental effects on the watersheds, groundwater regions, and the Trust Area's fragile species and their habitats, informed by the best available science and respectful of Indigenous ways of knowing. (3.1.1 third bullet)
- 4.1.5 Trust Council shall strive to identify and monitor the impacts of climate change on ecosystems through climate vulnerability assessments and adaptive management processes that are informed by the best available science and respectful of Indigenous ways of knowing. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, establish, and maintain a network of protected areas in their planning area that serves to preserve representative ecosystems in their natural state and in sufficient size and distribution to sustain their environmental integrity. (3.1.4)
- 4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration, of the following components of their planning area: (3.1.3)
- sensitive ecosystems
 - contiguous, unfragmented forests
 - freshwater networks and groundwater recharge areas
 - eelgrass meadows, sponge glass reefs, kelp forests, and spawning areas
 - species and ecosystems at risk
 - Indigenous cultivation and harvesting areas such as clam gardens, camas meadows, and other areas as identified by First Nations
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, regulate land use and development to restrict emissions to air, land, and water. (3.1.5)

- 4.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce climate vulnerability and support climate adaptation measures for ecosystems within their planning area. (new)

Coordination Policies for Trust Council

- 4.1.10 Trust Council shall seek the best available science and traditional ecological knowledge regarding ecosystem preservation, protection, restoration, and sustainable stewardship in the Trust Area through respectful, culturally-sensitive and collaborative approaches with First Nations, Indigenous Knowledge Holders, the Province, other government agencies, non-governmental organizations, and communities. (new)
- 4.1.11 Trust Council shall coordinate and advocate to other government agencies to foster actions, programs, and incentives that: (3.1.9)
- place priority on the integrity of the environment in the Trust Area
 - protect the diversity of native species and habitats in the Trust Area; and
 - prevent pollution of the air, land, freshwater networks, and marine waters of the Trust Area
- 4.1.12 Trust Council shall coordinate and advocate to other government agencies to:
- regulate and monitor the harvesting of fish, wildlife, and vegetation in the Trust Area so as to protect terrestrial and aquatic species populations and habitats (4.3.1)
 - consult with First Nations, local trust committees, island municipalities, and Trust Area communities prior to decisions regarding regulation of hunting or harvesting of wildlife or vegetation in the Trust Area (4.3.1)
 - consult with First Nations to preserve First Nations' traditional harvesting areas; and (new)
 - to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life, and to establish public shellfish reserves in the Trust Area. (4.3.2)
- 4.1.13 Trust Council shall advocate to the provincial government to enforce standards for the control of emissions polluting the air, lands, and waters of the Trust Area. (3.1.10)
- 4.1.14 Trust Council shall, in cooperation with First Nations, encourage other government agencies, non-governmental organizations, Crown corporations, municipalities, regional districts, non-governmental organizations, property owners and residents, to protect natural areas in the Trust Area through education, stewardship tools, acquisitions, conservation covenants and careful management. (3.1.11)

4.2 Freshwater Stewardship Policies

Commitments of Trust Council

- 4.2.1 Trust Council commits to take a precautionary and strategic approach to the stewardship of watershed ecosystems, freshwater networks, and groundwater recharge areas in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, the public, and on the basis of the best available science. (new)
- 4.2.2 It is Trust Council's policy that: (3.3.1)
- the watershed ecosystems, freshwater networks, and groundwater recharge areas of the Trust Area should be identified, protected, and where possible, restored or rehabilitated; and
 - the natural wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled, or degraded.
- 4.2.3 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in their supply of freshwater.¹ (4.4.1)
- 4.2.4 It is Trust Council's policy that desalination plans should not be permitted in the Trust Area due to their high energy demands and adverse impacts to coastal and marine ecosystems. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to prevent further loss or degradation of watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species at risk in their planning area. (3.3.2)
- 4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure: (4.4.2, 4.4.1)
- that freshwater quality is maintained;
 - that neither the density nor intensity of land use is increased in groundwater regions where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable;
 - that existing, anticipated, and seasonal water demand and supply projections are considered and allowed for; and
 - that islands are self-sufficient in their supply of freshwater¹.
- 4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that freshwater use is not to the detriment of in-stream uses such as: fish and fish habitat uses; Indigenous cultural and spiritual use; aesthetic and recreational uses; and, the maintenance of water quality in lakes, streams, and wetlands. (4.4.3)
- 4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit desalination plants in the Trust Area. (new)

¹ ...with the sole exception of Piers Island which is already piped into the Capital Regional District water supply.

Coordination Policies for Trust Council

- 4.2.9 Trust Council shall coordinate and advocate to the provincial government, regional districts, improvement districts, and other agencies to enact legislation protecting freshwater sustainability, watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species at risk in the Trust Area, in accordance with the Islands Trust Object. (4.4.6)
- 4.2.10 Trust Council shall coordinate and advocate to the provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands in the Trust Area. (4.4.5)
- 4.2.11 Trust Council shall encourage, educate, and advocate to government agencies and non-governmental organizations, property owners, residents, and visitors to adopt water conservation practices in the Trust Area, including through the use of innovative technologies such as rainwater harvesting, above-ground water cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices. (4.4.4, 4.4.7)
- 4.2.12 Trust Council shall encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect watershed ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.3.3)

4.3 Forest Stewardship Policies

Commitments of Trust Council

- 4.3.1 Trust Council commits to take a precautionary and strategic approach to the stewardship of forest ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, the public, and on the basis of the best available science. (new)
- 4.3.2 It is Trust Council's policy that:
- forest ecosystems in the Trust Area should be protected; (3.2.1)
 - the remaining stands of relatively undisturbed Coastal Douglas-fir, Coastal Western Hemlock, Garry Oak, and Arbutus, and their associated ecosystems, should be preserved and protected; (3.2.1)
 - forest cover is a representative characteristic of the Trust Area and should be maintained; and (4.2.4)
 - the aesthetic value of forest land should be protected. (4.2.5)
- 4.3.3 It is Trust Council's policy that forest harvesting in the Trust Area should be limited, small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, replacing 4.2.1 - 4.2.2)
- 4.3.4 It is Trust Council's policy that management plans related to sustainable forest harvesting in the Trust Area should include appropriate monitoring and evaluation mechanisms to uphold the long-term environmental integrity of forest ecosystems, and should preserve and protect the inherent rights of First Nations to harvest forest resources for cultural purposes. (4.2.3 + new)
- 4.3.5 It is Trust Council's policy that the clear-cutting of forests and logging of old-growth trees is inappropriate anywhere in the Trust Area, acknowledging the multiple adverse impacts these activities incur on the fragile ecosystems, environmental integrity, and carbon capture and storage potential of the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the environmental integrity of the Trust Area by protecting unfragmented forest ecosystems, on a scale of forest stands and landscapes, from the potentially adverse impacts of growth, development and land use. (3.2.2, 4.2.6)
- 4.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, retain large land holdings and parcel sizes to enable sustainable forest harvesting practices and direct the location of roads and utility corridors to minimize the fragmentation of forests. (4.2.7)
- 4.3.8 Local Trust Committees and Island Municipalities shall, in their Official Community Plans and regulatory bylaws, designate protected forest ecosystem reserves where the preservation of native biodiversity and corridors is especially critical and where there should be no extraction. (4.2.8)

Coordination Policies for Trust Council

- 4.3.9 Trust Council shall coordinate and advocate to the provincial government to grant Islands Trust the necessary jurisdictional authority to preserve and protect forest ecosystems, including:
- legislation to prohibit clear-cutting and logging of old-growth in the Trust Area; and
 - authority to regulate tree cutting in the Trust Area. (new)
- 4.3.10 Trust Council shall coordinate and advocate to the provincial government to adopt legislation establishing sustainable forest harvesting practices that protect environmental integrity on a scale of forest stands and landscapes by preserving, protection, and restoring: (4.2.11)
- the diversity of forest structure and composition;
 - the physical, chemical, and biotic diversity of soils;
 - natural aquatic and wetland ecosystems;
 - the full range of natural habitats in the forest landscape, including old-growth; and
 - connectivity of forest habitats sufficient for the dispersal needs of native species.
- 4.3.11 Trust Council shall coordinate and advocate to the provincial government to:
- implement engagement mechanisms that ensure the full and meaningful participation of First Nations and Trust Area communities in decisions concerning the use of forest lands; (4.2.9)
 - provide education and extension programs to promote sustainable forest harvesting and the protection of forest ecosystems; (4.2.10)
 - adopt statutes and guidelines to reduce invasive non-native species in forest ecosystems; (4.2.12)
 - designate forest ecosystem reserves where no extraction shall take place in order to promote the preservation of native biodiversity; (4.2.13)
 - require that applicants identify the protective actions needed to maintain sustainable forest land use and environmental integrity, prior to approval of tree cutting plans; and (4.2.14)
 - implement property tax incentives for the practice of sustainable forest harvesting. (4.2.15)
- 4.3.12 Trust Council shall encourage the Province, when developing specific forest tenures, to assign to Trust Council or to the Islands Trust Conservancy Board, the holding of areas not to be harvested. (4.2.16)
- 4.3.13 Trust Council shall encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect forest ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.2.3)

4.4. Agricultural Land Stewardship Policies

Commitments of Trust Council

- 4.4.1 Trust Council commits to take a precautionary and strategic approach to the stewardship of agricultural lands in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, the public, and on the basis of the best available science. (new)
- 4.4.2 It is Trust Council's policy that agricultural activity in the Trust Area should be small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, 4.1.2, 4.1.3)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and preserve appropriate areas for agricultural land to support small-scale, sustainable, regenerative agriculture, while carefully considering downstream impacts, wildlife habitat, and adjacent properties. (4.1.3, 4.1.4, 4.1.6)
- 4.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and construction of roads and utility corridors to minimize fragmentation of agricultural lands. (4.1.7 simplified)
- 4.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, encourage sustainable farming consider and land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land. (4.1.5, 4.1.8)

Coordination Policies for Trust Council

- 4.4.6 Trust Council shall coordinate and advocate to the provincial government to ensure:
- that where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land; (4.1.10)
 - that farming in the Agricultural Land Reserves in the Trust Area does not adversely impact Indigenous food security and traditional harvesting practices, cultural heritage, or the environmental integrity of protected area networks in the Trust Area; (new)
 - that legislation, guidelines, and incentives are established to support local farmers in adopting the highest standards of environmental protection of ecosystems, wildlife habitats, and native species diversity, in accordance with the Islands Trust Object; (new)
 - that support is given to small-scale sustainable farmers to reduce greenhouse gas emissions emanating from agriculture and adapt to climate variability in the Trust Area; (new)
 - retain a separate farm class to provide property tax incentives; (4.1.12)
 - that the threshold for farm income necessary for farm class status is appropriate to the small scale of sustainable agriculture within the Trust Area; and (4.1.12)
 - that the total land area subject to the farm class may include land that is left uncultivated to protect environmental integrity. (4.1.12)

4.5 Soil and Mineral Stewardship Policies

Commitments of Trust Council

- 4.5.1 Trust Council holds that the preservation and protection of healthy and productive soils is integral to the environmental integrity, food security, and carbon capture and storage capacity of the Trust Area. (new)
- 4.5.2 It is Trust Council's policy that there should be no extraction of peat, metals, minerals, or petroleum resources in the Trust Area. (4.6.1)
- 4.5.3 It is Trust Council's policy that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area. (4.6.2)
- 4.5.4 It is Trust Council's policy that there should be no removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.5.5 Local trust committees and island municipalities shall, in their regulatory bylaws related to soil removal and deposit, include policies that foster the preservation, protection, and restoration of productive soils in the Trust Area. (4.6.3)

4.6 Coastal and Marine Stewardship Policies

Commitments of Trust Council

- 4.6.1 Trust Council commits to take a precautionary and strategic approach to the stewardship of coastal and marine ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, the public, and on the basis of the best available science. (new)
- 4.6.2 It is Trust Council's policy that coastal and marine food harvesting and aquaculture in the Trust Area should be small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new/4.5.1)
- 4.6.3 It is Trust Council's policy that development, activity, buildings, or structures should not result in a loss of significant marine or coastal habitat, restrict public access to, from or along the marine shoreline, or interfere with natural coastal processes. (4.5.3, 4.5.4)
- 4.6.4 It is Trust Council's policy that development should be directed to sites away from: (4.5.5)
- areas of environmental sensitivity;
 - areas of naturally occurring stocks of clams or oysters; and
 - First Nations' traditional harvesting areas, middens, and other archaeologically significant resources.
- 4.6.5 It is Trust Council's policy that aquaculture should be directed to sites away from: (4.5.6)
- areas of recreational significance;
 - areas where an aquaculture operation would conflict with established or designated upland land uses; and
 - areas where an aquaculture operation would conflict with established or designated anchorage or moorage.
- 4.6.6 It is Trust Council's policy that aquaculture related development, activity, buildings, or structures should not result in site alteration including, but not limited to, substrate modification or the use of metal pipes or plates. (4.5.7)
- 4.6.7 It is Trust Council's policy that the following restrictions are necessary in order to preserve and protect the sensitive coastal and marine waters of the Trust Area:
- artificial reefs should not be developed;² (3.4.3)
 - finfish farms should not be permitted; (4.5.2)
 - seawalls and other hard shoreline armouring should not be developed; (new)
 - private docks should be limited to boat access only properties; (new)
 - freighter anchorage sites in the Southern Gulf Islands should be eliminated; and (new)
 - oil tankers should not be permitted to transit through Trust Area waters. (new)

² Interpretive Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.

Directive Policies for Local Trust Committees and Island Municipalities

- 4.6.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations for marine dependent land uses and means to prevent further loss or degradation of coastal and marine ecosystems in their planning area. (3.4.4, 4.5.8)
- 4.6.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies that preserve, protect, and support the restoration of seagrass meadows and kelp beds, acknowledging their multifaceted roles in supporting carbon capture and storage, soft shoreline protection, and the provision of habitats and spawning areas for coastal and marine aquatic species. (new)
- 4.6.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location of buildings and structures such that they do not: (4.5.5, 4.5.10)
- adversely impact sensitive coastal and marine ecosystems, naturally occurring stocks of shellfish, spawning areas, kelp forests, seagrass meadows, middens, or archaeological sites;
 - interfere with natural coastal processes;
 - restrict First Nations' access to traditional coastal and marine harvesting sites;
 - restrict public access to, from, or along the marine shoreline
- 4.6.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and operation of commercial aquaculture tenures away from:
- areas of cultural, spiritual, archaeological, or recreational significance;
 - areas where an aquaculture operation would conflict with established or designated upland land uses, anchorages or moorages. (new, based on 4.5.6)
- 4.6.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location, size, and nature of marinas such that they do not compromise the environmental integrity of the coastal and marine environment, Indigenous cultural heritage, or community character in their planning area. (4.5.9)
- 4.6.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boathouses, boardwalks, and causeways. (4.5.11)
- 4.6.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit private docks except where properties are boat access only. (new)
- 4.6.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, consider the current and anticipated impacts of sea level rise and determine shoreline buffers and setbacks accordingly. (new)
- 4.6.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the use of seawalls and other hard shoreline armouring in the Trust Area and include policies that foster soft shoreline protection. (new)

Coordination Policies for Trust Council

4.6.17 Trust Council shall coordinate and advocate to federal and provincial government agencies to:

- establish a network of protected coastal and marine areas and implement statutes and guidelines for sustainable coastal zone management (3.4.2)
- adopt legislation establishing sustainable aquaculture practices that protect environmental integrity and First Nations rights to traditional shellfish harvesting in the Salish Sea; (new)
- develop existing and new programs such as “harvest refugia”, which protect and enhance the populations of native marine species of the Trust Area; (3.4.6)
- research the impacts of the introduction of new marine species into the coastal and marine waters of the Trust Area before such species are introduced; (3.4.7)
- prohibit finfish farms in the marine waters of the Trust Area; (4.5.2)
- prohibit the development of artificial reefs in the Trust Area². (3.4.3)

4.6.18 Trust Council shall coordinate and advocate to federal and provincial government agencies to:

- develop legislation to regulate sewage discharge from shoreline areas and boats; and (3.4.8)
- support the removal of abandoned and derelict vessels, plastics, ghost fishing gear, and other marine debris from the sensitive coastal and marine waters of the Trust Area; (new)
- eliminate and prohibit the use of commercial freighter anchorage sites in the Trust Area, acknowledging the multiple adverse impacts this practice incurs on the sensitive coastal and marine ecosystems, environmental integrity, and carbon capture and storage potential in the Trust Area; and (new)
- prohibit oil tankers from transiting through the sensitive coastal and marine waters of the Trust Area. (new)

PART 5: HERITAGE PRESERVATION AND PROTECTION (new)

GOAL: To Preserve and Protect Natural, Cultural, and Community Heritage in the Trust Area

CONTEXT:

The Islands Trust Area is a place of exceptional cultural heritage and has been home to the BOKEĆEN, K'ómoks, Lək'wəḡən, Lyackson, MÁLEXET, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səliłwətaḡt, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SṠÁUTW, Stz'uminus, ɬaḡəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁP, WSIKEM, Xeláltxw, Xwémalhkwxu/ḡop qaymıxʷ, and xʷməθkʷəḡəm Peoples since time immemorial. The relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area.

Heritage Preservation: Trust Council recognizes heritage as a 'unique amenity' of the Trust Area that is to be preserved and protected under the Islands Trust Object. In this context, heritage includes places, objects, knowledge, artistic expressions, or events that are of historical, cultural, aesthetic, educational, or scientific significance. In the Trust Area, heritage preservation includes the Indigenous cultural heritage of First Nations who have called these lands and waters home since time immemorial, in addition to the extraordinary natural landscapes and community heritage buildings on each island.

Indigenous Cultural Heritage: Indigenous cultural heritage in the Trust Area includes, but is not limited to, areas utilized and occupied by Indigenous Peoples such as village sites, cultural and spiritual areas, known and unknown archaeological areas, objects and artifacts, culturally modified trees, cultivation areas, harvesting areas on land and marine foreshores, fish weirs and clam gardens, medicinal plants and culturally significant species and landmarks. Indigenous cultural heritage also includes ancestral loved ones' resting places, trees used for burial boxes, cairns, caves used for cultural purposes, petroglyphs and pictographs, and place names. First Nations have an inherent right to identify their own cultural heritage, interpret its meaning, and safeguard its value. This inherent right exists outside of the colonial frameworks that have traditionally regulated and defined heritage.

Community Heritage:

Community heritage in the Trust Area can include buildings, settlement areas, places, objects, artistic expressions, or events identified by the community as having heritage character or heritage value to the community, to be protected for future generations.

Natural Heritage:

Natural heritage in the Trust Area is understood to include natural features, geological and physiographical formations, and delineated natural areas which are of outstanding universal value from an aesthetic, conservation, or scientific perspective.

5.1 Heritage Preservation and Protection Policies

Commitments of Trust Council

- 5.1.1 Trust Council holds that the preservation, protection, and restoration of natural, cultural, and community heritage in the Trust Area is essential to the Islands Trust Object and must be guided by meaningful, respectful, and culturally sensitive engagement with First Nations. (5.6.1)
- 5.1.2 It is Trust Council's policy that local and regional planning decisions should not incur adverse impacts to the natural heritage, Indigenous cultural heritage, or community heritage in the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of natural heritage sites in their planning area. (new)
- 5.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of Indigenous cultural heritage in their planning area in cooperation with First Nations and other government agencies. (5.6.3)
- 5.1.5 Local Trust Committees and Island Municipalities shall, in their Official Community Plans and regulatory bylaws, identify, preserve, protect, and support the restoration of local community heritage in their planning area. (5.6.2)

Coordination Policies for Trust Council

- 5.1.6 Trust Council shall engage with First Nations, First Nation organizations and societies, Indigenous Knowledge Holders, other government agencies, non-governmental organizations, and Trust Area communities to seek the best available archaeological inventory data, Indigenous Knowledge, and local knowledge regarding natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.7 Trust Council shall engage and advocate to other government agencies, non-governmental organizations, property owners, residents, and visitors with educational materials and tools to help preserve and protect natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.8 Trust Council shall encourage other government agencies, non-governmental organizations, property owners and residents to protect natural, cultural, and community heritage in the Trust Area through tax incentive programs, voluntary donations, acquisitions, conservation covenants and careful management. (new)

PART 6: SUSTAINABLE AND RESILIENT COMMUNITIES

GOAL: To Foster Sustainable and Resilient Communities in the Trust Area

CONTEXT:

Sustainability and Resilience: Sustainable and resilient communities can be understood to be communities that are able to meet their own needs and adapt to new environmental, social, and economic pressures without compromising the integrity of the environment or the ability of future generations to meet their own needs. Resilience, in this context, refers to the capacity of communities to continue to function in the face of external stressors such as climate change, while also learning to adapt, reorganize and evolve into new modes of sustainability.

Rural Island Planning: Islands within the Trust Area are rural and contrast markedly with surrounding urban areas, as do their respective resident communities. Traditional land use planning approaches are often ill-suited or insufficient in addressing the limited carrying capacities of Trust Area ecosystems or the higher standards of environmental integrity mandated by the Islands Trust Object. In the face of the climate emergency and housing crisis throughout the Province, business as usual is no longer viable. The climate and biodiversity crises are compromising the sustainability and resilience of communities and the ecosystems they depend on in unprecedented ways. It is also increasingly difficult for people from differing age groups and income levels to find safe, secure, and affordable housing in the region. In order to respond to these crises and safeguard the sustainability and resilience of Trust Area communities, Trust Council needs to advance integrated approaches that address the vulnerabilities of rural island communities while also safeguarding the environmental integrity and cultural heritage that make the Trust Area so special.

Regional and Localized Approaches: Underpinning the Islands Trust regional governance approach is a strong acknowledgment that a degree of local autonomy supports effective governance in the Trust Area. Each island within the Trust Area has unique characteristics and has developed in its own unique way over the years. While the preeminent duty of all locally elected officials is to uphold the Islands Trust Object and regional mandate in all aspects of local planning and decision-making, they are to do so in a way that is sensitive and suitable to local circumstances, and guided by open, consultative public participation.

6.1 Rural Island Planning Policies

Commitments of Trust Council

- 6.1.1 It is Trust Council's policy that the rural characteristics of islands in the Trust Area, including the scenic value of rural landscapes, opportunities for nature connection, and low levels of noise and light pollution, are unique amenities that are to be preserved and protected in accordance with the Islands Trust Object. (5.1.1-5.1.3)
- 6.1.2 Trust Council shall strive to identify and monitor the impacts of climate change on Trust Area communities through climate vulnerability assessments and adaptive management approaches that are informed by the best available science and respectful of Indigenous ways of knowing. (new)
- 6.1.3 It is Trust Council's policy that growth, residential and commercial development, and economic opportunities in the Trust Area should be small scale, sustainable, climate resilient, and in alignment with the Islands Trust Object. (5.2.1, 5.7.1)
- 6.1.4 It is Trust Council's policy that recreational activities, trails, and active transportation networks in the Trust Area should be small scale, sustainable, and should not compromise the integrity of protected areas, terrestrial and aquatic ecosystems, or Indigenous cultural heritage. (5.5.1)
- 6.1.5 Trust Council holds that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to and should not be located in the Trust Area. (5.5.2)
- 6.1.6 Trust Council holds that there should be public access, on each island in the Trust Area, to beaches and areas of recreational significance, while not compromising Indigenous cultural heritage or First Nations access to coastal and marine harvesting areas. (5.5.5)
- 6.1.7 Trust Council holds that open, consultative public participation, is vital to effective decision-making in the Trust Area. (5.8.1-5.8.2)
- 6.1.8 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs in accordance with the Islands Trust Object. (5.8.3)
- 6.1.9 Trust Council holds that island municipalities shall, in all of their actions, have regard for the Islands Trust Policy Statement and the Islands Trust Object. (5.8.4)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.1.10 Local trust committees and island municipalities shall, in the development and implementation of official community plans and regulatory bylaws, provide opportunities for public engagement and collaboration. (5.8.2)
- 6.1.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the protection of views, tree cover, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area. (5.1.3, 5.2.2)

- 6.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies related to the aesthetic, environmental, and social impacts of development. (5.2.3)
- 6.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources, and community character. (5.2.4)
- 6.1.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive for efficient and sustainable use of the land base without exceeding density limits defined in their official community plans. (5.2.5)
- 6.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards. (5.2.6)
- 6.1.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations, types, and safe public access to:
- recreational facilities;
 - bicycle, pedestrian, and equestrian trail systems; and
 - community marinas, boat launches, docks, and anchorages that are small scale, sustainable, and that do not compromise the integrity of protected areas, terrestrial and aquatic ecosystems, Indigenous cultural heritage, or Indigenous access to coastal and marine harvesting areas. (5.5.4-5.5.7)
- 6.1.17 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit destination gaming facilities such as casinos and commercial bingo halls. (5.5.3)
- 6.1.18 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing economic opportunities that are compatible with sustainability and protection of community character. (5.7.2)
- 6.1.19 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing their community's long-term needs for educational, institutional, community, and health-related facilities and services, as well as cultural and recreational facilities and services. (5.8.6)
- 6.1.20 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce the climate vulnerability of communities, including by prioritizing:
- protection of the carbon capture and storage capacity of natural areas;
 - low-carbon housing, buildings, transportation, and agriculture;
 - preservation, protection, and restoration of biodiversity;
 - groundwater sustainability;
 - shoreline and foreshore protections; and
 - wildfire risk mitigation (new)

Coordination Policies for Trust Council

- 6.1.21 Trust Council shall coordinate and advocate to regional districts, improvement districts, and provincial and federal government agencies to understand and adapt policies and support systems to safeguard the rural island nature, sustainability, and resilience of Trust Area communities, in accordance with the Islands Trust Object. (new)
- 6.1.22 Trust Council shall coordinate and advocate to government agencies, non-governmental organizations, property owners, residents, and visitors to help develop and adopt evidence-based climate mitigation and adaptation strategies, action plans, and measures that are appropriate to the unique strengths and vulnerabilities of rural islands in the Trust Area. (new)
- 6.1.23 Trust Council shall encourage provincial government agencies to work with local communities through public consultation processes to evaluate and modify road construction and road system proposals to encompass the environmental, economic, and social values of the community. (5.3.9)
- 6.1.24 Trust Council shall encourage property owners, residents, and visitors to reduce the burning of wood and fossil fuels by adopting sustainable alternative technologies. (5.1.4)
- 6.1.25 Trust Council shall encourage government agencies, non-governmental agencies, property owners, residents, and visitors to use renewable sources of energy within the Trust Area. (5.8.8)

6.2 Housing Policies

Commitments of Trust Council

- 6.2.1 Trust Council holds that community sustainability and resilience are supported by the availability of diverse housing options that cater to a range of age groups and income levels, and that respect the environmental integrity, Indigenous cultural heritage, and carrying capacity of islands in the Trust Area. (5.8.6)
- 6.2.2 Trust Council holds that where residential development must occur, it should be compact, energy-efficient, and appropriately situated in order to minimize greenhouse gas emissions, safeguard protected area networks, sustainably steward groundwater regions, and preserve and protect Indigenous cultural heritage in the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that development, of any scale or for any purpose, prioritizes the reduction of greenhouse gas emissions, safeguards protected area networks, respects the carrying capacity of groundwater regions, and protects Indigenous cultural heritage. (new)
- 6.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to address housing needs by identifying appropriate locations where density increases to support safe, secure, and affordable housing developments would not adversely impact protected area networks, Indigenous cultural heritage, or the carrying capacity of groundwater regions. (new)
- 6.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and assess the impacts of short term rentals of residential dwellings on the availability of safe, secure, and affordable housing in their planning area and, where necessary, regulate and limit the number of short term rentals accordingly. (new)
- 6.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate floor area and lot coverage limits for new residential development in their planning area, in order to effectively minimize greenhouse gas emissions, cumulative effects, biodiversity loss, climate vulnerability, and destruction of Indigenous cultural heritage. (new)

Coordination Policies for Trust Council

- 6.2.7 Trust Council shall coordinate and advocate to other government agencies, non-governmental organizations, and property owners, to foster safe, secure, and affordable housing in the Trust Area, in alignment within the Islands Trust Object, and respectful of protected area networks, Indigenous cultural heritage, and the carrying capacity of groundwater regions. (new)
- 6.2.8 Trust Council shall advocate to other government agencies, non-governmental organizations, and property owners to foster safe, secure, and affordable housing for Indigenous Peoples in the Trust Area, in alignment with the Islands Trust Object and respectful of protected area networks, Indigenous cultural heritage, and the carrying capacity of groundwater regions. (new)

6.3 Transportation Policies

Commitments of Trust Council

- 6.3.1 Trust Council holds that community sustainability and resilience are supported by appropriately situated public and active transportation networks that serve to reduce greenhouse gas emissions and promote health and well-being. (new)
- 6.3.2 Trust Council holds that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel³. (5.3.2)
- 6.3.3 Trust Council holds that local trust committees and island municipalities should be consulted and involved in decision-making related to the provision of transportation and ferry services, utilities, or facilities that may affect the sustainability and resilience of communities in their planning areas. (5.3.1)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, foster the establishment of appropriately situated public and active transportation networks, including but not limited to bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use. (5.3.7)
- 6.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that road location, design, construction, and systems do not adversely impact the integrity of protected area networks, contiguous forests, freshwater networks, groundwater regions, agricultural lands, coastal and marine areas, or Indigenous cultural heritage in the Trust Area. (5.3.5)
- 6.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, develop a classification system of rural roadways, including scenic or heritage road designations, in recognition of the Islands Trust Object. (5.3.4)
- 6.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate areas for the landing of emergency helicopters. (5.3.6)

Coordination Policies for Trust Council

- 6.3.8 Trust Council shall advocate to provincial and federal agencies to ensure safe shipment of materials that are hazardous to the environment. (5.3.8)
- 6.3.9 Trust Council shall coordinate provincial government agencies and local communities to work together to evaluate and modify road construction, road system proposals, and active transportation networks to address the needs of rural island communities in the Trust Area. (5.3.9)
- 6.3.10 Trust Council shall advocate to provincial government agencies in support of the electrification of ferries in the Trust Area. (new)

³ ...with the sole exception of the existing bridge between North and South Pender Islands

6.4 Waste Disposal Policies

Commitments of Trust Council

- 6.4.1 It is Trust Council's policy that it is acceptable for waste originating in the Trust Area to be safely disposed of within the Trust Area. (5.4.1)
- 6.4.2 It is Trust Council's policy that:
- neither hazardous nor industrial waste should be disposed of in the Trust Area;
 - local recycling operations should be established; and
 - local programs for chipping of wood waste and disposal of hazardous wastes should be established. (5.4.2)
- 6.4.3 It is Trust Council's policy that there should be minimal burning of solid waste in the Trust Area. (5.4.3)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify acceptable locations for the disposal of solid waste. (5.4.4)

Coordination Policies for Trust Council

- 6.4.5 Trust Council shall coordinate and advocate to government agencies, corporations, property owners, and residents to contribute to the reduction of greenhouse gas emissions by reducing waste, and to use innovative technologies and safe alternatives for disposal of sewage effluent. (5.4.5)



Islands Trust

ISLANDS TRUST

POLICY STATEMENT

Commented [DH1]: This annotated version of the 2003 Policy Statement highlights policies that have been significantly moved or excluded in the new draft Policy Statement. Policies or sections that have been removed/excluded have been highlighted in yellow in the comments below. Other amendments/updates to the transferred text and new additions are highlighted in the new document.

CONSOLIDATED - APRIL, 2003

ISLANDS TRUST COUNCIL

BYLAW NO. 17

**AS AMENDED BY ISLANDS TRUST COUNCIL
BYLAW NOS. 42, 48, 53 AND 87**

**THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY AND IS NOT
TO BE CONSTRUED AS A LEGAL DOCUMENT**

Commented [DH2]: Due to the number of amendments required, the new Policy Statement will be an entirely new Bylaw No. 183 (not a series of amendments to the former Policy Statement)

This copy is consolidated for convenience only and is amended by the following:

Bylaw No.	Amendment No.	Adoption Date
Bylaw No. 42	Amendment No. 1/96	November 4, 1996
Bylaw No. 48	Amendment No. 1/97	March 6, 1998
Bylaw No. 53	Amendment No. 1/98	December 4, 1998
Bylaw No. 87	Amendment No. 1/02	December 6, 2002

Commented [DH3]: The new Policy Statement will be a new Bylaw No. 183

ISLANDS TRUST COUNCIL

BYLAW NO. 17

A BYLAW TO ADOPT A POLICY STATEMENT FOR THE TRUST AREA

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act* S.B.C. 1989 c.68, enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as "The Islands Trust Policy Statement Bylaw, 1993".

APPLICATION

2. This Bylaw applies to the Trust Area, as defined in Schedule A of the *Islands Trust Act* S.B.C. 1989 c.68.

ORGANIZATION

3. Parts I, II, III, IV, and V and Schedule 1 of the "Islands Trust Policy Statement" attached to and forming part of the bylaw are hereby adopted as the trust policy statement pursuant to S.13(1) of the *Islands Trust Act*.

READINGS

READ A FIRST TIME THIS 31ST DAY OF OCTOBER, 1993

READ A SECOND TIME THIS 31ST DAY OF OCTOBER, 1993

READ A THIRD TIME THIS 31ST DAY OF OCTOBER, 1993

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS PURSUANT TO SECTION 13(2)(c) OF THE *ISLANDS TRUST ACT* THIS 9TH DAY OF JUNE, 1994

RECONSIDERED AND FINALLY ADOPTED THIS 11TH DAY OF JUNE, 1994

Gordon McIntosh
Secretary

Graeme Dinsdale
Chairperson

Commented [DH4]: The new Policy Statement will be a new Bylaw No. 183

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ISLANDS TRUST COUNCIL BYLAW NO. 17: A BYLAW TO ADOPT A POLICY STATEMENT FOR THE TRUST AREA

Commented [DH5]:

A new Table of Contents and slightly amended organizational structure to the new Policy Statement document strives for a more streamlined and efficiently categorized approach, with new sections devoted to Heritage and Housing. Significant changes include:

- Introduction sections now included as Part 1 of the bylaw
- Moved 'The Islands Trust Object and its Meaning' to Part 1 'Introduction'
- Updated Part 2 'Purpose and Implementation'
- New Part 3 on 'Regional Governance' including former 'Guiding Principles for Trust Council'
- Updated Part 4 including consolidation of 'Ecosystem Preservation and Protection' policies with former 'Stewardship of Resources' policies
- New Part 5 on 'Heritage Preservation and Protection'
- Updated Part 6 'Sustainable and Resilient Communities' including new section on Housing Policies

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INTRODUCTION

HISTORY AND CONTEXT

History of the Trust Area

The "Trust Area" encompasses, generally, the islands and waters between the Mainland and British Columbia and Southern Vancouver Island, with the exception of lands and waters within adjacent municipal boundaries and boundaries of Indian Reserves.

The Trust Area is a unique and special place -- a scenic archipelago of 13 major islands and more than 450 smaller islands. The Area is drier and warmer than most surrounding areas, and is rich in resources and cultural history. The Trust Area provides habitats for an exceptional variety of species: more than 200 types of migratory and resident birds, numerous species of fish and diverse marine and intertidal life, terrestrial wildlife and vegetation. Outstanding scenery and recreational resources include panoramic viewpoints, sheltered bays with warm sand or pebble beaches and protected marine waterways and anchorages that contribute to the Trust Areas beauty and appeal.

This unique combination of resources and amenities has attracted people to the Trust Area since the end of the Ice Age. Aboriginal peoples used the Area extensively for summer encampments and for fishing, hunting and berry-picking. Sunny valleys and suitable soils later supported homesteading and agriculture-related settlement. Eventually, the traditional activities of fishing and shellfish harvesting were supplemented by more extensive farming, logging, recreation-related activities and, most recently, increased residential settlement.

Surrounding areas have also attracted growing populations. By 1960s, 50 per cent of the total population of British Columbia resided in areas adjacent to the Trust Area. Pressure for residential development of islands in the Trust Area escalated. In 1969, when it became apparent that the Trust Area's highly-valued environment could be irreversibly damaged by unrestrained residential development, the provincial government imposed a temporary freeze on subdivision of land until the island communities could adopt plans and regulations to control growth.

Establishment of the Islands Trust

The significance and sensitivity of the Trust Area, and the need for protective measures was internationally recognized more than 20 years ago. In 1973, an International Joint Commission proposed that the islands and waters adjacent to the British Columbia-Washington State border be protected as an international park in order to maintain water quality and to preserve and protect marine and land-based wildlife habitats and archaeological and historical sites.

At the same time, concerns were being raised at the provincial level. In 1972 an all-party special committee of the legislature was established to investigate the unique problems facing the Trust Area. The committee concluded that pressures arising from the Area's proximity to major urban centres were damaging the very features that made the Trust Area so attractive to residents and visitors.

In response to these findings, the provincial government enacted the *Islands Trust Act* in 1974. The Act established the Islands Trust as a unique land-use planning agency, acting for residents of both the Trust Area and the province generally, and having a special conservation-oriented responsibility - to preserve and protect the Trust Area and its unique amenities and environment.

Commented [DH6]: Moved to 1.5 Location of the Trust Area and updated

Commented [DH7]: Removed inaccurate and offensive language related to the history of First Nations in the area.

Commented [DH8]: Moved to 1.2 Establishment of the Islands Trust

Increasing Pressure and Amendments to the *Islands Trust Act*

Pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by 60 per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the Act during this period, giving the Islands Trust community planning and land-use authority comparable to that of a regional district under the *Municipal Act*. Aware of the urgent need for plans to guide decisions on growth management and land-use, the Trust Area's island communities developed Official Community Plans. Pressure for residential development continued, however, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Trust Area. That review focused on public opinion of the Islands Trust and its role. The results showed overwhelming public support for both the Islands Trust and its object, and suggested ways in which the Trust and its legislation could be strengthened. In response, a redrafted *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the redrafted Act, the Islands Trust retained its original authority and its dual responsibility to both Trust Area residents and other British Columbians. The new legislation also amended the structure of the Islands Trust and greatly broadened its functions and responsibilities.¹ One of the most notable changes was the assignment of a regional-level planning function to the Islands Trust Council.

Commented [DH9]: Simplified and combined with 1.2 Establishment of the Islands Trust

Present Context

The Trust Area is situated in the heart of the Georgia Basin-Puget Sound bioregion. Sustainability of the region's physical environment, native species and quality of life are threatened by low-density urban sprawl and rapid population growth.² Approximately five million people presently live in the areas surrounding the Trust Area. Populations on the Lower Mainland, on Southern Vancouver Island and around Puget Sound are growing much more rapidly than in other regions of the United States and Canada.³ Projections indicate that if trends continue, the total population of the region will double in 25 years to over 10 million.

The Trust Area continues to experience extreme pressure from population growth and tourism. With a population increase of 26 per cent between 1986 and 1991, it is one of the fastest-growing areas in the Province and Canada. Increasing numbers of tourists are also travelling to and through the Trust Area. The number of passengers on the main ferry routes through the Area increased by 44 percent between 1986 and 1992, and by 37 per cent on routes to Trust Area islands. Most visitors come to islands during the summer months when demand for fresh water is highest and water supplies are lowest, placing pressure on limited water supplies.

Public and private concern continues for the long-term well-being of the Trust Area. Increasing numbers of people from the rapidly growing surrounding urban areas can be expected to be attracted to the Trust Area as a place of residence and recreation. Accelerating negative impacts accompanying development in the surrounding urban regions - pollution of air and marine waters, discharge of pulp mill effluent, disposal of waste, ocean dumping and spills associated with marine shipping - threaten the Trust Area's environment, amenities and fragile ecosystems.

Commented [DH10]: Updated and removed time sensitive statistics

Commented [DH11]: GENERAL AMENDMENTS: REMOVED ALL FOOTNOTES except where there was an exception to a policy to be noted. DEFINITIONS were moved to the preamble sections of each chapter for ease of reference and fuller interpretive context. TIME SPECIFIC REFERENCES were removed throughout the document.

¹ The present structure of the Islands Trust and the functions of its corporate bodies are described in a brochure available from the offices of the Islands Trust.

² 1993 report of the BC Round Table on the Environment and the Economy.

³ BC Round Table on the Environment and the Economy, Sustainability in the Georgia Basin/Puget Sound Region, 1992.

The Challenge

The Islands Trust today faces a major challenge. While populations, numbers of visitors and the demand for intensified use and residential development of the Trust Area can be expected to continue to grow, capacities of the Area's resources and systems are limited. Potential for conflict exists: conflict between short and long-term interests and between unlimited use of the Trust Area and ongoing stewardship.

To keep everything in the Trust Area exactly as it is today is impossible. Changes will occur. If the Area's environment and unique character are to be preserved and protected, priorities must be defined and management strategies established. The *Islands Trust Act* identifies the need for leadership in addressing this task and assigns this role to the Islands Trust. The policies of the Islands Trust established today and in the years ahead will be of fundamental importance to the well-being of this highly valued area.

Commented [DH12]: Updated and moved to Part 3.1 Regional Governance preamble sections

The Islands Trust Policy Statement

The Islands Trust Policy Statement has been developed in response to the need for preservation and protection of the Trust Area and its unique amenities and environment, to the need for leadership in achieving this objective, and to the legislated requirements of the *Islands Trust Act*. Goals and policies contained in the Policy Statement reflect values and concerns for the future of the Trust Area expressed by the public and Trust Council's belief that not only this generation, but also future generations, should have the continued opportunity to enjoy the environment and amenities of this very special place.

Commented [DH13]: Simplified and moved to 1.3 Present Context

ORGANIZATION OF THE ISLANDS TRUST POLICY STATEMENT

The Islands Trust Policy Statement is comprised of Islands Trust Council Bylaw No. 17, and Parts I to V and Schedule 1 of that Bylaw. The introduction is not part of the Islands Trust Policy Statement Bylaw, and is intended simply to provide some background related to the Trust Area, the Islands Trust and the context for development of the Policy Statement.

Part I of the document outlines the purpose of the Policy Statement and the means by which it will be implemented. The important roles of individuals, Trust Council, its Executive Committee, Trust Area communities and municipalities, the Islands Trust Fund Board, other government and non-government agencies, First Nations, property owners, residents and visitors, in implementation of the Policy Statement also clarified in Part I.

Part II of the document defines the Islands Trust's legislated object, provides an interpretation of that object, and identifies principles by which the Islands Trust will be guided in fulfillment of its object.

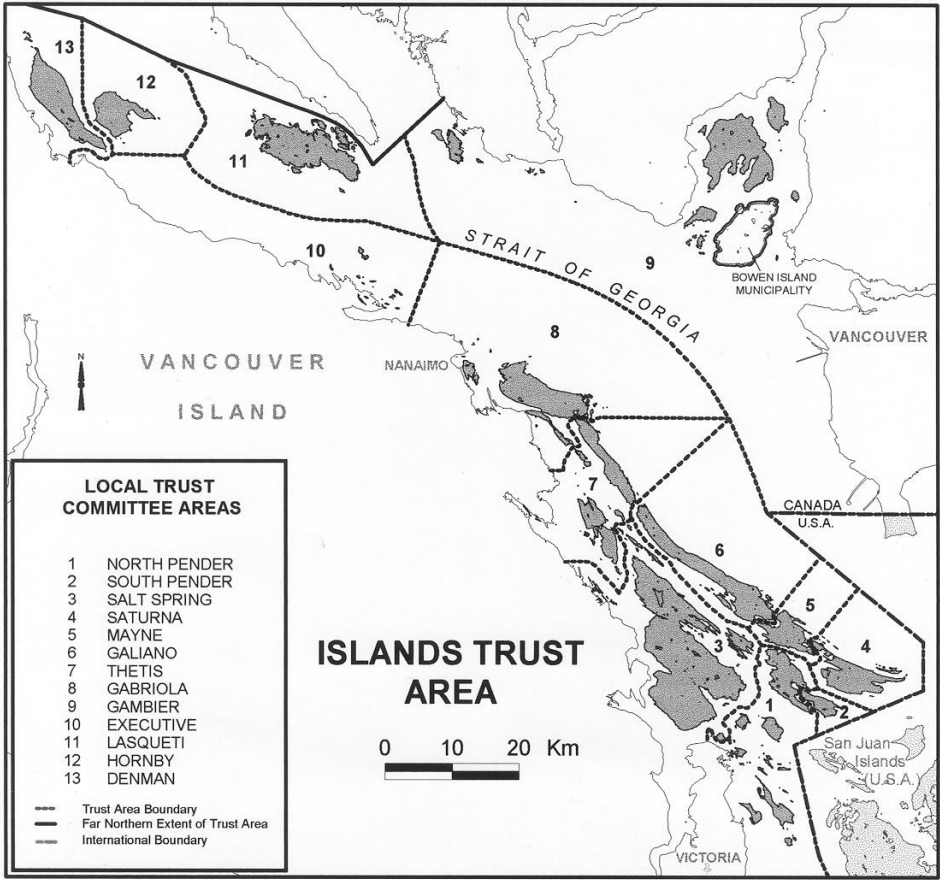
Parts III, IV, and V discuss Trust Council's vision for the future of the Trust Area in terms of goal and policies. Part III focuses on ecosystem preservation and protection, Part IV on stewardship of resources, and Part V on sustainable communities.

Schedule 1 provides definitions for some of the terms used in the document.

Commented [DH14]: REMOVED – extraneous; table of contents provides overview

LOCATION OF THE TRUST AREA

Commented [DH15]: Updated map to reflect 'Salish Sea' and clearer identification of local trust areas and island municipalities



PART I: PURPOSE AND IMPLEMENTATION OF THE TRUST POLICY STATEMENT

The purpose of the Policy Statement is to establish a vision for the future of the Islands Trust Area that reflects the values of residents of the Trust Area and of the Province generally. Achieving this vision depends on the actions of many stakeholders. The Policy Statement provides a general strategy for land use planning which translates the broad goals of the Province and the Islands Trust into specific actions to preserve¹ and protect² the Trust Area.

The Policy Statement clarifies the positions and policies of the Islands Trust and provides guidance for the formulation of bylaws, plans and policies. It is a document to be utilized by local trust committees and island municipalities when they are formulating local bylaws, by the Executive Committee of Trust Council when it is reviewing plans and bylaws of local trust committees and island municipalities, and by the Province and other agencies when they are reviewing their own plans and policies for compatibility with those of the Islands Trust.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

ROLES AND RESPONSIBILITIES

The Islands Trust Council cannot effectively implement the Policy Statement without the support of all stakeholders. Assistance, cooperation and collaboration are required from local trust committees, island municipalities, the Trust Fund Board, the Provincial Government, other government agencies, non-government organizations, communities, First Nations, property owners, residents and visitors. In the spirit of the legislated object of the Islands Trust, it is expected that all corporate entities of the Islands Trust will consult with other agencies on matters involving potential conflict between the legislated object of the Trust and the legislated mandate of other agencies.

Role of the Minister of Community Services

The Minister approves the bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust approves a bylaw that has been submitted to them. And the Minister and Ministry staff can facilitate communication between the Islands Trust and other government agencies on policy matters.

¹ Preserve - to maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

² Protect - to maintain over the long-term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.

Role of the Islands Trust Council

The *Islands Trust Act* assigns to the Islands Trust Council the responsibility for development and adoption of the Trust Policy Statement. Recognizing the varying roles and responsibilities of the many stakeholders and its own jurisdiction, Trust Council has included three types of policies in the Policy Statement bylaw:

a) Commitments of Trust Council

These policies state the position or philosophy of Trust Council on various matters. For this category of policy, several introductory phrases are used, for example, "Trust Council holds that", "It is the position of Trust Council that", and "It is Trust Council's policy that"

b) Policies that Direct Local Trust Committees and Island Municipalities

These policies direct local trust committees and island municipalities to address³ certain matters in their official community plans and regulatory bylaws. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy. Directive policies commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address"

c) Recommendations to Other Government Agencies, Non-Government Organizations, Property Owners, Residents and Visitors

These policies serve as recommendations from Trust Council to government agencies, non-government organizations, property owners, residents and visitors regarding decisions or actions that they might undertake in support of the Policy Statement and the Islands Trust object, and specify principles of guidance for protocol agreements between the Trust and other agencies. These policies begin with the phrase "Trust Council encourages"

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. **Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.**

Commented [DH16]: REMOVED: The term "address" was removed/edited throughout the document such that the specific intent of each policy and directive verbs could be more clearly expressed (without changing the intent or prescriptiveness of the policy). Note definition of 'address' in footnote below.

Commented [DH17]: Updated to "Coordination Policies for Trust Council" to reflect the role Trust Council plays in coordination and/or advocacy; more directive verbs used for clarity.

³ Address - direct attention to matters in a way that implements the policy of Trust Council.

Role of the Executive Committee

The Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by the Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" a directive policy. If there is no official community plan in place for an island municipality, then the Executive Committee is required to review all bylaws of the municipality, and no bylaw that is contrary to a directive policy in the Policy Statement can be approved.

The Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Trust Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws. While directive policies identify matters that must be addressed in official community plans and regulatory bylaws, such policies do not stipulate the specific policies and regulations to be included because the social and environmental characteristics of the islands vary. However, where a certain policy requires a local trust committee to address a particular matter, the official community plan must contain policies that implement the policy stated by Trust Council or the plan must set out explicitly the reasons and justifications for local policies that do not do so. Each local trust committee works with its island community to develop policies and regulations to suit local needs, while still supporting the Islands Trust object and the Policy Statement. Local trust committees are not required to comply with any policy in the Policy Statement not stated as a directive policy.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires a municipality to address a particular matter, the official community plan must contain policies that implement the policy stated by Trust Council unless the municipality sets out explicitly in the plan the reasons and justifications for local policies that do not do so.

Role of the Islands Trust Fund Board

The *Islands Trust Act* assigns the Islands Trust object to the Trust Fund Board, as well as to Trust Council and the local trust committees. Although the Board does not take direction from Trust Council, it can support the policies of the Policy Statement through, for example, the acceptance of voluntary donations of property and covenants, the purchase of lands and through education and communication initiatives.

Role of Other Government and Non-Government Organizations

Government agencies and non-government organizations can contribute greatly to the preservation and protection of the environment and amenities of the Trust Area through cooperative actions based on the Policy Statement. Cooperative actions such as protocols and mutually supportive strategies and action plans are necessary for the sustainability of the Trust Area.

Role of First Nations

First Nations consider the Trust Area to be within their traditional territory. As such, they may have rights to and interests in the Trust Area. Proposed regulations that may affect aboriginal rights will be preceded by meaningful consultation and negotiation of conflicts with known claims.

Role of Property Owners, Residents and Visitors

The assistance and cooperation of property owners, residents and visitors is vital to the preservation and protection of the environment and amenities of the Trust Area and the implementation of the Policy Statement. Individuals have the opportunity to participate in local planning and to work with other members of the community and the trustees to develop official community plans and bylaws that address local needs and support the object of the Islands Trust.

AMENDMENTS AND REVIEW

The Policy Statement bylaw may be amended by the Islands Trust Council with the approval of the Minister of Community Services. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by the Executive Committee and brought forward for the consideration of Trust Council.

The Islands Trust Council may, from time to time, initiate a public review of the entire Policy Statement.

PART II: THE ISLANDS TRUST'S OBJECT AND GUIDING PRINCIPLES

THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* provides the following definition of the purpose of the Islands Trust, which is referred to in the legislation as its “object”:

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“The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

The Islands Trust has responsibility for conservation⁴ through land use planning and regulation and for leadership in stewardship — that is, voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area. It is in this context that the word “stewardship” is used within this document. The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.

The *Islands Trust Act* provides special legislation for preservation and protection of the Georgia Strait-Howe Sound geographic area and creates a conservation-oriented agency to work towards this objective. The object establishes the value of the Trust Area by identifying the need for preservation and protection of the Area. The following sections provide a fuller explanation of the key phrases in the legislated object of the Trust.

“... to preserve and protect the Trust Area and its unique amenities and environment...”

The area of jurisdiction of the Islands Trust is established by Schedule A of the *Islands Trust Act*. The Trust Area is valued and is unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.

“... for the benefit of the residents of the Trust Area and of British Columbia generally ...”

The Islands Trust is responsible to the present and future residents of both the Trust Area and the Province of British Columbia. Their needs can only be met and sustained within the limitations of the natural environment and the island communities of the Trust Area. A balance must be established between the needs of all stakeholders.

“... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of the Province ...”

To achieve its object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations and individuals to

⁴ Conservation - actions, legislation or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or area of human heritage value or character.

ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems⁵ and island communities.

Commented [DH18]: Moved section on "The Islands Trust Object and its Meaning" to 1.4

GUIDING PRINCIPLES

The following principles, derived from the Islands Trust object and from input received from the public during public forums, will guide Trust Council in its day-to-day planning and decision-making.

- * The primary responsibility of the Islands Trust Council is to provide leadership for the preservation, protection and stewardship of the amenities, environment and resources of the Trust Area.
- * When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment and amenities in the Trust Area.
- * Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard.
- * Trust Council believes that to achieve the Islands Trust object, the rate and scale of growth and development in the Trust Area must be carefully managed and may require limitation.
- * Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area.
- * Trust Council will implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council will report to Council on progress in achieving the goals of the Policy Statement.

Commented [DH19]: Moved to new Part 3: Regional Governance and turned into Regional Governance Policies – i.e. Commitments of Trust Council and some Directive Policies for local trust committees and island municipalities – to give prominence to these regional governance approaches that are critical to the Islands Trust Object and regional commitments to reconciliation and climate action.

⁵ Ecosystem - complexes of living organisms interacting with the non-living environment that sustains them. All ecosystems have three fundamentals: composition, structure and function. The composition of ecosystems is defined as an inventory of the living components including humans. The structure of an ecosystem is the physical arrangement of its living and non-living components. Function refers to the exchanges and flows of energy, material or information within and among the living and non-living components of an ecosystem.

PART III: ECOSYSTEM PRESERVATION AND PROTECTION

Commented [DH20]: COMBINED PART III and PART IV for clarity and cohesion.

GOAL: TO FOSTER PRESERVATION AND PROTECTION OF THE TRUST AREA'S ECOSYSTEMS

As humans occupy and modify the Trust Area, ecosystems are subject to various pressures. Protection of these ecosystems is essential if they are to remain healthy and productive for the benefit of future generations.

The principle of sustainability⁶ must be upheld. Protective measures are varied and can include actions ranging from preservation of natural areas⁷ in the form of parks and ecological reserves, to increasing public awareness and understanding of the need for sustainable use⁸ and stewardship⁹ by all landowners.

The task of protecting the Trust Area is particularly challenging because ecosystems do not stop at political boundaries. Cooperative management programs are required to coordinate the actions of all stakeholders. Government, property owners, residents and visitors share responsibility for the preservation and protection of the Trust Area ecosystems.

POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

3.1 Ecosystems

Commitments of Trust Council

3.1.1 Trust Council holds that:

- proactive land use planning is essential for the protection of Trust Area ecosystems,
- protection must be given to the natural processes, habitats¹⁰ and species¹¹ of the Trust Area, including those of the old forests, Coastal Douglas-fir forests, Coastal Western Hemlock, Garry Oak/Arbutus forests, wetlands¹², open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors¹³, lagoons, and kelp and eel grass beds, and

⁶ Sustainable - capable of being maintained indefinitely; capable of meeting the environmental, economic and social needs of current generations without compromising the ability of future generations to meet their needs.

⁷ Natural Areas - areas that have experienced minimal modification by humans.

⁸ Sustainable Use - use of renewable resources which is within the capability of those resources for renewal and which conserves the ecological processes that support the use.

⁹ Stewardship - voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area.

¹⁰ Habitat - the place or situation in which a human, animal or plant lives.

¹¹ Trust Area Species - species native to the Trust Area, dependent on the Trust Area for all or part of their life cycle, or using the Trust Area seasonally or for migratory purposes.

¹² Wetland - land that has the water table at, near, or above the land's surface or which is saturated for a long enough period to promote aquatic processes.

¹³ Drift Sector - an integrated and independently operating beach system or erosion-transportation-accretion operating along the coastline.

- planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area species and habitats.

3.1.2 It is Trust Council's policy to work towards the establishment of a network of protected areas that preserves representative ecosystems in their natural state and in sufficient size and distribution to sustain their ecological¹⁴ integrity.

Directive Policies

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.

3.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.

Recommendations

3.1.6 Trust Council encourages all government agencies and non-government organizations to consider both monetary and non-monetary costs when making resource management and land use decisions.

3.1.7 Trust Council encourages the Provincial government and the government of Washington State to proceed with their proposal for a joint environmental monitoring system for the Georgia Basin Region.

3.1.8 Trust Council encourages the Provincial government to establish property tax incentives for conservation or habitat protection.

3.1.9 Trust Council encourages actions and programs of other government agencies which:

- place priority on the side of protection for Trust Area ecosystems when judgment must be exercised,
- protect the diversity of native species and habitats in the Trust Area, and
- prevent pollution of the air, land and fresh and marine waters of the Trust Area.

3.1.10 Trust Council encourages the Provincial government to enforce standards for control of emissions polluting the air of the Trust Area.

¹⁴ Ecological - related to the interrelations among plants, animals (including humans) and their environment.

Commented [DH21]: REMOVED as per direction from TPC working group on climate change and engagement feedback – general desire to move away from commodification and/or monetization of nature

Commented [DH22]: REMOVED – time sensitive project, inappropriate for general nature of Policy Statement

Commented [DH23]: REMOVED – accomplished through NAPTEP

Amend
Nov 4/96
BL 42

- 3.1.11 Trust Council encourages agents of the government of British Columbia or the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, acquisitions, conservation covenants and careful management.

3.2 Forest Ecosystems

Commitment of Trust Council

- 3.2.1 It is Trust Council's policy that:

- forest ecosystems in the Trust Area should be protected, and
- the remaining stands relatively undisturbed Coastal Douglas fir, Coastal Western Hemlock, Garry Oak and Arbutus should be preserved.

Directive Policy

- 3.2.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems¹⁵ within their local planning areas from potentially adverse impacts of growth, development and land-use.

Recommendation

- 3.2.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary donation, acquisition, conservation covenants and careful management.

3.3 Freshwater and Wetland Ecosystems and Riparian Zones¹⁶

Commitment of Trust Council

- 3.3.1 Trust Council holds that:

- the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated, and
- the natural wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled or degraded.

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Directive Policy

- 3.3.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

¹⁵ Unfragmented Forest Ecosystem - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

¹⁶ Riparian Zone - relating to the bank of a river, lake, stream or watercourse.

Recommendation

- 3.3.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, watercourses, wetlands, riparian zones and aquatic wildlife habitats through voluntary donation, acquisition, conservation covenants and careful management.

3.4. Coastal and Marine Ecosystems

Commitments of Trust Council

- 3.4.1 It is the position of Trust Council that development should not be allowed within a line drawn 300 metres offshore or mid-channel (whichever is less) of any island or islet in the Trust Area owned entirely by the Crown or affected by Order in Council 467¹⁷.

Commented [DH24]: REMOVED: concerns relating to First Nations rights

Amend
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- 3.4.2 It is Trust Council's policy that marine areas be protected and coastal zone management principles be defined in consultation with agents of the government of British Columbia, the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers.

Commented [DH25]: Moved to coordination policy

- 3.4.3 Trust Council holds that artificial reefs should not be developed in the Trust Area.

Interp. Memo
Mar 7/03

Interpretation Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.

Directive Policies

- 3.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
- 3.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

Recommendations

- 3.4.6 Trust Council encourages the Provincial and Federal governments to develop existing and new programs such as "harvest refugia", which protect and enhance the populations of native marine species of the Trust Area.
- 3.4.7 Trust Council encourages the Provincial and Federal governments to research the impacts of the introduction of new marine species into the marine water of the Trust Area before such species are introduced.
- 3.4.8 Trust Council encourages the Federal and Provincial governments to develop and adopt legislation that regulates sewage discharge from shores and boats and addresses its detrimental impact on marine or coastal ecosystems.

¹⁷ Order in Council 467 - Provincially established legislation that reserves certain Crown lands, including lesser islands and islets in the Trust Area from disposition under the *Land Act*.

PART IV: STEWARDSHIP OF RESOURCES

GOAL: TO ENSURE THAT HUMAN ACTIVITY AND THE SCALE, RATE AND TYPE OF DEVELOPMENT IN THE TRUST AREA ARE COMPATIBLE WITH MAINTENANCE OF THE INTEGRITY OF TRUST AREA ECOSYSTEMS.

With responsible management, the natural resources of the Trust Area can be used long into the future. In the long term, it is less costly to use resources sustainably than to have to replace or rehabilitate them once they are depleted. Indiscriminate use or development of natural resources can threaten the island lifestyles and environments that are valued by the people who live in and visit the Trust Area.

Commented [DH26]: COMBINED PARTS III and IV; Feedback from engagement processes and TPC working groups to reframe notion of "natural resources" to more integrated ecosystem stewardship.

POLICIES FOR STEWARDSHIP OF RESOURCES

4.1 Agricultural Land

Amend
Nov 4/96
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Commitments of Trust Council

- 4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.
- 4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.
- 4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.

Commented [DH27]: REMOVED: A statement of concern for some First Nations; Feedback that agriculture is not a "traditional" activity for First Nations and has had adverse impacts on First Nations interests (environmental impacts compromising Indigenous food harvesting in coastal and marine areas, impacts to traditional hunting grounds, etc.). Other general concerns expressed by Islands Trust Conservancy staff about impacts of agricultural activity and livestock on sensitive ecosystems, noting downstream effects, invasive species, impacts to natural areas, etc.

Directive Policies

- 4.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
- 4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
- 4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

Amend
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- 4.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.

Commented [DH28]: REMOVED: Obscure policy that has not been applied; intent unclear

Recommendations

- 4.1.10 Trust Council encourages the Ministry of Transportation to ensure that, where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land.
- 4.1.11 Trust Council encourages the British Columbia Land Reserve Commission to approve applications from property owners for inclusion of their land with potential for agriculture in the Provincial Agricultural Land Reserve.
- 4.1.12 Trust Council encourages the Provincial government and the British Columbia Assessment Authority to:
- retain a separate farm class to provide significant property tax incentives;
 - ensure that the threshold for farm income necessary for farm class status is appropriate to agriculture within the Trust Area; and
 - acknowledge that the total land area subject to the farm class may include land left uncultivated.

Commented [DH29]: REMOVED: due to First Nations concerns and feedback from Islands Trust Conservancy staff regarding ALR lands sometimes compromising First Nations interests, protected area networks and conservation-oriented land securement strategies.

Amend
Dec
4/98
BL 53

4.2 Forests

Commitments of Trust Council

- 4.2.1 Trust Council recognizes that forestry is a traditional land use in the Trust Area, and supports sustainable forestry as an appropriate form of land use.
- 4.2.2 It is the position of Trust Council that sustainable forestry depends on maintaining and, where necessary, restoring the ecological integrity of forests.
- 4.2.3 It is the position of Trust Council that to achieve sustainable forestry, forest owners should undertake planning to address the integrity of forest ecosystems, including monitoring and evaluation to modify forestry plans and activities as needed.
- 4.2.4 It is the position of Trust Council that forest cover is a representative characteristic of the Trust Islands and should be maintained.
- 4.2.5 It is the position of Trust Council that the aesthetic value of forest land should be protected.

Commented [DH30]: REMOVED: similar concerns as in agriculture section to framing as "traditional" or "appropriate"; generally reframing forestry references to "sustainable forest harvesting".

Directive Policies

- 4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
- 4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:
- the retention of large land holdings and parcel sizes for sustainable forestry use, and
 - the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.

- 4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.

Recommendations

- 4.2.9 Trust Council encourages the Provincial government to adopt mechanisms that will ensure full and meaningful participation of communities in decisions concerning the use of forest land.
- 4.2.10 Trust Council encourages the Provincial government to implement education and extension programs to promote sustainable forestry and the protection of forest ecosystems.
- 4.2.11 Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that establish forestry practices to protect the ecological integrity on a scale of forest stands and landscapes by maintaining and, where necessary, restoring:
- the diversity of forest structure and composition;
 - the physical, chemical, and biotic diversity of soils;
 - natural aquatic and wetland ecosystems;
 - the full range of natural habitats in the forest landscape, including old growth; and
 - connectivity of forest habitats sufficient for the dispersal needs of native species.
- 4.2.12 Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that will reduce invasive non-native plant species in the forests.
- 4.2.13 Trust Council encourages the Provincial government to designate forest ecosystem reserves, where no extraction will take place, to promote the preservation of native biological diversity.
- 4.2.14 Trust Council encourages the Provincial government, prior to giving approval to cutting plans, to require that the applicant identify those elements of the forest needed to maintain sustainable forest land use.
- 4.2.15 Trust Council encourages the Provincial government to implement property tax incentives for the practice of sustainable forestry.
- 4.2.16 Trust Council encourages the Provincial Ministry of Forests, when developing specific forest tenures, to assign to Trust Council or Trust Fund Board the holding of areas not to be harvested.

4.3 Wildlife and Vegetation

Recommendations

4.3.1 Trust Council encourages Provincial and Federal government agencies to:

- regulate and monitor the harvesting of the fish, wildlife and vegetation of the Trust Area so as to protect populations and habitats, and
- consult with local trust committees, island municipalities, the communities of the Trust Area and First Nations prior to decisions regarding regulation of hunting or harvesting of Area wildlife or vegetation.

4.3.2 Trust Council encourages Provincial and Federal government agencies to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life and to establish public shellfish reserves in the Trust Area.

Commented [DH31]: Moved Recommendations from this section to Coordination Policies of 4.1.1 – Environmental Integrity Policies

4.4 Freshwater Resources

Commitment of Trust Council

4.4.1 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater.

Directive Policies

4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,
- water quality is maintained, and
- existing, anticipated and seasonal demands for water are considered and allowed for.

4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses¹⁸.

Recommendations

4.4.4 Trust Council encourages island property owners, residents and visitors to adopt conservation practices in their use of freshwater.

4.4.5 Trust Council encourages the Provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands.

4.4.6 Trust Council encourages the Provincial government to adopt legislation that protects the sustainability and quality of the groundwater of the Trust Area.

4.4.7 Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies that promote efficient use of freshwater resources, including cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices.

¹⁸ Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and the maintenance of water quality in lakes and streams and wetlands.

4.5 Coastal Areas and Marine Shorelands¹⁹

Commitments of Trust Council

- 4.5.1 It is Trust Council's policy that aquaculture²⁰ is a valuable activity in the Trust Area if compatible with maintenance of ecosystems and community character.
- 4.5.2 Trust Council holds that finfish farms should not be located in the marine waters of the Trust Area.
- 4.5.3 It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.
- 4.5.4 It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.
- 4.5.5 It is Trust Council's policy that development should be directed to sites away from:
- areas of environmental sensitivity, and
 - areas of naturally occurring stocks of clams or oysters.
- 4.5.6 It is Trust Council's policy that aquaculture should be directed to sites away from:
- areas of recreational significance,
 - areas where an aquaculture operation would conflict with established or designated upland land uses, and
 - areas where an aquaculture operation would conflict with established or designated anchorage or moorage.
- 4.5.7 It is the position of Trust Council that aquaculture related development, activity, buildings or structures should not result in site alteration²¹.

Directive Policies

- 4.5.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
- 4.5.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
- 4.5.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.

¹⁹ Marine Shorelands - lands immediately adjacent to the marine shorelands.

²⁰ Aquaculture - the growing and cultivation of aquatic plants or shellfish, for commercial purposes on or under the foreshore or in the sea.

²¹ Site Alteration - includes, but is not limited to substrate modification or the use of metal plates or pipes.

- 4.5.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

4.6 Soils²² and Other Resources

Commitments of Trust Council

- 4.6.1 Trust Council holds that there should be no extraction of peat, metals, minerals, coal or petroleum resources in the Trust Area.
- 4.6.2 Trust Council holds that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area.

Directive Policy

- 4.6.3 Local trust committees and island municipalities shall, in local bylaws relating to soil removal and deposit, address the protection of productive soils.

²² Soils - the entire layer of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act* or the *Mining Placer Act*.

PART V: SUSTAINABLE COMMUNITIES²³

GOAL: TO SUSTAIN ISLAND CHARACTER AND HEALTHY COMMUNITIES

Communities within the Trust Area are predominantly rural in character and contrast markedly with surrounding urban areas. Each island community has developed somewhat independently of other communities. Residents of all island communities value the safe and supportive nature of their island and their quality of life. Most feel strongly that people of differing age groups and income levels should continue to have the opportunity to reside in island communities.

The health of a community is influenced by numerous factors such as economic security, education, social support systems, the cleanliness and safety of the environment, and the availability of such necessities as educational and social services, transportation, affordable food and housing. Public involvement in decisions that affect a community is also critical to the health of that community. Participation in the decision-making process influences whether an individual or group is able to realize aspirations, satisfy needs or cope with change.

POLICIES FOR SUSTAINABLE COMMUNITIES

5.1 Aesthetic Qualities

Commitments of Trust Council

- 5.1.1 Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.
- 5.1.2 It is Trust Council's policy that the intensity of noise and lighting in and through the Trust Area should be compatible with community character.

Directive Policy

- 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.

Recommendation

- 5.1.4 Trust Council encourages property owners, residents and visitors to reduce the burning of wood and fossil fuels by adopting alternative or innovative technologies.

5.2 Growth and Development

Commitments of Trust Council

- 5.2.1 Trust Council holds that growth and development in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.2 Trust Council holds that tree cover on the islands is of great importance and should be preserved.

Commented [DH32]: Moved policies to 6.1 Rural Island Planning Policies

Commented [DH33]: Moved policies to 6.1 Rural Island Planning Policies

Amend
Mar 6/98
BL 48

²³ Sustainable Communities - human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment.

Directive Policies

- 5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
- 5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
- 5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

5.3 Transportation and Utilities

Commitments of Trust Council

- 5.3.1 Trust Council holds that local trust committees and island municipalities should be consulted and involved in the decision-making process regarding provision of utilities, transportation services or facilities that might affect land use in their local planning areas.
- 5.3.2 It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel, notwithstanding the existing bridge between North and South Pender Islands.

Directive Policies

Amend
Nov 4/96
BL 42

- 5.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.

Amend
Nov 4/96
BL 42

- 5.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.

- 5.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.

- 5.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.

Recommendations

Commented [DH34]: REMOVED "and Utilities" as all of the policies pertain to Transportation

5.3.8 Trust Council encourages Provincial and Federal agencies to ensure safe shipment of materials hazardous to the environment.

Amend
Nov 4/96
BL 42

5.3.9 Trust Council encourages the Ministry of Transportation and local communities to work together through a public consultation process to evaluate and modify road construction and road system proposals to encompass the environmental, economic and social values of the community.

5.4 Disposal of Waste

Commitments of Trust Council

5.4.1 It is Trust Council's policy that the safe disposal in the Trust Area of waste originating in the Trust Area is acceptable.

5.4.2 It is Trust Council's policy that:

- neither hazardous nor industrial waste should be disposed of in the Trust Area,
- local recycling operations should be established, and
- local programs for chipping of wood waste and disposal of hazardous wastes should be established.

5.4.3 It is Trust Council's policy that there should be a reduction in the burning of solid waste in the Trust Area.

Directive Policy

5.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

Recommendation

5.4.5 Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies and safe alternatives for disposal of sewage effluent.

5.5 Recreation

Commitments of Trust Council

5.5.1 It is Trust Council's policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.

Amend
Mar 6/98
BL 48

5.5.2 Trust Council holds that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to and should not be located in the Trust Area.

Commented [DH35]: Moved policies to 6.1 Rural Island Planning Policies

Directive Policies

Amend
Mar 6/98
BL 48

5.5.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.

5.5.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:

- the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and
- the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.

5.5.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:

- the identification of sites providing safe public access to beaches,
- the identification and designation of areas of recreational significance, and
- the designation of locations for community and public boat launches, docks and anchorages.

5.5.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.

5.5.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.

5.6 Cultural and Natural Heritage²⁴**Commitment of Trust Council**

5.6.1 Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and property of natural, historic, cultural, aesthetic, educational or scientific heritage value²⁵ or character²⁶ — should be identified, preserved, protected and enhanced.

Directive Policies

5.6.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.

5.6.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.

²⁴ Heritage - a place, feature or event of cultural, biological, archaeological, paleontological or geological significance.

²⁵ Heritage Value - historical, cultural, aesthetic, educational or scientific worth or usefulness of property or an area.

²⁶ Heritage Character - the overall effect produced by traits or features which give property or an area a distinctive quality or appearance.

Commented [DH36]: Moved policies to NEW PART 5: Heritage Preservation and Protection

5.7 Economic Opportunities**Commitment of Trust Council**

- 5.7.1 Trust Council holds that economic opportunities should be compatible with the conservation of resources and protection of community character.

Directive Policy

- 5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

5.8 Health and Well-being**Commitments of Trust Council**

- 5.8.1 Trust Council holds that public participation should be part of the decision-making processes of all levels of government.
- 5.8.2 It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.
- 5.8.3 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.
- 5.8.4 Trust Council holds that island municipalities shall, in all of their actions have regard for the Trust Policy Statement and the object of the Islands Trust.
- 5.8.5 It is the position of Trust Council that the development and maintenance of healthy communities in the Trust Area through the process described in the Provincial Ministry of Health's "Healthy Communities Program" should be encouraged.

Directive Policies

- 5.8.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

Recommendations

- 5.8.7 Trust Council encourages Provincial, Federal and local governments to provide information and databases to local trust committees and communities to assist them in land use planning.
- 5.8.8 Trust Council encourages government agencies, corporations, property owners, residents and visitors to use renewable sources of energy within the Trust Area.

Commented [DH37]: Moved policies to 6.1 Rural Island Planning Policies

Commented [DH38]: Moved policies to 6.1 Rural Island Planning Policies

Commented [DH39]: REMOVED: time-sensitive project, inappropriate to general nature of the Policy Statement

Commented [DH40]: Moved to new section 6.2 devoted to Housing Policies

Commented [DH41]: REMOVED: unclear what the intent of this policy is

Amend
Nov 4/96
BL 42

SCHEDULE I

DEFINITIONS

Address - direct attention to matters in a way that implements the policy of Trust Council.

Aquaculture - the growing and cultivation of aquatic plants or shellfish, for commercial purposes on or under the foreshore or in sea.

Conservation - actions, legislation or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or areas of human heritage value or character.

Drift Sector - an integrated and independently operating beach system of erosion-transportation-accretion operating along the coastline.

Ecological - related to the interrelations among plants, animals (including humans) and their environment.

Ecosystem - complexes of living organisms interacting with the non-living environment that sustains them. All ecosystems have three fundamentals: composition, structure and function. The composition of ecosystems is defined as an inventory of the living components including humans. The structure of an ecosystem is the physical arrangement of its living and non-living components. Function refers to the exchanges and flows of energy, material or information within and among the living and non-living components of an ecosystem.

Habitat - the place or situation in which a human, animal or plant lives.

Heritage - a place, feature or event of historical, cultural, aesthetic, educational or scientific significance.

Heritage Character - the overall effect produced by traits or features which give property or an area a distinctive quality or appearance.

Heritage Property - property or areas that have historical, cultural, aesthetic, educational or scientific value or character.

Heritage Value - historical, cultural, aesthetic, educational or scientific worth or usefulness of property or an area.

Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and maintenance of water quality in lakes and streams and wetlands.

Marine Shorelands - lands immediately adjacent to the marine shoreline.

Natural Areas - areas that have experienced minimal modification by the human species.

Order in Council 467 - Provincially established legislation that reserves certain Crown lands, including lesser islands and islets in the Trust Area, from disposition under the *Land Act*.

Preserve - to maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

Protect - to maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.

Renewable Resources - resources that are capable of being replaced by natural ecological cycles within reasonable human time frames.

Riparian Zone - relating to the bank of a river, lake, stream or watercourse.

Site Alteration - includes, but is not limited to substrate modification or the use of metal plates or pipes.

Soil - the entire layer of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act* or the *Mining Placer Act*.

Stewardship - voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area.

Sustainable - capable of being maintained indefinitely; capable of meeting the environmental, economic and social needs of current generations without compromising the ability of future generations to meet their needs.

Sustainable Communities - human communities that have achieved a balance between environmental, economic and social systems and that respect the carrying capacity of the supporting environment.

Sustainable Use - use of renewable resources which is within the capacity of those resources for renewal and which conserves the ecological processes that support the use.

Trust Area Species - species native to the Trust Area, dependent on the Trust Area for all or part of their life cycle, or using the Trust Area seasonally or for migratory purposes.

Unfragmented Forest Ecosystems - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

Wetland - land that has the water table at, near, or above the land's surface or which is saturated for a long enough period to promote aquatic processes.

Commented [DH42]: REMOVED SCHEDULE 1 – DEFINITIONS; instead included key definitions in the preamble to each chapter or in policies themselves for clarity.

Islands 2050:

The Future of the Trust Area

Policy Statement Amendment Project

Islands Trust Policy Statement
Amendment Draft V1.0

Presentation to
Trust Programs Committee

May 3, 2021



Acknowledgment

*We respectfully and
humbly acknowledge...*

The Islands Trust Area is located within the treaty lands and territories of the BOKÉĆEN, K'ómoks, Lək'wəŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səlilwətaʔt, SEMYOME, shíshálh, Sk̓wxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SȪÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, W̱JOŁEŁP, W̱SIKEM, Xeláltxw, Xwémalhk̓wu/ʔop qaymıxʷ, and xʷməθkʷəy̓əm.

*...these lands and waters
have been home to
Indigenous Peoples since
time immemorial*

*...we honour the rich
history, stewardship
and cultural heritage
of this place*

Islands 2050:

Amendment Draft V1.0

Presentation Overview



Part 1: Rationale for Amendments

- Project Timeline and Scope
- The Policy Statement and the Islands Trust Object
- What We Heard: Principles and Paradigms
- Questions/Comments

Part 2: Detailed Review

- What We Heard: Policy Goals
- Spotlight on Key Amendments
- Implementation Considerations
- Questions/Comments

Part 3: Next Steps

- Discussion Question for Trust Programs Committee (TPC):
Does Trust Programs Committee feel that this document fulfills
Trust Council's direction to update the Policy Statement?

Islands 2050: The Path FORWARD



May 2021 Committee Consultations:

- **May 3** Trust Programs Committee (First Review)
- **May 5** Executive Committee (First Review)
- **May 12** Regional Planning Committee
- **May 14** Trust Programs Committee (Second Review)
- **May 18** Deadline for Staff to Incorporate Feedback
- **May 25** Islands Trust Conservancy Board
- **May 26** Executive Committee (Second Review)
- ~~**June** Trust Council (First Reading)~~ to be confirmed

Estimated Project Timeline:

- **Late June** Send Draft for Referrals (90 days)
- **Mid-Sept** Engagement Phase III
- **Oct–Nov** Staff Incorporate Feedback
- **Dec 2021** Second Reading
- **Mar 2022** Third Reading
- **Fall 2022** Fourth Reading/Adoption

*engagement with First Nations is ongoing

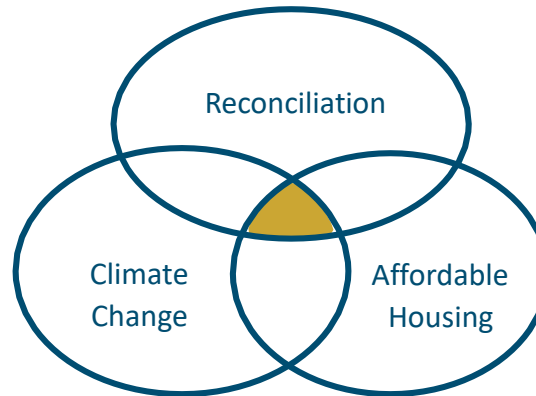
Islands 2050:

Policy Statement Amendment Project Scope

Trust Council 2018-2022 Three Strategic Priorities for Policy Statement Amendments

General Update of:

- Introduction
- Part I (Purpose & Implementation)
- Part II (Trust Object & Guiding Principles)
- Schedule 1 (Definitions)



Thematic Update of:

- Part III (Ecosystem Preservation and Protection)
- Part IV (Stewardship of Resources)
- Part V (Sustainable Communities)

Any input that is out of scope for this project can be considered by Trust Council for future Policy Statement amendment projects.

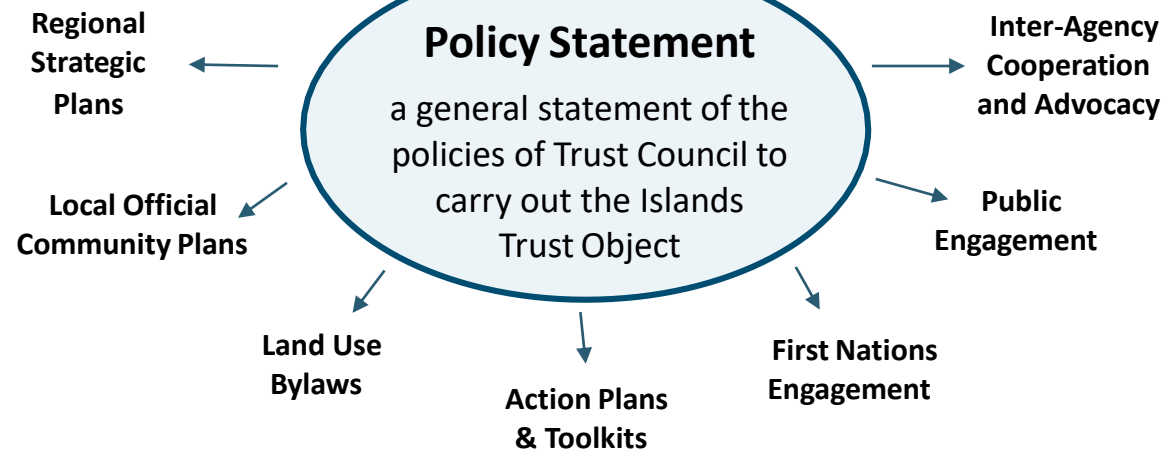
The ISLANDS TRUST Object

A Unique Mandate to Preserve & Protect

Islands Trust Act

Islands Trust Object:

"to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."



The ISLANDS TRUST object

A Unique Mandate to Preserve & Protect

DO WHAT?

To preserve and protect the Trust Area and its unique amenities and environment...

- Environmental Integrity
- Natural, Cultural, and Community Heritage
- Rural Island Atmosphere

FOR WHOM?

...for the benefit of the residents of the Trust Area and of British Columbia generally...

- Sustainable, Inclusive, and Resilient Trust Area Communities
- First Nations
- British Columbians

HOW?

...in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, the government of British Columbia.

- Place Protection Planning:
 - Conservation-Oriented Land Use Planning
 - Public Engagement and Education
 - First Nations Engagement
 - Inter-Agency Coordination and Advocacy

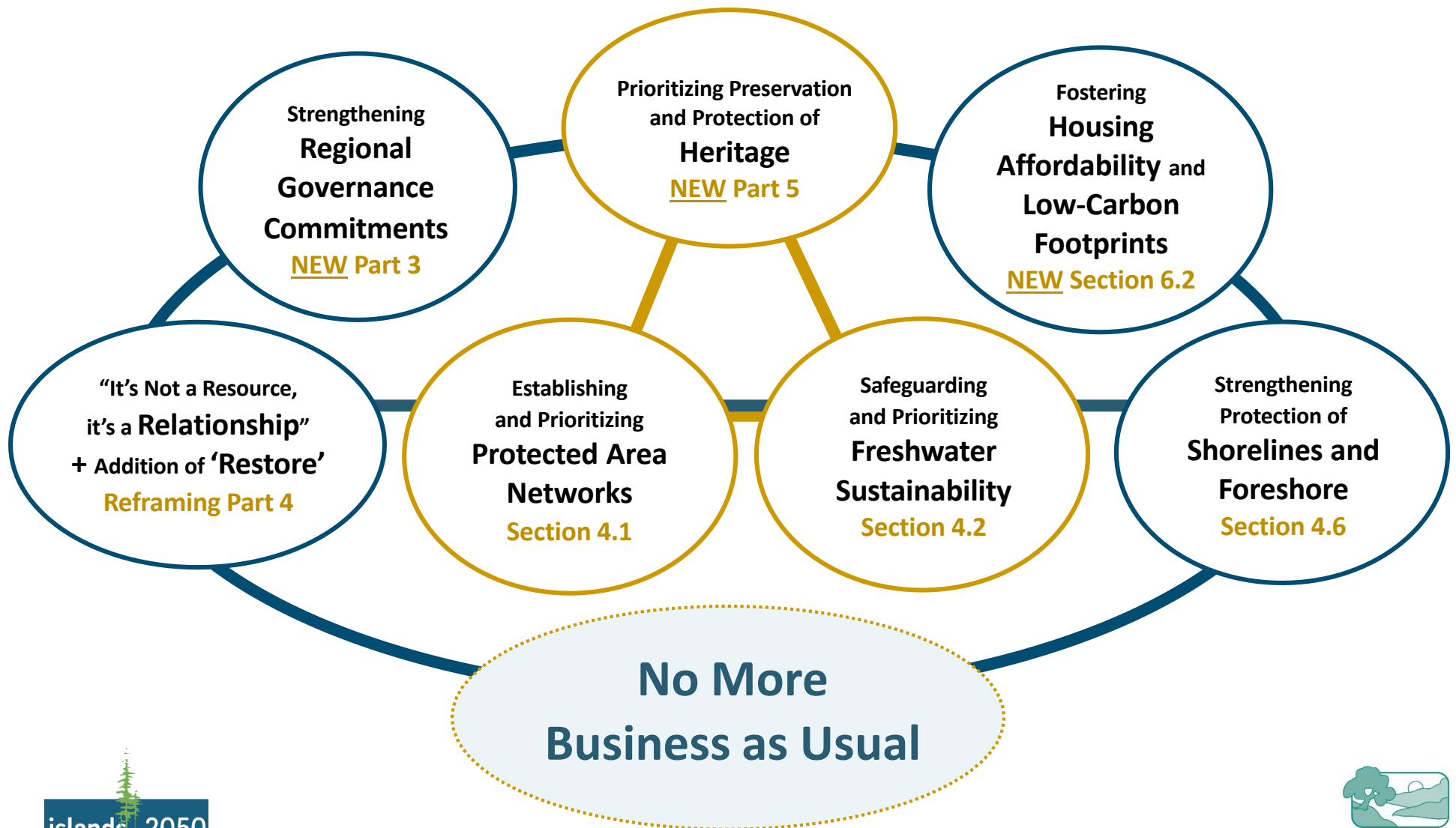
PRINCIPLES & PARADIGMS

Underpinning Amendments to the Policy Statement



Policy Goals

Underpinning Amendments to the Policy Statement



Strengthening
Regional
Governance
Commitments
NEW Part 3

New Part 3 Goal:

To foster regional governance approaches that uphold the Islands Trust Object and honour regional commitments to reconciliation and climate action.

Spotlight on 3.1.2:

Trust Council commits to place priority on preserving and protecting **the integrity of the environment** and **Indigenous cultural heritage** in all decision-making.

Current Policy Statement (Guiding Principle #2):

When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment and **amenities** in the Trust Area.

Part 3 Policy Amendments:

- transformed guiding principles into regional governance policies
- defined clearer priorities/limitations and stronger leadership role
- noted regional approaches to reconciliation and climate action
- addition of “restoration”; removal of “resources”
- commitment to seek evidence-based understandings
- commitment to engagement with First Nations and foundation documents
- commitment to coordination and advocacy role
- translated into appropriate directive policies for consistency

Prioritizing Preservation
and Protection of
Heritage
NEW Part 5



New Part 5 Goal:

To preserve and protect natural, cultural, and community heritage in the Trust Area.

Trust Council recognizes heritage as a ‘unique amenity’ of the Trust Area that is to be preserved and protected under the Islands Trust Object. The relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area. First Nations have an inherent right to identify their own cultural heritage, interpret its meaning, and safeguard its value.

Spotlight on 5.1.1

Trust Council holds that the preservation, protection, and restoration of natural, cultural, and community heritage in the Trust Area is essential to the Islands Trust Object and must be guided by meaningful, respectful, and culturally sensitive engagement with First Nations.

Spotlight on 5.1.2

It is Trust Council’s policy that local and regional planning decisions should not incur adverse impacts to the natural heritage, Indigenous cultural heritage, or community heritage in the Trust Area.

Fostering
Housing
Affordability and
Low-Carbon
Footprints
NEW Section 6.2



New Part 6.2: Housing Policies

Spotlight on 6.2.1

Trust Council holds that community sustainability and resilience are supported by the availability of diverse housing options that cater to a range of age groups and income levels, and that respect the environmental integrity, Indigenous cultural heritage, and carrying capacity of islands in the Trust Area.

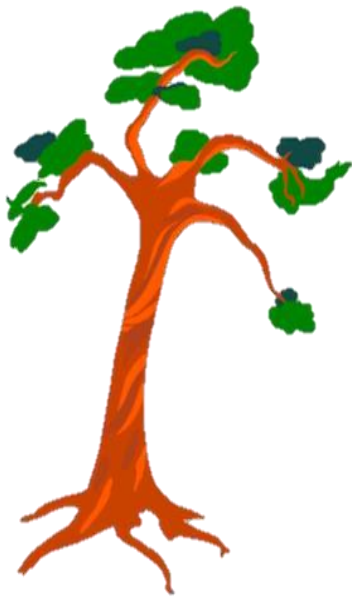
Spotlight on 6.2.2

Trust Council holds that where residential development must occur, it should be compact, energy-efficient, and appropriately situated in order to minimize greenhouse gas emissions, safeguard protected area networks, sustainably steward groundwater regions, and preserve and protect Indigenous cultural heritage in the Trust Area.

Section 6.2 Policies Address:

- constraints for all development
- the no-compromise zones: protected area networks, groundwater regions, Indigenous cultural heritage
- appropriate locations for density increases for affordable housing
- short-term rentals impact analysis
- floor area and lot coverage limits
- advocacy for safe, secure, affordable housing for Trust Area residents and for Indigenous Peoples in the Trust Area

Establishing
and Prioritizing
**Protected Area
Networks**
Section 4.1



Protected Area Networks

Spotlight on 4.1.3

Trust Council commits to establishing a network of protected areas throughout the Trust Area, acknowledging that unfragmented connectivity is necessary to preserve ecosystems in their natural state and in sufficient size and distribution to sustain their environmental integrity.

How? **Spatial Decision Support System**

The Islands Trust Conservancy uses a **Spatial Decision Support System (SDSS)** for conservation planning. An SDSS combines spatial data, scientific knowledge, and institutional values to provide maps and associated information that can help to establish networks of protected areas for each planning area. The SDSS balances knowledge of the natural environment with information about the built environment and incorporates the following information into decision making:

- Sensitive Ecosystem Mapping
- Terrestrial Ecosystem Mapping
- Mapped at-risk Ecological Communities
- Roads
- Property Boundaries
- Protected Areas
- Ecosystem Mapping (for disturbance mapping)
- Subdivision Potential
- Housing Density

Safeguarding
and Prioritizing
**Freshwater
Sustainability**
Section 4.2

Freshwater Sustainability

Spotlight on 4.2.1

Trust Council commits to take a precautionary and strategic approach to the stewardship of watershed ecosystems, freshwater networks, and groundwater recharge areas in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, the public, and on the basis of the best available science.

Spotlight on 4.2.6

Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure:

- that freshwater quality is maintained;
- that neither the density nor intensity of land use is increased in **groundwater regions** where the quality or quantity of the supply of freshwater **is likely to be inadequate or unsustainable**;
- that existing, anticipated, and seasonal water **demand and supply projections** are considered and allowed for; and
- that islands are **self-sufficient in their supply of freshwater**.

Current Policy Statement (Guiding Principle #2):

- “in areas...”
- “known to have a problem with...”
- “existing, anticipated, and seasonal demands for water...”

Strengthening
Protection of
**Shorelines and
Foreshore**
Section 4.6

Coastal and Marine Stewardship

Spotlight on 4.6.2

It is Trust Council's policy that coastal and marine harvesting and aquaculture in the Trust Area should be small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area.

Spotlight on 4.6.7

It is Trust Council's policy that the following restrictions are necessary in order to preserve and protect the sensitive coastal and marine waters of the Trust Area:

- artificial reefs should not be developed (excepting 'reef balls')
- finfish farms should not be permitted
- seawalls and other hard shoreline armouring should not be developed
- private docks should be limited to boat access only properties
- freighter anchorage sites in the Southern Gulf Islands should be eliminated
- oil tankers should not be permitted to transit through Trust Area waters

Section 4.6 Policies Address:

- protection of seagrass meadows and kelp beds, acknowledging multifaceted roles in carbon capture and storage, soft shoreline protection, and provision of habitats and spawning areas
- protection of First Nations inherent rights and access to coastal and marine harvesting sites and Indigenous cultural heritage on shorelines
- Trust Council's coastal and marine coordination and advocacy role

The Path FORWARD

Implementation Considerations

No More Business As Usual = Organizational Change

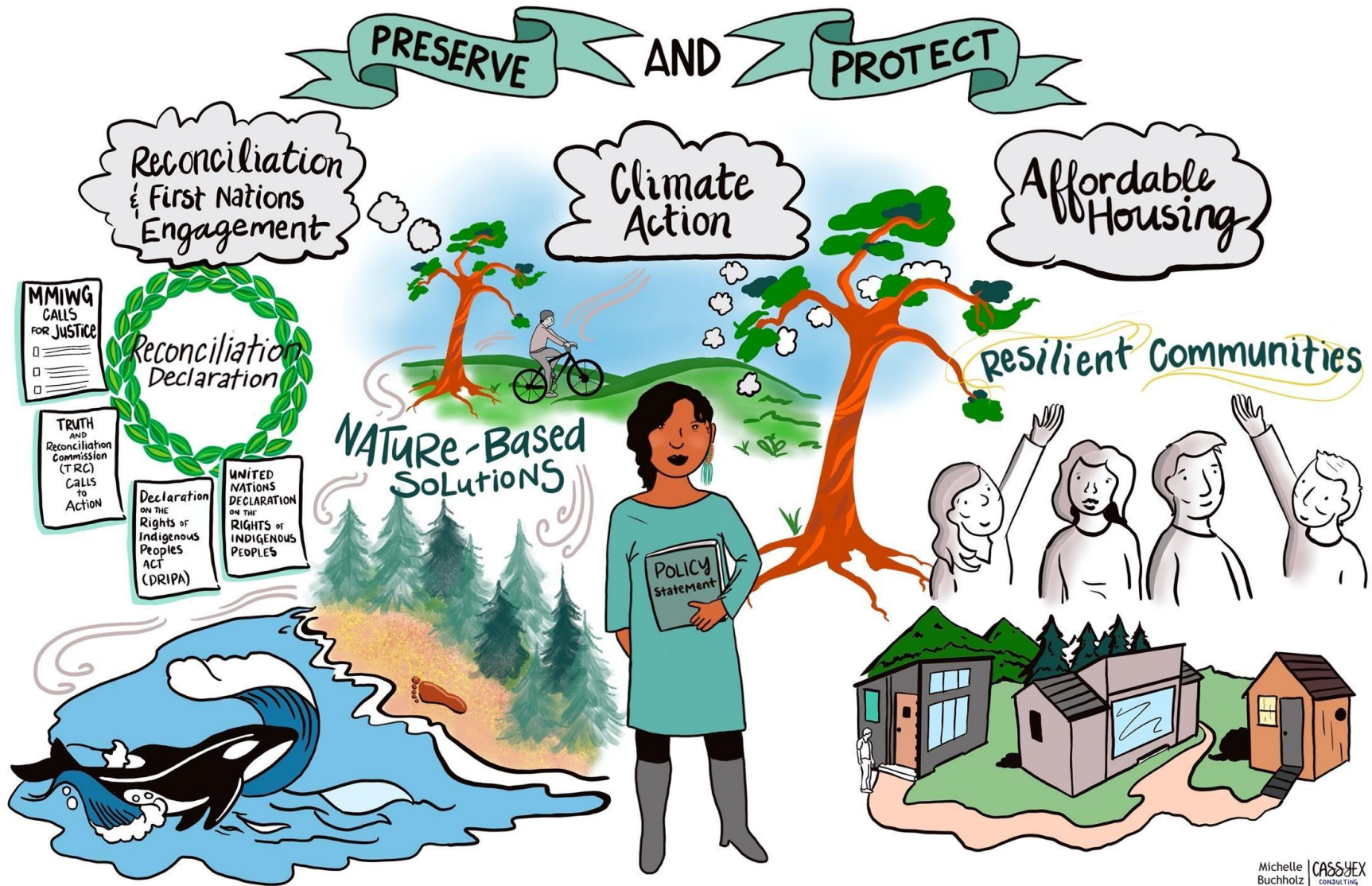
- Amendments to Policy Statement Implementation Policy
- Amendments to Policy Statement Directives Checklist
- Coordination & Advocacy Role
- Educational Materials
- Action Plans and Tool Kits
- Links to Strategic Plans and Budget
- Links to Regional Planning Team and Official Community Plan Review
- Funding Requests to Province
- Funding & Partnerships for Research, Monitoring, and Evaluation
- Specialist Expertise
- Working Relationships with Islands Trust Conservancy

Discussion Question

for Trust Programs Committee (TPC):

Does Trust Programs Committee feel that this document fulfills Trust Council's direction to update the Policy Statement?





Michelle Buchholz | CASSYEX CONSULTING



REQUEST FOR DECISION

To: Regional Planning Committee **For the Meeting of:** May 12, 2021
From: Narissa Chadwick, Island Planner **Date Prepared:** May 5, 2021
SUBJECT: Application Processing Services Policy

RECOMMENDATION:

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

1 PURPOSE:

Present the revised draft Application Processing Services Policy, the Model Fees 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.

Following further review of input on the model development approval information bylaw, Staff recommend that this be removed from the package and added later after, to allow further refinements to the model.

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 March 17th, 2021 RPC meeting.

Attached to the Application Processing Services Policy is the Model Fees Bylaw; the model development application information bylaw will be added at a later date.

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).

Fees estimates might change. 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.

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 March 17th, 2021 RPC meeting.

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. Also, planning Staff and some feedback from trustees indicate that amendments are required to the model development approval information bylaw before adoption. Therefore, Staff recommend that the model development approval information bylaw be removed from this package, and be dealt with separately.

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 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 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
 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.
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 to Trust Council for approval.

Alternatives:

1. That the Regional Planning Committee not endorse the recommendations and provide alternative direction to staff.
-

Prepared By: Narissa Chadwick, Island Planner

Reviewed By/Date: David Marlor, Director, Local Planning Services/May 5th 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 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 – Included in Application Fee

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 – Included in Application Fee

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 – Included in Application Fee

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 – additional fees required

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 additional 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.
- 6.4 The Regional Planning Committee should develop a model Development Approval Information bylaw for addition as Attachment 2 to this policy.

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

[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 ~~referral~~view-of 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:

1. Citation

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

2. Interpretation

- 2.1 In this bylaw:

"Applicant" means:

- 2.1.1 the person authorized under the _____ Island Local Trust Committee Procedures Bylaw No. _____, _____ to make an application in respect of a bylaw or permit under the *Islands Trust Act* or Part 14 or Part 15 of the *Local Government Act*;
- 2.1.2 an applicant for a license under the *Liquor Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.3 an applicant for a license under the *Cannabis Control and Licensing Act* in respect of which the Local Trust Committee is requested or required to provide comments or recommendations;
- 2.1.4 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.

3. Application Fees

- 3.1 Prior to the processing of an application listed in Column 1 of Table 1, Table 2, Table 3 or Table 4, the applicant must deliver to Islands Trust the corresponding application processing fee in the amount shown in Column 2 subject to section 4. 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 95 <u>square metres</u> m² that provide community benefit..	\$1000
13. Temporary Use Permit Renewal	\$700 <u>\$1150</u>
14. Temporary Use Permit Renewal (Community Benefit)	\$535 <u>\$900</u>
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 <u>(tiered and/or per lot approach to subdivision fees)</u>	\$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, the rated in 3.1 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~~assigned by the regional planning manager 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~~ bBy 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 applicant ~~tion~~ 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. Annual Fee Increases

- 7.1 ~~Application fees in section 3.1 will~~ increase by 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. Application Fee Sponsorship

- 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. Severability

- 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.

10. Repeal

- 10.1 “[Insert LTC Name] Local Trust Committee Fees Bylaw No. [XX]” is repealed upon adoption of this bylaw.
- 10.2 Any application for which a fee has been fully paid at the time this bylaw comes into force shall be processed to completion in accordance with the fee provisions of the repealed bylaw.

READ A FIRST TIME this st day of , 20

READ A SECOND TIME this st day of , 20

READ A THIRD TIME this st day of , 20

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST

this th day of , 20

ADOPTED this th day of , 20

Chair

Deputy Secretary

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 (with 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 and Model Fees 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”.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

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

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; and

5. add a model fees 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.

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”.

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 bylaw. 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 Marlor, Director, Local Planning Services

Reviewed By/Date: Regional Planning Committee/May 12, 2021

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: 12-May-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: 12-May-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